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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We come to the end of a week where we have given thanks for the heroism of our astronauts. They answered the call to service of their Nation, and of their race, to leave the comfort of home to expand the horizons of us all.

We have honored as well the elders of both the Senate and this people's House, two men who have served together over a century in this most noble work of representing the people of the United States.

Now we approach a week during which all Americans will gather to remember who we are: a Nation generously blessed not only by You, our God, but by courageous ancestors, faithful allies, and the best good wishes of people everywhere who long for freedom, who would glory in the difficult work of participative government and who do not enjoy the bounty we are privileged to possess.

Bless the Members of this assembly and us all, that we would be worthy of the call we have been given as Americans. Help us all to be truly thankful and appreciative and appropriately generous in our response.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

NOT SO FAST WITH THE CONFETTI

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, this week marked the passage of an important milestone in American history. But don't just break out the confetti and the fireworks so quickly.

According to the Treasury Department, our national debt just passed $15 trillion for the first time in history. Mr. Speaker, here is what $15 trillion looks like. That seems like a lot of money to me. That totals over $48,000 for every man, woman, and child across the fruited plain.

Now, how did we get here? Through unchecked, excessive spending by the Federal Government.

This addiction to spending somebody else's money has got to stop. We must be bold and cut unnecessary spending. Tough times call for tough actions, and we must even do more.

Congress must pass the balanced budget amendment. Force the government to balance its books just like Americans are supposed to do. We keep digging ourselves into the dark abyss of debt. Maybe we should quit digging before we reach Greece or the bottomless pit of bankruptcy.

And that's just the way it is.

FOREIGN AID

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, of all the extreme statements we've heard coming out of the Republican Presidential debates in recent weeks, perhaps none is more alarming than the idea that we should ''cut foreign aid to zero''—even for steadfast U.S. allies, even for critical global health and antiterrorism efforts.

We might dismiss this ridiculous assertion as a ''hail Mary'' from a candidate desperate to revive his flagging chances, were it not for the fact that it drew heavy applause from the Republican voters in the audience and eager agreement from the rest of the Republican field, including the presumptive frontrunner.

Is this the state of today's Republican Party, the party of internationalists such as Teddy Roosevelt, Dwight Eisenhower, and Ronald Reagan? ''Cut foreign aid to zero?''

Foreign aid has always been an easy target for demagogues, especially during difficult economic times, but the reality is that it is one of the most cost-effective investments our Nation makes. For about 1 percent of our annual budget, it strengthens key allies such as Israel, the Palestine Authority, Afghanistan, and Egypt; it promotes economic development that benefits American companies and creates jobs back home; it helps us respond to humanitarian disasters and supports democracy, human rights, and the rule of law. Suggestions that we should ''start at zero'' and ask our allies to come to us hat in hand are simply preposterous.

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SOCIAL SECURITY IDENTITY THEFT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, since 1980 Social Security has been required to publicly put deceased Americans' personal information into a so-called death master file which was meant to help prevent payment and benefit fraud. Nearly anyone can get this information, including identity thieves.

Identity theft affects not only swindled businesses and American taxpayers, but grieving families whose suffering is made worse when they learn that someone has been preying on the death of their loved ones. Criminals are exploiting this information in order to profit off deceased children by applying for tax refunds. That's just wrong.

Every year, Social Security puts about 14,000 Americans in this death file who aren't even dead. Any of us could be put on that list by mistake—a mistake that can result in severe financial hardship and emotional heartache.

Americans deserve better. So today I'm introducing the Keeping IDs Safe Act to stop the sale of the death master file immediately. I urge my colleagues to support this legislation.

HONORING ROBERT ''SHANE'' WILSON

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise in great sadness to recognize fallen Doraville police detective, Corporal Robert ''Shane'' Wilson, a citizen of great distinction in my district, who gave his life on behalf of the people who live there.

Responding to a home invasion on November 14, he was tragically involved in a head-on collision with a drunk driver. He was off duty at the time, responding.

An 8-year veteran, Officer Wilson was just 27 years old. He was a member of the SWAT team. He served his community courageously and honorably and was very well liked and respected by his colleagues and fellow officers.

He was a loving husband, father, brother, and son from a family steeped in law enforcement. In his off hours he loved to play drums and piano, and he composed music and always had a smile on his face.

All Georgians are affected by this tragedy, but our thoughts and prayers go out especially to his family, friends, and colleagues. Robert ''Shane'' Wilson was one of the best, and he'll be greatly missed.

JOBS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, when the liberal Democrat extremists took control of the Congress in 2007, the unemployment rate was 4.6 percent, and when Republicans took back control of the House in January of 2011, the unemployment rate had jumped to 9 percent. Under liberal Democrat control, 6.9 million Americans became unemployed. So now we have 13.9 million unemployed Americans who have been ignored by the liberals in Washington.

Higher taxes, record spending, and bigger government have failed to create jobs or boost economic growth. Put simply, this economy is growing too slowly to replace the millions of jobs lost. GDP growth in the first quarter of 2011 fell to 1.8 percent; in the second quarter it was 1.3 percent.

The failure of the President's runaway spending, deficits and debt is being felt by every family struggling to put food on the table and pay their mortgage.

Instead of expanding the size of government, Republicans in Washington are committed to a pro-growth economic agenda that will put America back to work. And I urge people to go to America's job creators, jobs.gop.gov, to see the plan Republicans have to create jobs. We've passed over 20 bills that have gone to the Senate, and no action is being taken on them.

□ 0910

KENYAN INCURSION INTO SOMALIA

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, I come to the floor today to support and urge us to support the Kenyan military that has gone into Somalia to set up a corridor of safety for the Somali people and to help push back and fight against Al-Shabaab.

Al-Shabaab is a terrorist organization in Somalia. And because of the general chaos in Somalia, Mr. Speaker, Al-Shabaab has been able to do two very bad things. One is, because of the instability they create, they have caused massive refugee problems into Kenya, which is why the Kenyan military had to go into Somalia to try to stop that bleeding. But they also have created chaos in the Red Sea through piracy, and have sponsored terrorism in other African nations like Uganda. At the same time, Mr. Speaker, they are an attractive nuisance to every bad guy who wants to come and have a safe haven for terrorism. And they attract international terrorists to Somalia, which further destabilizes that nation.

After 20 years of chaos, the Somali people deserve some stability, and the Kenyan troops that are there are helping to bring that. The United States and the intelligence community need to step up and help offer sustenance and support for those Kenyan troops, Mr. Speaker.

Let me say that this is the time to step up and help the Kenyan community help our country and the rest of the world.

MIDDLE CLASS CHALLENGES CONGRESS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, America's middle class, her determined, hardworking middle class, is challenging Congress. Will Congress respond to our middle class?

We in the middle class are growing increasingly aware of the statistics that the wealth concentrated in the top 1 percent has grown exponentially—275 percent. Over the same timeframe, America's middle class has seen its wealth flatline, and if it's grown, something diminished like 15 to 20 percent. That is unsustainable. America's middle class knows it.

They know that we need to invest in our middle class, empower the purchasing power, raise our children, invest in their education and higher education, invest in health care, invest in public safety, invest in job creation and job retention, invest in research that equals jobs. That is the commitment that they're asking for.

They know it's within the grasp of Congress to fix it. They know increasingly the American Dream is growing outside their grasp. We need to go to work, provide jobs, the dignity of work for our middle class. We need to solve the problems of America through the eyes of our middle class.

WHO WILL CARE FOR THE CAREGIVERS?

(Ms. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. RICHARDSON. November is National Caregivers Month. All across America, there are thousands of Americans who need help. They need help to stand, to sit, to put on their shoes, to go to the rest room, and even some to take their last breath. And there are those who are sitting by the bedside of those people, we call them in-home health care workers, who oftentimes in this country barely make even a minimum wage themselves, and if they needed the very care that they were providing, they could probably not afford it.

As this Congress decides and looks at the joint committee's decisions and proposals before us, let's not go against those working people, thousands of people who don't even have enough to take care of their own families.

The decisions can be done better, but they certainly should not be on the

backs of working people and those who care for our Americans.

PROVIDING FOR CONSIDERATION OF H.R. 3094, WORKFORCE DEMOCRACY AND FAIRNESS ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 470 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 470

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3094) to amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. WOMACK). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 470 provides for a structured rule providing for consideration of H.R. 3094, the Workforce Democracy and Fairness Act.

With that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentlelady for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise today in opposition to the rule and the underlying bill.

Mr. Speaker, with this rule and underlying bill, Congress continues months of inaction on job growth, months of ignoring real solutions, choosing instead to use our economic struggles as an excuse to push partisan and ideological legislation.

The American people deserve jobs now rather than bills aimed only at stoking the rhetorical fires and antagonizing political opponents. It's time to stop the games and seek compromise for the betterment of our Nation.

A middle class tax increase is looming. With the extension of the payroll tax, many middle class families earning $70,000 to $80,000 a year will be forced to pay over a $1,000 a year more in taxes. Apparently, the Republicans believe that the government knows how to spend their money better than American families.

As a businessman and an entrepreneur, I'm proud to have created many jobs and many businesses. I meet with the businesses in my district on a regular basis. Not a single business has raised this issue as any kind of impediment to job growth, any kind of impediment to getting the economy growing again. This is simply a non-related subject that pursues a longtime agenda to destroy the ability of workers to organize.

This bill represents the Ohio-ization of America. Just as Republicans attempted in the State of Ohio, House Republicans are simply union busting. But we saw what happened in Ohio, where Ohioans across the ideological spectrum overwhelmingly said ''no'' to this kind of anti-worker agenda. And the American people reject it as well.

This bill's singular goal is to shut down workplace elections. It would overturn the proposed National Labor Relations Board rule, it would modernize the union election process and avoid delays. But instead of creating efficiency in government, the workplace election prevention actually mandates inefficiency; it makes inefficiency the norm rather than the exception. The bill puts in place 35-day delays in holding elections after filing petitions. The bill includes no limit on how long the elections can be delayed.

□ 0920

In the case of workplace elections, delay is a critical issue. The intent of delaying an election is to give anti-union employers a chance to prevent workers from organizing. Despite Republicans' professed outrage over frivolous lawsuits and tort reform and many other areas, H.R. 3094 incentivizes a mountain of litigation for the sole purpose of stalling workplace elections. This creates a massive backlog of cases, including frivolous ones, all on the taxpayers' dime. Republicans don't seem to have a problem with trial lawyers as long as they're suing unions.

This bill even allows managers to stuff the ballot boxes of employer elections.

Now, Mr. Speaker, I'm sure many of us in this body here are following our State redistricting processes to see how various districts across the country are gerrymandered. What this bill would allow employers to do is effectively gerrymander what the negotiating unit is at the company. If there's a group of employees that's interested in forming a union, it would give the employer the ability to say, no, that's actually not a valid group; it needs to include this other group or this other group, and decide on what the electoral body is, what is the electorate, choosing their own electorate, as too many Members of Congress attempt to do through the redistricting process, choosing their electorate to try to rig the election against the workers.

This bill is just the latest assault on workers' rights and it's, again, typical of this do-nothing Congress. The Republicans have been fixated on attacking the National Labor Relations Board, the board that is in place to strike a balance between labor and employers by cutting the agency's funding, by holding up new appointments and, now, by reversing a rule on notice-posting to inform employees of their rights.

Mr. Speaker, the people are wise to see what's going on here in Congress. Every week we're in session, we see a parade of special interest bills paraded on the House floor, while taxes for middle class families risk going up because the Republicans believe that government knows how to spend their money better than the American people. The big energy companies have got numerous exemptions from the Clean Air and Clean Water Acts. The rest of us got pollution, asthma, and other illness.

Look, is it possible to create jobs by lowering standards? It is. If you want to remove workplace safety standards you can create jobs, unsafe jobs. If you want to reduce the minimum wage to $2 an hour, you can create jobs, $2-an-hour jobs.

Is that the America we want? Is that the America we want for our children and grandchildren? We can do better, and we must do better.

Why are we here? When will Americans get the jobs bill that we desperately need to the floor of the House of Representatives?

If you've got some ideas to create jobs, let's get them out, put them in front of us and discuss them. Let's start by preventing the payroll taxes from going up for middle class Americans.

It's obvious why this body has an approval rating that's actually lower than communism now, and even lower than President Nixon when he resigned. It's time for this Congress to get to work to provide solutions to help get this economy going, or it's going to be time to get a new Congress.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, our colleagues across the aisle are constantly reminding the American people of what a great economy we had when President Clinton was President.

Why did we have such a great economy? Because 6 of the 8 years that he was President, we had a Republican-controlled Congress. The first 2 years of his administration was a disaster in this country, and then we had 6 years of the Republicans in control. They balanced the budget. They reduced spending.

And did we have a horrible economy? Did we have horrible workplace situations? No.

They want to lead you to believe that with Republicans in control and passing Republican bills that we'll somehow or another destroy this country. That is not going to happen. Under Republican control we have, generally, a booming economy, but not under Democrats.

I now would like to yield 3 minutes to my distinguished colleague from South Carolina (Mr. SCOTT).

Mr. SCOTT of South Carolina. Thank you, Dr. FOXX.

Mr. Speaker, I would like to submit for the RECORD the following email from Mr. Lafe Solomon, acting chief counsel of the NLRB.

The article gave me a new idea. You go to geneva and I get a job with airbus. We screwed up the us economy and now we can tackle europe.

Mr. Speaker, I would say that there's no question that the NLRB is not under attack. Employees' freedom is under attack. The workplace fairness concept is under attack, but certainly not the NLRB.

There's no question that the NLRB was thought to be an impartial referee for our employers and our employees, but that has not been the case. They have been anything other than impartial. And their email trail will show that in just a few seconds.

But despite the fact that today we have 2 million more unemployed Americans, the NLRB continues to choose sides in the disputes, as opposed to being a referee. Their lack of judgment and common sense has been magnified, and it can be seen clearly in the email conversations within the Department of the NLRB.

Mr. Solomon apparently thought the following was funny, despite his current efforts which threatens more than 1,000 jobs in the great State of South Carolina and in my district in North Charleston. Emailing a colleague regarding criticism from a magazine article, this is what he said. I want you to hear this clearly. I'm going to say it slowly because we need to understand and appreciate that the NLRB has lost their marbles, without any question.

His quote: ''The article gave me a new idea. You go to Geneva and I get a job with Airbus,'' Mr. Solomon said. ''We screwed up the U.S. economy, and now we can tackle Europe.''

Let me repeat that because this is the chief counsel at the NLRB stating very clearly his intentions and his lack of humor. ''The article gave me a new idea,'' saying to one of his colleagues. ''You go to Geneva. I'll get a job with Airbus. We screwed up the U.S. economy and now we can tackle Europe.''

Only in an alternate universe is this funny or does it make any sense whatsoever. It is no secret that the NLRB's reckless actions have a direct impact on my district, without any question. But it is also no secret many on both sides of the aisle have recognized the danger of those actions.

Earlier this year the House passed my bill, H.R. 2587, which removes the ability from the NLRB to destroy jobs because, simply put, they cannot be trusted to do anything other than undermine the fragile recovery here in America. Unfortunately, Senator REID has done with my bill what he has done with the other 22 job-creating measures: nothing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FOXX. I yield the gentleman another minute.

Mr. SCOTT of South Carolina. Thank you, Dr. FOXX.

In an effort to appease the President and his union supporters, the NLRB has gone off the tracks and begun proposing harmful rules, left, right, up, down. It is ridiculous.

One of these rules is why we're here today, an effort to allow for quickie union elections. This rule, quite simply, puts the rights of all employees at risk. By allowing as little as 7 to 10 days for employees to decide whether they want to join a union or not, the NLRB is preventing many from having the time to do the necessary research and make a good decision on whether or not they join a union.

Currently, the average time is 35 to 40 days, a reasonable amount of time. This is a significant difference. Going from 35 to 40 days down to 7 to 10 days is ridiculous.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Ms. FOXX. I yield the gentleman another minute.

Mr. SCOTT of South Carolina. Thank you, Dr. FOXX.

The new rule also makes it impossible for anyone to challenge the bargaining unit chosen by the union, dividing employees and raising employers' labor costs.

We stand here today with an opportunity. We can either allow the NLRB to continue to create bad policy and bad rules, or we can put America and the job creators back on the right track. The question could not be simpler, and the choice has been made easy because of the inability of the NLRB to do what they were chosen to do, which was to be the impartial referee on issues between employers and employees, and I find that challenging.

□ 0930

Mr. POLIS. Mr. Speaker, it is my honor to yield 5 minutes to the gentleman from California, the ranking member of the Education and Workforce Committee, Mr. MILLER.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Seventy-five years ago this Nation decided as a matter of right and a matter of law that the decision of whether or not workers wanted a union belonged to those workers, and this Congress passed the National Labor Relations Act to give workers this right and an election to decide.

Ever since that time, companies have fought to take away the right of the workers because they believe that the companies control all of the rights in the workplace. They believe that the workers should simply take and do as they say, and that's the end of the discussion. And this has been a battle throughout the economic history of this country since the passage of the National Labor Relations Act.

But the fact of the matter is that when workers decide they want an organization, they go out and they talk to their fellow workers, they form a union, and they have an election.

But what we now see is the companies constantly trying to insert themselves into that worker-controlled process by trying to disrupt the elections of those workers and trying to keep them from exercising their rights under the law. And this is the goal of this very antiworker, antifamily legislation. It would end the collective bargaining rights for working people in this country because it would so skew the process that you would never get to that election that workers are guaranteed under the law.

This is Wisconsin and Ohio all wrapped up into one. This goes across the Nation. What they can't do in the States where they don't control the governorship or the legislature, where they made the attempt right after the election to take away workers' rights at work, where they can't do that, they now seek to do in the Halls of Congress, to so change the process and to discriminate against the rights of workers so that, in fact, the process ceases to exist.

How do they do that? They do that by having endless delays. Why are endless delays important to employers? So that they can hire union-busting law firms to come in and intimidate and teach employers how to intimidate workers because, don't forget, the employer has the right from the moment they're served notice to have captive meetings in the workplace where they threaten the workers with the loss of jobs, where they threaten the workers with being fired, where they threaten the workers of sending work to China or elsewhere, where they threaten the workers that they won't get the promotion, where they change the workers' shift time from maybe day shift to graveyard shift and keep rotating them around to show them that they're in control and the workers have no rights. And if you can do it for 7 days, you have a chance. If you can do it for 10 days, you have a better chance. If you can do it for as many as 2,000 days that these law firms have kept the process open, you can kill the drive for a union. You can intimidate the workers.

How else do they do it? When workers decide among themselves that we want a unit within this company, within this factory to represent us, this bill now says that the employer can come in and rearrange the members of the unit that would have that election. They can stuff the ballot box. They can pick your candidates to stand for election. Doesn't sound very Democratic to me. But that's what they get to do under this bill that's proposed.

The workers no longer get to decide, as the law says they get to decide. The workers no longer get to decide, as the Supreme Court says they get to decide. The employer gets to decide. The arrogance of these people to suggest that they should pick the leaders of the workers, that they should pick the organization of the workers who have a right to organize.

So they get to delay the elections. They encourage and provide for and define the right to continue to file frivolous lawsuits so that this process never ends. You can bankrupt these workers if they try to run head-on-head with these big law firms that are specialized in this, that travel around the country to take away the rights at work.

What does this mean? This means underpinning the basic organization in the American workplace today that speaks on behalf of the middle class. This is from the organization that brought you the great American weekend. This is the organization that brought you the 8-hour day. This is the organization that brought you overtime pay if you work longer than 8 hours. This is the organization that brought you sick leave. This is the organization that brought women their rights at work. This is the organization that makes safe work places. This is the organization that provided, for the first time, pensions and retirement benefits for workers.

Any wonder why these corporations, why the Chamber of Commerce is so set against this? Because they don't want to do this anymore. They want to ship the jobs to China. They want no minimum wage. They want a sub-minimum wage. They want no rights for workers. How will the American families survive that? They've already off-loaded all of the health care costs they possibly could.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. They've off-loaded all of the pension costs they possibly could on the backs of these workers.

We should not allow that to happen, not in this country, not in this Congress. We should not allow it to happen to American workers and to their families. We should defeat this very anti-family piece of legislation.

Ms. FOXX. Mr. Speaker, regular order.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I did yield an additional 30 seconds to the gentleman from California.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. As for regular order, I would like to remind the gentlewoman from North Carolina that when the vote came, there wasn't a single Republican vote back in the Clinton era. Not a single Republican vote. Once again, you balked when it came time to vote.

Ms. FOXX. Mr. Speaker, I now would like to yield 4 minutes to the gentleman from Tennessee, Dr. ROE, a southern gentleman who understands the rules.

Mr. ROE of Tennessee. Dr. FOXX, I thank you for yielding.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill. Our country is in the middle of a jobs crisis, no question. Both sides understand that. The national unemployment rate has hovered around 9 percent for the longest time in my lifetime, and in Tennessee it's even higher, 9.8 percent. Millions of American families are struggling as we speak.

Amidst all of this uncertainty, the House, with bipartisan support, has passed 22 jobs bills. Right down this hallway here this week the U.S. Senate worked so hard they voted two times on two Federal judges. That's all the work that took place with 22, many of them bipartisan bills, passed, Mr. Speaker.

I think right now we've seen in this country, to hold up jobs, the delay of the Keystone pipeline, which would essentially, over time, provide us as much oil from Canada as we're getting from OPEC right now. 1.3 million barrels a day would essentially relieve us and help our national security and create thousands of jobs.

So why are we here today? What happens currently?

Mr. Speaker, I grew up in a union household. My father was a union worker at that time for the United Rubber Workers Union. He worked in a factory and he made shoe heels. And the union, we have a right in this country, employees have a right to organize and to vote in a union or not.

So what's happening right now? Well, currently in 2010, 92 percent of the initial union elections were held under a voluntary election agreement of when they had an election, 92 percent. Only 8 percent went to the NLRB election official, at which time then they had to sit down together—that's what happens—to agree on the rules of the election. And as the gentleman from South Carolina (Mr. SCOTT) pointed out, the NLRB is supposed to be a fair arbiter—like you're playing a basketball game and you go to someone's home gym; you expect the referees there to carry out a fair game for both sides—so that both sides have a chance to give their side of the story.

So in June of this year, what's happened? The NLRB issued a rule that would say that an employer has 7 days to find an attorney to present their side of the case. And remember, in this, just the description of this, there are over 400 pages of rules that you have to go through or information that the lawyer has to go through and has 7 days to get that done, and an employee would have just 10 days to decide whether they want a union or not. And they have that right.

Today, almost 70 percent of the elections held, the union wins. And what's the average time of the election? Thirty-one days. So that means if you want to vote on the 1st of October of 2011, the average time, by the end of that month, 70 percent, almost three out of four, would be picked, yes, we want a union.

□ 0940

So what happens after this, after these 10 days?

The second thing that the union wants is the amount of information that's required that an employee give up. What would that be? Well, that would be personal information, including your work schedule, your home address, phone numbers, etc. Right now, what we want and what this bill says is that the employees get to decide with regard to just their names and what other ways they want to get contacted. I think that's fair. I think that's right. Let the employees decide.

Mr. Speaker, also what my colleague from California spoke of is the bargaining unit. For over two decades, the NLRB has used a standard to define what a ''bargaining unit'' is. This is a new definition. We have done this for almost 30 years in this country, and we want this to change. As I understand the law, it's against the law for an employer right now—and it has been for over three decades—to threaten a worker.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FOXX. I yield the gentleman an additional minute.

Mr. ROE of Tennessee. I thank the gentlelady for yielding.

This bill would give the employer 14 days on a preelection hearing to find representation. It would allow the workers 35 days to get the information that they need to make an informed decision to vote in a secret ballot so that they can decide and so that the employer or the union cannot intimidate these workers. It would allow the employees, the workers—not the union—to decide what information they want to give up.

This is a commonsense bill. This just basically redefines what has been going on for over three decades. I respect the right of anyone to belong to a union if he wants to—as I said, I lived in a union household. Yet I believe this will allow both sides a free and fair way to decide whether they want to.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank the gentleman from Colorado for yielding time.

Mr. Speaker, I played a little basketball in my day. I grew up on a schoolyard, and we chose teams. We didn't need referees, quite frankly, because we chose teams fairly. You don't need referees here either if you have the opportunity to pick the other team. You're the A team, but you get to say who you're going to play. You don't need referees in that kind of a game because you know the outcome. You know what the outcome is going to be.

That's what this legislation is about—trying to undo the fair playing field.

Now, I have heard that the job losses in this country are because of President Obama and the health care bill. I've heard that the job losses in this country are because of Speaker PELOSI and HARRY REID and all the bad legislation. I've heard they're because we have a Department of Education, and I've heard they're because we have a Department of Commerce, and I've heard they're because we have a Department of—oops, I'm sorry. I forgot. You got me—the NLRB.

Mr. Speaker, I rise today in strong opposition to this legislation. My colleagues on the other side of the aisle have a common refrain that they want to make the Federal Government more efficient, work better for the American people, and move obstacles to create a mantra that I am very much in favor of.

But this bill will do exactly the opposite.

In fact, repealing the NLRB's proposed rule will actually make government less efficient, more burdensome, and will introduce costly delays to a process that is already rife with abuse. I think the American people deserve to know why the GOP prioritizes this bill and brings it to the floor for debate. The answer is pretty clear:

It's a thinly veiled—and a very thinly veiled—effort to make it all but impossible for American workers to organize in labor unions. That's it. It's an effort to place ideology over practicality. It has nothing to do with job creation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. CROWLEY. In over 300 days here on the floor, there has not been a single jobs bill offered by my Republican colleagues to put Americans back to work. Instead, once again, they've put on the floor a bill to hurt the American worker, the American family.

Have you no shame? Is there no end to this? Are there any other departments we can get rid of in these few remaining days of this session?

Put Americans back to work. Stop beating up on the fair players on this playing field. Put Americans back to work.

Ms. FOXX. Mr. Speaker, I would like to remind my colleague from New York, as well as remind all of my colleagues across the aisle, that Republicans have passed over 20 bills this session that would create jobs and have passed bills that would bring down the cost of gasoline. Those are the two things that my constituents are most concerned about. If my colleagues across the aisle are talking to their constituents or, more importantly, are listening to their constituents, they would know that's what their constituents are concerned about also. However, those bills are tied up in the Democrat-controlled Senate.

I now would like to yield 5 minutes to my distinguished colleague from South Carolina, who did such a wonderful job on C–SPAN this morning, Mr. GOWDY.

Mr. GOWDY. I want to thank the gentlelady from North Carolina for her leadership on this issue and on so many other issues on the Education and Workforce Committee.

Mr. Speaker, when so many of our fellow citizens are hurting, when so many of our fellow citizens are looking for work, when so many of our fellow citizens are striving to meet their familial and societal obligations and when all they want is the most basic of all family values, which is a job—and as my friend TIM SCOTT, my friend and colleague from Charleston, so eloquently put it this morning—the NLRB thinks it's a joke, Mr. Speaker, a joke. They're making jokes about it.

Airbus is not just another plane manufacturer; they're a direct competitor to Boeing. Virtually everyone is familiar with the most glaring example of NLRB overreach, which is the complaint they filed against Boeing. Not a single example of job loss has been cited. Not a single worker has lost a single benefit in the State of Washington. Nevertheless, the NLRB sued Boeing. They seek to have Boeing mothball the facility in north Charleston, displace 1,000 workers, and return the work to a union State.

That is exhibit A in NLRB's activist agenda, and I regret to say this: As a former prosecutor who actually values impartiality and fairness, Mr. Speaker, they have become a sycophant of Big Labor.

And while Boeing is exhibit A, it is by no means the only evidence of an activist, politically motivated agenda. Currently, union elections take place, on average, within 31 days of the filing of an election petition. Additionally, unions are victorious more often than not. But unions want more, so they persuaded the NLRB to propose sweeping changes to the rules and regulations governing the election process, shifting the balance of power even further towards those employees seeking unionization.

By promoting rushed elections and ruling that elections can take place in as little as 10 days, Mr. Speaker, the NLRB severely limits the opportunity for workers to hear all sides of the issue and make an informed decision. Additionally, employers would only have 7 days to retain legal counsel and decipher the complex labyrinth of Federal labor law before presenting their case before an NLRB hearing officer.

Education and Workforce Committee Chairman JOHN KLINE smartly introduced H.R. 3094, the Workforce Democracy and Fairness Act, to level the playing field. This legislation requires no union election occur in less than 35 days, thus granting all parties the ability to present their arguments and ensuring workers have the ability to reach an informed decision. H.R. 3094 acknowledges that full and complete information is treasured when employees are contemplating how they will vote.

Ironically, some unions have already endorsed President Obama's reelection bid, which is a year off. Clearly, they believe they need the time, the 12 months, to inform their members, but somehow a week is enough for employers to inform their employees of all salient facts before an election.

The hypocrisy and blind advocacy towards Big Labor has to stop, Mr. Speaker. The purpose of the National Labor Relations Board is to enforce the National Labor Relations Act, and the purpose of the National Labor Relations Act is to balance the rights of employers, employees, and the general public. The act is not calculated to drive up union membership because they happen to be a loyal constituency of the Democrat Party.

□ 0950

Because the NLRB, through its filing of proposed rules and regulations, has lost all pretense of objectivity in labor issues, fair, evenhanded pieces of legislation, like Chairman KLINE's Workforce Democracy and Fairness Act, are necessary.

In conclusion, Mr. Speaker, I encourage my colleagues to help us protect

American jobs, to stand up for equal access to justice, and promote a level playing field. I encourage my colleagues to support the rule and support the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, when the sun rose over the country this morning, a lot of Americans got out of bed to go to a job that doesn't pay them enough to support their family. They're working part time to pay full-time bills. A lot of other Americans who have good jobs, good full-time jobs woke up this morning and worried if this was going to be the day they got their pink slip and got their layoff notice. And far too many Americans, at least 15 million of them, got up this morning and didn't have a job to go to.

Ninety percent of the people surveyed in a recent survey of this country said the American Dream is either dead or on life support. Because, see, the deal in the country has always been, if you work as hard as you can and do your fair share, then the country will give you the opportunity to move your family forward. People don't buy that anymore. They don't believe in it anymore.

And so what are we doing about it here this morning? We're having a debate about a bill that changes the rules for the way people decide whether or not to have a union in their workplace. This is an important consideration; it's a worthy consideration. I think the bill is a very bad one, but it's a credible debate to have. But it's the wrong debate to have.

Members of our caucus have gone out over the last month and have spoken to thousands of small business people, the real job creators in this country who create two out of every three jobs created in America; and here's what they've said: We're not hiring people largely because we don't have enough customers; and if we think we do have enough customers, we can't get loans from banks that we bailed out with our tax money.

That's what we ought to be discussing here today.

Now, the other side will say, no, no, these small business people aren't hiring because of their deathly fear of regulations. Well, here's what the Bureau of Labor Statistics says: When they interviewed employers who had laid people off in 2010 and said, Why did you lay people off, about 40 percent of those employers said, We laid people off because we don't have enough customers. Two-tenths of 1 percent said they laid people off because of regulation. That's what the facts are.

How do you get more customers for businesses? One idea would be to put construction workers back to work building schools and libraries and roads and bridges so they'd eat in the restaurants and buy in the stores. There's a bill pending before the House to do that, the President's jobs bill; but we're not voting on that today. We have something better to do. Another way would be to avoid a massive tax increase on the middle class of this country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield 1 additional minute to the gentleman from New Jersey.

Mr. ANDREWS. I thank my friend.

If we don't act by January 1, there will be a $1,500 tax increase on every middle class family in this country. The President says we should postpone that tax increase so people have more money to spend, but we're not voting on that bill today. We have something more important to do.

How about the idea of a tax cut for small businesses that hire people? That's in the President's jobs bill. But we're not voting on that today because we have something more important to do. How about saying to teachers who have been laid off from the classroom, firefighters and police officers not on the job because of tax cuts in local government, how about saving their jobs so they can serve their communities and spend more in the stores and restaurants and on products in this country? That's in the President's jobs bill, but we're not voting on that because we have something more important to do.

There's a reason why 90 percent of the people of this country think the Congress is not doing a good job. It's because the Republican leadership of this Congress is voting on the wrong bill at the wrong time, and today's another sad chapter in that reality.

Ms. FOXX. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this rule and to the underlying bill, H.R. 3094, the so-called Workforce Democracy and Fairness Act.

Since the start of the 112th Congress, a certain faction guiding the Republican majority has undertaken what amounts to a full-scale attack on America's working families and America's working class and against the bedrock principles that have helped create America's middle class.

This latest effort is more of the same. The so-called Workforce Democracy and Fairness Act is another piece of legislation that weakens the rights and protections that workers have fought long and hard to obtain.

Section 9(b) of the National Labor Relations Act gives employees the right to organize in ''an appropriate unit,'' giving them choice on how best to bargain with their employer. And that's all this is about. When an employee group organizes, all it requires is that they sit down across from their employees and bargain, talk to them about terms and conditions of employment and benefits.

What this bill would do is establish a one-size-fits-all approach to organizing, forcing together employees who have very little in common and making it much more difficult to organize. That's gerrymandering, basically, to protect employer interests, plain and simple.

But this bill doesn't stop at changing existing rules, however. This bill would overturn proposed rules that have not even been finalized by the National Labor Relations Board. The NLRB has proposed practical rules modernizing and streamlining the union election process. The proposed rules are a genuine improvement over the existing procedures and are designed to encourage the use of technology, discourage unnecessary litigation, and save taxpayer dollars.

Look, I was an ironworker for 18 years, a union ironworker. I am very proud of that fact. I was the union president. I also was involved in very many union organizing drives, not only for my own union but for the carpenters, stage hands, and wardrobe workers. And the National Labor Relations Act is actually set up to reduce the likelihood of unrest, of workforce disputes. It's really to help business and workers reduce that economic conflict. This bill will have the opposite effect. This bill will actually increase the likelihood of labor disputes.

And we have seen in this country a great disparity between the haves and the have-nots. This is going to make matters worse. Instead of putting people to work, this is going to cause strife and reduce the efficiency and productivity of America's workers. This is shameful.

All these union workers, this is the middle class in America. You are destroying the middle class in America. You are increasing that disparity between the haves and the have-nots. We've got to do better than this. The American people deserve it.

Ms. FOXX. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. I will inquire of the gentlelady if she has any additional speakers.

Ms. FOXX. We do not, and I am prepared to close, if the gentleman from Colorado is prepared.

Mr. POLIS. Very well.

I yield myself the balance of my time.

Mr. Speaker, the middle class of this country doesn't need a higher payroll tax, more dirty air, dirty water, fewer workers' rights; and they certainly don't need more partisan gridlock in this do-nothing Congress. Yet that is what is being offered here today.

The American people and the American economy need jobs, need optimism. Our Nation needs to know that we're working to ensure American competitiveness and access to hope and

opportunity, to work to ensure that kids get the best education in the world so we can drive the economic engine of today and tomorrow, invent new technologies, propel future generations of American ingenuity and leadership.

□ 1000

This kind of political gridlock in this do-nothing Congress does not help America move forward. This bill's singular goal is to delay and ultimately prevent workers from voting in workplace elections. These rights have helped to create the American middle class in the last century. In recent decades, the erosion of these rights has lowered paychecks for families, led to jobs outsourcing overseas, and widened the income disparities in our society.

Are environmental and workplace laws, which have been around for decades, the reason the economy is lagging? Of course not. Yet these are the types of so-called solutions that are being put forward in bill after bill after bill.

Let's talk about preventing a looming increase on taxes in the middle class. I encourage the supercommittee and, if it need be, standalone legislation to ensure that we can keep payroll taxes at their current level. It's time for Congress to take up the President's Jobs Act, which includes extending the middle class tax cut. The American Jobs Act, which Republicans still refuse to consider, includes job-creating proposals, including rebuilding our schools, tax breaks for small businesses to create jobs, and modernizing our air traffic control system.

It's time for this Congress to stand up for the American people, to offer solutions, to get serious about getting our economy back on track instead of just scoring political points that appeal to the base.

I urge a ''no'' vote on this rule and the underlying bill, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I want to point out that I neglected to say earlier in response to my colleague who said we hadn't passed any House bills, that those were bipartisan bills that passed. Every one of the jobs bills that we passed has received bipartisan support, and the American people want us to be bipartisan, and I hope that they have noticed in the debate today that the vitriol about this bill has not come from our side of the aisle.

House Republicans are committed to reducing government red tape as a way to encourage job creation. The rule before us today provides for consideration of yet another bill to reduce government interference in job creation by reinstating the traditional standards for unions organizing elections and ensuring that employees' and employers' voices are heard.

Therefore, I urge my colleagues to vote for this rule and the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

Mr. BLUMENAUER. Mr. Speaker, I am disappointed by the House passage of H. Res. 470, which ensures that the so-called ''Workforce Democracy and Fairness Act'' will receive a vote in the House of Representatives. This legislation is anti-democratic, anti-union, and anti-middle class.

If enacted, H.R. 3094 would allow companies to indefinitely delay workers elections, allowing companies to choose when and how workers will vote to form a union. The legislation encourages wasteful litigation and overrides the current National Labor Relations Board decision-making process, replacing it with one that will be more expensive and difficult to navigate, that will take longer to finalize, and that fails to protect the rights of workers.

Passage of H. Res. 470 once again demonstrates that the Republican majority is failing to support American workers and American families. While I am proud to have voted against H. Res. 470, I am disappointed by its passage.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to H. Res. 470, the Rule providing for consideration of H.R. 3094, the Workforce Democracy and Fairness Act.

The misleadingly named Workforce Democracy and Fairness Act has one overriding goal—to frustrate workers' right to vote in a union election.

Seventy-six years ago, this body passed the National Labor Relations Act, which stated: ''It is declared to be the policy of the United States to . . . encourag[e] the practice and procedure of collective bargaining . . . for the purpose of negotiating the terms and conditions of [workers'] employment.''

The legislation being considered today would undermine the very intent of the NLRA by setting aside decades of labor jurisprudence set by the National Labor Relations Board (NLRB) and our nation's courts, and replace it with new and untested processes that would cause uncertainty, delay elections, and prevent rather than encourage collective bargaining.

The Workforce Democracy and Fairness Act would do this by mandating a set of waiting periods and a full, pre-election hearing over any issue that is raised by a party.

For instance, no election would be allowed to occur no sooner than 35 days after the filing of a petition. However, there is no limit on how long an election may be delayed.

Delay gives unscrupulous employers more time to use any means, legal or illegal, to pressure employees into abandoning their organizing efforts.

Also found in this legislation are provisions that would encourage frivolous litigation for the purpose of slowing the election process and stalling any vote. This will create a massive backlog of cases on the taxpayer's dime.

This bill would also give employers the ability to gerrymander elections through the proposed legislation's one-size-fits-all test in defining who would be allowed to vote in an organizing election, thereby making a majority vote all the more difficult to achieve.

It is time for this Chamber to put aside its war on the American worker and his or her right to organize and collectively bargain.

I ask my colleagues on both sides of the aisle to stand up for working Americans and vote against this rule and the underlining legislation.

Ms. SLAUGHTER. Mr. Speaker, my colleagues have pointed out, rather than minimizing undue delay in union voting procedure, today's bill mandates delay.

The bill would also empower employers to interfere in union elections by adding anti-union employees to voting blocks—gerrymandering union elections.

Letting an employer delay and manipulate union elections is a blatant attempt to put the fox in charge of the hen house. It is a direct attack on the ability of workers to unionize.

The truth is that unions continue to play an invaluable role in maintaining America's middle class—no small feat in the age of shrinking middle class incomes and rising inequality.

The proposed bill is yet another corporate favor that we are considering in this Congress. Its singular goal is to delay and ultimately prevent workers from exercising their hard won right to organize in the workplace.

In the last year, we've watched politicians in power try to strip thousands of Americans of their right to collectively bargain, and we've watched as those very same Americans have taken to the streets and gone to the polls to protect their rights.

The message from the American people is clear—they will not accept attempts to destroy the middle class and American unions. Neither will I.

I urge my colleagues to oppose today's rule and the underlying bill.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2011 at 8:52 a.m.:

That the Senate passed with amendments H.R. 2056.

That the Senate passed with an amendment H.R. 1059.

That the Senate passed with an amendment H.R. 3321.

That the Senate passed S. 99.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

FEDERAL COURTS JURISDICTION AND VENUE CLARIFICATION ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 394) to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes, with Senate amendments thereto, to the end that the House concur in Senate amendment No. 1 and concur in Senate amendment No. 2 with the amendment I have placed at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendments and the proposed House amendment.

The Clerk read as follows:

Senate amendments:

On page 9, line 17, strike ''1454'' and insert ''1455.''

On page 12, after line 4, strike ''1454. Procedure for removal of criminal prosecutions.'' and insert ''1455. Procedure for removal of criminal prosecutions.''

House amendment to Senate amendment No. 2:

Add at the end the following:

Redesignate section 104 as section 105 and insert the following after section 103:

SEC. 104. TECHNICAL AMENDMENT.

Section 1446(g) of title 28, United States Code, is amended by striking ''subsections (b) and (c)'' and inserting ''subsection (b) of this section and paragraph (1) of section 1455(b)''.

Amend the table of contents of the bill by striking the item relating to section 104 and inserting the following:

Sec. 104. Technical amendment.
Sec. 105. Effective date.

Mr. SMITH of Texas (during the reading). Mr. Speaker, I ask that the reading be dispensed with.

The SPEAKER pro tempore. Without objection, the reading is dispensed with.

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

APPEAL TIME CLARIFICATION ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1637) to clarify appeal time limits in civil actions to which United States officers or employees are parties, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the bill is as follows:

S. 1637

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Appeal Time Clarification Act of 2011''.

SEC. 2. FINDINGS.

Congress finds that—

(1) section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure provide that the time to appeal for most civil actions is 30 days, but that the appeal time for all parties is 60 days when the parties in the civil action include the United States, a United States officer, or a United States agency;

(2) the 60-day period should apply if one of the parties is—

(A) the United States;

(B) a United States agency;

(C) a United States officer or employee sued in an official capacity; or

(D) a current or former United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States;

(3) section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure (as amended to take effect on December 1, 2011, in accordance with section 2074 of that title) should uniformly apply the 60-day period to those civil actions relating to a Federal officer or employee sued in an individual capacity for an act or omission occurring in connection with Federal duties;

(4) the civil actions to which the 60-day periods should apply include all civil actions in which a legal officer of the United States represents the relevant officer or employee when the judgment or order is entered or in which the United States files the appeal for that officer or employee; and

(5) the application of the 60-day period in section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure—

(A) is not limited to civil actions in which representation of the United States is provided by the Department of Justice; and

(B) includes all civil actions in which the representation of the United States is provided by a Federal legal officer acting in an official capacity, such as civil actions in which a Member, officer, or employee of the Senate or the House of Representatives is represented by the Office of Senate Legal Counsel or the Office of General Counsel of the House of Representatives.

SEC. 3. TIME FOR APPEALS TO COURT OF APPEALS.

Section 2107 of title 28, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) In any such action, suit, or proceeding, the time as to all parties shall be 60 days from such entry if one of the parties is—

''(1) the United States;

''(2) a United States agency;

''(3) a United States officer or employee sued in an official capacity; or

''(4) a current or former United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States, including all instances in which the United States represents that officer or employee when the judgment, order, or decree is entered or files the appeal for that officer or employee.''.

SEC. 4. EFFECTIVE DATE.

The amendment made by this Act shall take effect on December 1, 2011.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 466, proceedings will now resume on the motion to suspend the rules and pass the joint resolution (H.J. Res. 2) proposing a balanced budget amendment to the Constitution of the United States, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. When proceedings were postponed on Thursday, November 17, 2011, 2 hours and 42½ minutes of debate remained on the motion.

The gentleman from Virginia (Mr. GOODLATTE) has 1 hour and 27½ minutes remaining, and the gentleman from Michigan (Mr. CONYERS) has 1 hour and 15 minutes remaining.

Without objection, the gentleman from Texas (Mr. SMITH) will control the time of the gentleman from Virginia (Mr. GOODLATTE).

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Joint Resolution 2, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 2 minutes.

Yesterday, we began debate on the balanced budget amendment, debate that I hope culminates today with a bipartisan two-thirds vote in its favor. The American people of all political stripes and from all walks of life demand we pass this amendment. Recent polling by CNN indicates that a constitutional amendment to require a balanced Federal budget garners more than 70 percent support among men, women, whites, nonwhites, every age group, every income level, and people from every region of the country. Why do Americans overwhelmingly support a balanced budget amendment? Because they understand that unending Federal deficits wreck our economy and steal prosperity from future generations.

President Obama has set the wrong kind of new record. The national debt has increased faster under his administration than under any other President in history. This runaway government spending paralyzes the job market, erodes confidence among America's employers, and has caused the worst economic recovery since the Great Depression.

The balanced budget amendment is not an untested idea. Forty-nine States

have some form of a balanced budget requirement. We are overdue to adopt a balanced budget amendment to the Constitution. We must stop the flood of deficit spending that threatens to drown future generations of Americans in a sea of debt.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

I welcome the continuation of this discussion about an incredibly important proposal.

We gather here today to determine whether we should add one more amendment to the 27 amendments to the Constitution that have been enacted since the last part of the 18th century when our country was formed. I was reviewing something that a former chairman of our committee said in the 104th Congress, and I refer to the distinguished gentleman from Illinois, Henry Hyde, who said in effect that he realized that the Republican Congress when he was there would not be able to balance the budget without using retiree funds in the Social Security trust fund. I think I'm being assured in this debate that that will not happen in the present time.

Here's what Henry Hyde said: ''If you exclude receipts from the revenue that are received by the Social Security System from computing the total revenues of the government, if you take it out of the equation, then the cuts that are necessary to reach a balanced budget become draconian. They become 22 to 30 percent, and you know that we cannot and will not cut programs that we want to subsist and continue by 22 to 30 percent.

□ 1010

''You have to compute Social Security receipts in determining the income of this government so that the cuts you make to balance the budget are liveable and not impossible.''

Henry Hyde was right then and his statement is correct now. Under the proposal that we are discussing today, our Nation's savings—the money taken out of every American's paycheck could be looted, in effect, to pay for other things and to balance the budget, and it would take the trust out of the Social Security Trust Fund.

The Ryan budget would cut Social Security's service delivery below current maintenance levels by more than $10 billion over 10 years, including a $400 million cut in 2012. This sort of drastic cutting will prove devastating to seniors as more aging boomers retire to rely on field office services, initial benefit claims, processing, disability determinations, and hearing decisions over the next 10 years.

So I appeal to the kinder nature of my friends in the House. Please recognize that Henry Hyde was correct then and he is correct now, that we cannot achieve what this amendment proposes to do without going into Social Security receipts. And I think that that would be objectionable and unwise on the part of all of us here, and that would be unacceptable to the citizens of our country.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, as a member of the Balanced Budget Caucus, I rise in strong support of the balanced budget amendment we are going to take up on the House floor today.

I've heard many of my colleagues on the other side of the aisle say this is not the time to take this up, but now is exactly the time we should be taking this up.

In 1995, a balanced budget amendment passed the House with bipartisan support, only to lose by one vote in the United States Senate. Then, the national debt was $4.8 trillion. This week, the national debt hit $15 trillion. We have added $10 trillion to our debt in 16 years. That is $10 trillion in debt that threatens our job growth, our national security and our sovereignty, and our Nation's children. And that's $10 trillion in debt that could have been avoided had the balanced budget amendment passed.

We simply must stop spending money we don't have if we are going to give our economy a chance to grow and create jobs. Past attempts like Gramm-Rudman-Hollings, the Balanced Budget Enforcement Act, and Pay-As-You-Go requirements have failed to bring Federal spending under control. America needs a permanent, long-term solution. We must hold Congress' feet to the fire and pass a constitutional balanced budget amendment today.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that the gentleman from New York, JERRY NADLER, become the manager of this amendment from this point on.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control the time.

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I my consume.

This amendment, while superficially appealing, is one of the most damaging things we could do to the Constitution of the United States. And, yes, it is true, if you ask people do they think we should have a balanced budget, they say yes; and if you ask people do you think we should have an amendment requiring a balanced budget in the Constitution, they say yes. But if you ask them do you think we should have an amendment requiring a balanced budget in the Constitution if it meant a cut in Social Security, they say no; if it meant a cut in Medicare, they say no; if it meant a cut in other essential services, they say no.

And when you probe further, you find that this is a very damaging provision. For a number of reasons, economists tell us that, in a recession, you want to increase the government spending temporarily. You have to increase it because unemployment insurance payouts go up, food stamp payouts go up; and if you decrease the spending, it reduces the amount of products that people want in society, it reduces the amount of money in circulation, and it makes the recession into a depression.

In good times, you should run a surplus; in recession, you should run a deficit. Over a long period of time, the budget should be balanced. But if you attempt to balance the budget during a recession, you generate a much worse loss of jobs. And that's why you don't want this—or you shouldn't want this.

Secondly, this amendment is not self-enforcing. All it says is outlays shall not exceed receipts, and Congress can pass appropriate legislation.

But what does that mean? It means that if outlays exceed receipts or if someone thinks that the estimates are wrong and outlays are going to exceed receipts, then you go to court, and then a court has to decide whether that's correct. A court has to decide whether the estimates are correct. And if the court decides the estimates are not correct, then the court has a choice. It can say, ''This is political. We're going to exercise judicial restraint,'' as the gentleman from Virginia said yesterday, in which case it won't enforce the amendment and the amendment is meaningless; or the court will say, ''Okay, we'll order a tax increase'' or ''we'll order an expenditure cut,'' in which case you have those judges making political decisions, which I don't think we'd want to see.

Thirdly, a balanced budget amendment starting where we are now with a huge deficit that's been accumulated over a few years means that you're going to have to make drastic cuts in Social Security and Medicare and veterans' benefits. Some people say on the other side of the aisle, well, that won't be true because they don't count; but, yes, they count.

The amendment says ''outlays.'' Outlays are defined as all expenditures other than debts. Social Security is not a debt; the courts have held that. Medicare is not a debt; there's no contractual right. This means that if you're going to reduce outlays, Social Security is right in it. And if you're not going to reduce Social Security, you've got to reduce a lot of other things by much more. So this is a dagger pointed at the heart of Social Security and Medicare and veterans' benefits.

Now, we're told that the only way we can get our budget into balance is by this amendment. Well, the fact is that's not true. The reason we have the problem we have now is because of years of reckless Republican Presidents and administrations.

When President Clinton took office, we had a huge budget deficit—$300 billion a year. The forecast was for 500 and 600 billion by the mid-nineties. Within a few years, we had turned that around. Congress made decisions to turn that around followed by the President's recommendations in 1993 and a smaller one in 1997. That one the Republicans held with, with Speaker

Gingrich. As a result of those decisions, by the time President Clinton left office and President Bush assumed office, we had a huge surplus. And the question was: What are we going to do when we've paid off the entire national debt by 2012? That was what was going to happen.

What changed that? Two huge tax cuts for rich people, pushed through by the Republicans and President Bush. And we said, at the time, that that would generate tremendous deficits. In fact, the reason they were set to expire in 2010 was because the CBO said that after 2010 they would generate tremendous, ongoing deficits, which they are doing.

Secondly, we had two unfunded wars. For the first time in American history, we didn't raise taxes to pay for wars. Thirdly, we doubled the Pentagon budget, not including the wars. And fourth, we had a recession starting in 2008 during the end of the Bush administration.

Now, some people say, well, it's the Obama administration, the unfettered spending of the Obama administration. Nonsense. The amount of money being spent on non-defense discretionary spending—that is, all spending other than defense—veterans' benefits, Medicare, Social Security, and interest on the debt, is the same today, the same, not a penny more, adjusted for inflation and population growth, as it was in 2001. And in 2001, we had a huge surplus.

Where did the surplus change to a deficit? Wars, tax cuts, and increased Pentagon spending.

□ 1020

Now, what can we do about this? So the problem is not spending alone, the problem is that we're not taxing the rich and the corporations enough. In 1970, corporations paid 30 percent of all Federal income tax receipts from corporate income taxes. Today, it's 8 percent. We've let the corporations get away with murder—the big businesses, with Exxon paying no taxes on profits of $6 billion, General Electric paying no taxes, getting a refund. That's our problem. But we don't want to deal with that, we want to pass a constitutional amendment.

Now, if we pass this constitutional amendment, it would mean that any time we went into a recession, it would drive it into a depression. It would mean we would have to make huge spending cuts now. It would mean we would have to decimate Social Security, Medicare, veterans benefits. It makes no sense at all.

If this were in effect now—we were told by the macroeconomic analysts that if this amendment went into effect for next year, it would increase unemployment by 15 million people. So I urge that we not pass this amendment, and instead we do the hard work of increasing taxes on corporations and rich people, of getting discipline into our expenditures. But the first thing to do is jobs. If we got unemployment down to 5 percent, where it was in 2007, that by itself would reduce unemployment by 40 percent.

In a recession, first you take care of the jobs. When you're back into better times, then you can start thinking about balancing your budget, and that's when you ought to do it; not force cuts in expenditures or increasing taxes during a recession, which just makes the recession much worse and the unemployment much worse, which is what this amendment would do.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. PAULSEN), a member of the Financial Services Committee.

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the balanced budget amendment.

Since our country was first founded, the issue of debt and government spending has been at the forefront of the minds of our political leaders, our national security advisors, our business owners and citizens alike. It's obvious that our $15 trillion national debt is not a Republican problem, it's not a Democratic problem; it's an American problem.

Mr. Speaker, our economy has stumbled. Families are making tough decisions, cutting spending and living within their means. However, one thing that hasn't changed is the way that government spends the people's money. We must work together now to resolve our spending-driven debt crisis because the simple truth is that Washington must stop spending money that it does not have.

Our debt crisis is a legitimate threat to our Nation's security and our future. A nation that does not control its debt does not control its destiny. In order to give our children and grandchildren that secure future and economic stability we need a balanced budget. We need this balanced budget amendment because it is a fundamental reform that will absolutely produce results.

It's time to pass a balanced budget amendment to get government spending under control.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BUCHANAN), a member of the Ways and Means Committee.

Mr. BUCHANAN. Mr. Speaker, this is an historic opportunity. For the first time in 16 years, the House will vote on a balanced budget amendment to the Constitution.

Just this week our national debt surpassed $15 trillion. For too long Republicans and Democrats have turned a blind eye to our government's financial mess. Washington needs to make the tough choices necessary to balance the budget for the sake of our children and grandchildren.

The Federal Government has balanced its budget only five times in the last 50 years. This is unacceptable. The first bill I introduced in Congress was the constitutional balanced budget amendment in 2007. It simply requires the Federal Government to live within its means.

Forty-nine out of 50 States, including my home State of Florida, have to balance their budgets. Florida, the last 4 or 5 years, has had tough revenue years like everybody else, but they've balanced their budget. In fact, when we got downgraded by the S&P, that same week Florida got upgraded by their credit rating.

Admiral Mike Mullen, Chairman of the Joint Chiefs, may have put it best when he said ''the biggest threat we have to our national security is our debt.'' And Erskine Bowles, cochair of the President's debt commission, said ''the debt is like a cancer; it's going to destroy the country from within.'' They're right. And the time is right for Congress to ratify a balanced budget amendment and send it to the States.

Mr. NADLER. Mr. Speaker, I would simply point out that when S&P downgraded our debt, they were so well respected that the interest rates went down and the price of our bonds went up. So much for S&P.

I now yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, may I inquire, does the majority side have an extra minute that they could spare?

Mr. SMITH of Texas. Mr. Speaker, I will yield the gentleman an extra minute.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 3 minutes.

Mr. KIND. Mr. Speaker, I rise in support of the balanced budget amendment.

Mr. Speaker, I do believe that this Congress needs rules, it needs rules in budgeting. But I can't help but believe today that the easier and more practical response to the huge budget deficits that we face is going back to a tried and true method called pay-as-you-go budgeting rules.

Pay-as-you-go budgeting was a simple concept—you've got revenue reduction, spending increase, you've got to find an offset in the budget to pay for it. It was a rule that was in place in the 1990s that led to 4 years of budget surpluses. We were actually paying down the national debt rather than adding to it.

Unfortunately, when President Bush took office, along with the Republican majority in Congress they immediately repealed pay-as-you-go budgeting rules which enabled them to support two wars that went unpaid for. They had two tax cuts that went unpaid for that primarily benefited the most wealthy in this country, and you may recall that the main justification for those tax cuts was their fear that we were going to pay down the national debt too fast. It was laughable then as it is laughable today. And then they supported the largest increase in entitlement spending since Medicare was created in 1965 with a new prescription

drug bill that was not paid for. And these are ongoing financial obligations right now, adding to the fiscal woes that we're trying to climb out of as a Nation.

But I know that the majority today does not embrace pay-as-you-go budgeting, even though it worked in the 1990s, even though it helped create 27 million private sector jobs during that period and left an era of budget surpluses. So the next best thing we have to instill some fiscal discipline in this place is through a balanced budget amendment, going through that laborious process of trying to find two-thirds in the House and the Senate and then three-quarters of the States to embrace it. And if that's what it takes to get our fiscal house in order, to check against unbridled tax cuts that aren't paid for, or new increase in spending that goes unpaid for, then it's a risk worth taking because we are jeopardizing the future of our Nation, our children's future with these ongoing budget deficits, and steps need to be taken right now.

There is a legitimate concern, however, that Members on my side of the aisle have been expressing—the three-fifths vote in order to increase the debt ceiling. We saw how perilously close we came to defaulting on our Nation's obligations over the summer. And I fear that through this amendment a minority in this body could literally hold the rest of our Nation hostage or paralyze the functioning of our government or lead to the default on our obligations. I still think that's a legitimate concern that's not addressed through this amendment. In fact, it makes that probability more likely, and it's something that we're going to have to address as we move forward.

But today, I think, given the lack of options that we face and the dire situation that we have with the budget deficits and the lack of progress, unfortunately, with the supercommittee that we've seen over the last couple of months, that the balanced budget amendment seems like the most practical approach given the political realities.

I urge and encourage my colleagues to support it.

Mr. SMITH of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of the Appropriations Committee.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the bipartisan Balanced Budget Act of 2011 and urge its adoption.

My colleagues, government at all levels is mired in debt. Mismanagement and overspending have left our Nation on the brink of bankruptcy. Why? The math is simple. The Federal Government takes in approximately $2.2 trillion every year but spends over $3.5 trillion. To sustain the operations of government, we borrow 42 cents of every Federal dollar we spend.

The implications are obvious: We're hurtling down a path toward the most predictable financial disaster in the history of the planet. Enough is enough. The American people want us to begin to live within our means. They need a permanent fiscal solution.

□ 1030

Spending cuts are important; but what Congress passes today, another Congress and even the same Congress can undo tomorrow. The only effective way to control spending is through an amendment to the U.S. Constitution.

Balancing budgets is not an untested idea. Over 49 States currently abide by some sort of balanced budget amendment. Let's pass a balanced budget amendment to the Constitution today. Let's get the job done.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, while this House does sometimes act in ways that border on the insane, applying this constitutional straitjacket is hardly the appropriate treatment. It basically imposes the tyranny of the minority. Two-fifths of the Members of this House can block action. And America has seen how well that works across the Capitol in the United States Senate, where a three-fifths rule already applies, and too often has rendered the Senate largely impotent, unresponsive to public demand for action on key national issues, unable to overcome the threat of a Republican filibuster.

Today's proposal would broaden that impotence to both sides of the Capitol. On a critical budget question, if we take a vote in this House and 260 people vote in the majority, and 175 vote in the minority, the minority rules. Democracy loses.

Of course, there is a major exception to this proposed new rule, and it is an exception that may well eat the entire rule. So long as a majority of the House determines, probably through the fine print of some huge, voluminous piece of legislation, that the country faces an imminent and serious threat to its national security, well, in that case this purported constitutional amendment is totally nullified. What year, since 9/11, would a majority of this Congress have been unwilling to make such a finding and render the proposal meaningless?

A constitutional amendment is not a path to a balanced budget. It is only an excuse for Members of this body failing to cast votes to achieve one.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional 1 minute.

Mr. DOGGETT. I voted for a balanced budget. I voted for a balanced budget when I voted against launching an unnecessary war on borrowed money. I voted for a balanced budget when I voted to reject the distorted Republican theology that when the question is taxes, less always means more. It's political alchemy. It's like turning hay into gold. The more the tax cut theology is proven wrong over and over and over again, the more the Republican faithful demand another tax cut to drive us deeper into debt.

This is the kind of extremism that causes a stage full of Republican Presidential hopefuls to declare that they would reject any budget agreement that cut spending by $10 if it raised taxes by even $1. A few months ago, such irresponsibility took us to the brink of default and jeopardized our economic recovery. They just could not overcome their ideological restraints.

Don't jeopardize our economic future. Don't play games with veterans and retirement security and law enforcement just because Republicans cannot accept the economic reality, as they often cannot except basic science.

Reject this misbegotten amendment.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DENHAM), a member of the Energy and Commerce Committee.

Mr. DENHAM. I rise in support of the balanced budget amendment.

Just this week the national debt exceeded $15 trillion. That's the bottom line: $15 trillion, and a balanced budget amendment would hold government accountable.

Now, some say that that accountability will tie the hands of Congress in yet one more way. Some say that this is going to create a greater debate between revenues and spending cuts.

Well, I'd agree on both. The same way that every American family has to balance their budget every week, every month, every year, the same way that I, as a small business owner, have to pay my bills every week, every month, every year, we owe this country the opportunity to not only see a balanced budget, but a bipartisan effort here in Congress.

If you want more job creation, we have to have certainty. Before a company is going to go out there and hire new employees, they need certainty, not only to see that our country is on the right path, not only to see that we're actually going to reduce our debt, but also taking a look at our credit rating to make sure that we actually are creditworthy and have a long-term plan. That type of certainty will create jobs in this country. That type of certainty is what's needed with a balanced budget amendment.

Mr. NADLER. Mr. Speaker, I would point out that families are able to borrow to pay for the car and to pay for the mortgage. Under this amendment the Federal Government would never be able to borrow. It's quite different.

Mr. Speaker, I now yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I rise in support of H.J. Res. 2. An amendment to the Constitution of the United States requiring that the Congress pass a balanced budget is something I've

long supported and will continue to support. I'll try to tell you why.

I greatly respect and I hear Mr. CONYERS and my friend, Mr. NADLER. I understand their strong feelings, and I would concur with many of them.

I'd like to thank the gentleman from Virginia, my good friend Mr. GOODLATTE, for his efforts to bring this bipartisan resolution to the floor. I also want to thank him for resisting the efforts of some in his party to enshrine the disastrous fiscal policies of the Tea Party into our Constitution.

My colleagues, our budget is broken. After years of special interest handouts on both the revenue and spending ledgers, we now have a system that requires us to borrow over $1 trillion just to meet our basic obligations.

Why? Why do we borrow? Has anybody in this body ever really asked this question?

It seems we borrow because there is not the political will in this body to make the difficult decisions in our country that we need to do. We're elected leaders. We're elected to lead. But when it comes to the long-term fiscal imbalance our Nation faces, many in this body seem to be more interested in securing the next election than securing the safety and soundness of our fiscal future.

And no one party's at fault. Both parties are responsible for the financial mess we're facing. Our national debt did not reach its current level overnight, although we seem to have amnesia, what happened in September of '08 when Secretary Paulson came to talk to us about the sky was falling. But the problem has been decades in the making, with the current economic climate making the issue that much more visible.

These are serious times, and serious times call for serious people to make serious decisions; and we know what these decisions must be. We cannot cut our way out of this mess, and we cannot and should not tax our way out of this mess. We need, quite simply, a balanced approach that gets us to a balanced budget.

If I could tell you a situation in my home State, when I was appropriations chair, we were faced with a budget that was breaking the constitution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional 30 seconds.

Mr. BOSWELL. And so we decided to take it on. We were breaking our constitution in the State, and we took it on. And we worked with downtown, we worked with everybody across the State, and we came up with a solution and it's working. There's money in the bank in Iowa. The unemployment rate is around 6 percent, and that's something we need to be striving to achieve here. We can do it.

What we have left out in this that we need to consider as we go through the steps is how do we include the revenue side of it. We had a revenue piece. But it's working. And it'll work here.

We can do this. Let's work together. I urge an ''aye'' vote.

Mr. SMITH of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. I rise in support of the bipartisan balanced budget amendment. I want to thank my colleagues, Congressman GOODLATTE and others, who have worked on this effort, and really urge my colleagues that this is the time that we need to come together to act on behalf of the better interest of our Nation.

Clearly, a majority of the citizens I represent in the San Joaquin Valley agree that Washington needs to get its fiscal house in order.

We all want a balanced budget, but too few are willing to make an agreement that will move us toward that goal. That's why the passage of the constitutional amendment requiring the Federal Government to live within its means is an important step. But it is only a step.

To balance our budget, Members of both parties still have to come together to set priorities and, yes, make compromises and shared sacrifices to produce fair, balanced budgets each year. And never has the need been ever so clear.

Our national debt recently surpassed the GDP for the first time since World War II. Each American's share of the debt is now greater than their average salary. Congress could have acted sooner, but we haven't; and we can no longer afford to wait.

□ 1040

The bipartisan passage of this balanced budget amendment is an important and necessary step toward a sound fiscal future, and as a cosponsor, we should pass this measure. But we also should reach a larger agreement with the supercommittee that's fair and balanced on entitlement reform and revenues. If we do so, we will begin to restore the confidence by the American public that we can work together to get our economy back on track and create the jobs that all Americans want.

Mr. NADLER. Mr. Speaker, it is now my privilege to yield 4 minutes to a member of the Ways and Means Committee, the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank the gentleman for yielding.

Mr. Speaker, earlier this week Bruce Bartlett, a former Reagan adviser, who recently testified before the Ways and Means Committee, commented about the Republicans' balanced budget amendment. He stated:

''The proposal that Republican leaders plan to bring up is, frankly, nuts. The truth is that Republicans don't care one whit about actually balancing the budget. They prefer to delude voters with the pie-in-the-sky promises that amending the Constitution will painlessly solve our budget problems.''

Mr. Speaker, the mystical date here is January 19, 2001. Bill Clinton says goodbye and leaves a surplus not subject, by the way, to opinion today but subject to fact of $5.7 trillion. So the decision is made to cut taxes in 2001 by a trillion dollars. The decision is made in 2003 to cut taxes by $1.3 trillion, and then subsequently to engage in a war in Iraq based upon the faulty premise of weapons of mass destruction.

Now, our Republican friends often come to the microphone and say things like, well, we all spent too much money. No, I didn't spend too much money. I voted against the war in Iraq. I voted against the Bush tax cuts. I voted against their prescription benefit proposal.

Our friend from New Jersey a moment ago said the math is clear. But for Republicans, why is the math only clear when Bill Clinton is President and Barack Obama is President? They ran these deficits through the roof. There is no escaping that conclusion.

The budget has been balanced five times since the end of World War II, four of those times during the Clinton Presidency. Twenty-two million jobs were created during those years. This is the equivalent of using a Luger to clean the wax out of our ears.

This proposal is beyond the pale. They ran across the country for the last 2 years with the Tea Party-types saying, Have you read the bill? Yes, we've read the bill, and we've come to the conclusion this is a reckless pursuit of defying our constitutional responsibility when we've already demonstrated that we can accomplish these ends without disturbing the Constitution that they attempted during the campaign cycle to merit.

Let's honor the Constitution, the Tea Party said. And today what do they propose? Disturbing the Constitution after their financial malfeasance for 8 years.

This argument they bring to the floor today is a political gimmick. George Bush, Sr., lobbied me on the amendment many years ago when it failed, and respectfully I pointed out to him that it was nothing more than political theater. When President Bush, Jr., invited me to the White House to discuss his tax cut proposal in 2001 a matter of days after his assumption of the Presidency, he said this is the people's money. And he's right.

But guess what? It's the people's responsibility to honor those veterans hospitals for 35,000 men and women who have served us honorably in Iraq and Afghanistan who are going to need our care for decades to come. It's the people's responsibility on Social Security, the greatest antipoverty program in history. It's the people's responsibility on Medicare, which has added years to life and life to years.

This proposal today overdoes it. There are enough men and women of goodwill in this institution to assemble for the purpose of getting on to a balanced budget without taking this pursuit of dishonoring our Constitution when we should be doing this on our

own right now as the law has prescribed.

Mr. SMITH of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), a member of the Transportation Committee.

Mr. DEFAZIO. I thank the gentleman, and I particularly want to thank Mr. GOODLATTE for his extraordinary leadership on this issue. We both supported a virtually identical amendment in 1995.

Now, when I first came to Congress, I did not support a balanced budget amendment to the Constitution. I said things similar to my good friend and colleague Mr. NEAL from Massachusetts: It's a gimmick. We don't need it. People will come together. We can make these decisions.

It didn't take me long in observing the Congress to realize that there's an infinite capacity in this Congress to kick the can down the road. And the problem is that can's getting pretty darn heavy to kick down the road, and it's going to land on the next generation with full force—$15 trillion of debt. For the first time since World War II, this year our deficit exceeds the gross domestic product.

Now, we're going to have to force people to make tough decisions. That's a conclusion I came to when I changed and I supported the amendment back in the mid-nineties.

Now, just think about it. It passed the House, failed by one vote in the Senate. And had that become the law of the land, today we would be paying down the last of the debt. We might still be in this hole economically that we're in, but we would actually then perhaps have the capacity and the will to go out and borrow a couple of hundred billion dollars to rebuild the Nation's crumbling infrastructure. We could afford it. But in this environment with this amount of debt, that's a very tough sell around here.

This is an honest balanced budget amendment. It does not prejudice the debate between taxes—and there are many on that side who object to any new taxes or revenue—and spending cuts—and there are many on my side who object to many spending cuts. It does not discriminate. It's fair. It's evenhanded.

There were many on the Republican side who preferred one that would have tied the hands of Congress, said, No, you need a 66 percent vote to have taxes; no, you have to be limited to 18 percent of GDP. But, no, they brought forward something that is fair, and it would be something that would force Members of Congress and future Members of Congress to make the tough decisions that we have to make.

A lot of talk about Social Security. I'm an expert on Social Security. Social Security is the largest creditor of the United States of America, $2.66 trillion. We have to have the capability to redeem that debt to pay future Social Security benefits in the not-distant future when we have to draw on what's called a trust fund. It's not a trust fund. It's government bonds. It's debt. And if we keep adding to the pile of debt, will we have the capability to repay those Social Security bonds?

And there's a long-term problem with Social Security. I have a bill to fix that. Lift the cap on wages. I didn't notice that—many on my side have been down here carrying on about the attack on Social Security in this bill; they're not on my bill. Because that's a tough thing to say, we're going to make people over 250 pay the same amount of tax as people who earn less than 250.

That's a solution long term. But short term we've got to worry about being able to redeem those bonds and pay promised benefits of Social Security.

And then a lot of talk about the debt limit. Well, when we're in balance, you're going to have to have a 60 percent vote to deficit spend, and you would need a 60 percent vote for an increase on the debt limit. I would say that they could be done at exactly the same time. It requires the same number of votes. Is someone going to vote today to say we're in balance, to vote in deficit to deal with the economic situation today, perhaps to fund infrastructure investments, and then vote later on today against raising the debt limit by that same amount? That would just vitiate their earlier vote. So I don't think that that's a real threat.

If you vote ''no,'' you're assuming that we have an infinite capacity to borrow money to pass on to future generations and still meet our obligations to the American people. I don't believe that. We need limits. We need to be forced to make tough decisions, and this would force future Congresses to make those tough decisions.

Mr. NADLER. Mr. Speaker, I would point out that if this amendment passed, we would never be able to borrow money to do the infrastructure that we need.

I now yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I suspect we're about to enter into a west coast debate here. My good friend from Oregon brings a perspective a little north of California, and I would like to bring to this discussion a perspective of California.

□ 1050

For more than 30 years, California has lived under a constitutional amendment much like this constitutional amendment—a constitutional amendment that in the State of California requires a supermajority vote for raising taxes and for the budget itself. It's very similar to what is required here. The only difference is, in California, it was two-thirds; here it's 60 percent.

One only need look at the extraordinary dysfunction that California has endured in the intervening 30 years since that constitutional amendment went into effect. It has become a situation in California where we went from the very best—the very, very best—education system in this Nation, both K–12 and higher education; the best infrastructure in this Nation; and the most robust economy in this Nation to one in which we've had perpetual political gridlock because of the supermajority requirement.

So I bring to this House my own 35 years of experience with a constitution that does impose a supermajority but that has simply not worked to the benefit of the State of California. To visit such a thing upon the United States, in my view, in my experience of 35 years in public life in California, would be a great disaster for the United States, one in which we would have perpetual gridlock.

Already in this House this year, my Republican colleagues are very upset about the United States Senate not being able to do anything because of the 60-vote requirement. The Republicans keep talking about the 19 jobs bills that are over there that are tied up. It's the 60-vote requirement that has tied them up in the Senate. Last year it was the Democrats who were complaining about the Senate not being able to move because of the 60-vote requirement in the Senate.

Do we want that also here in the House? I would hope not.

I would ask us to back away from what is politically expedient. We all understand this. We've all been in this a long time. We understand the political expedience about the sound bite, about the way in which it appears. We are taking action to solve the deficit. Please, look at California. Look at what has happened to California over the last 35 years.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional 30 seconds.

Mr. GARAMENDI. I would also ask you to take a look at the fact that, even with that supermajority vote, California has perpetually run a deficit because it could not bring into balance the revenues and the outlays because the outlays were required by the reality of the economy, by the reality of the people.

This is a very, very important vote, and I bring to this House my experience of what a supermajority vote has meant to the State of California.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING, a member of the Armed Services Committee.

Mr. FLEMING. I thank the gentleman for yielding.

I've listened carefully to the debate today, and I've listened to the other side.

Mr. Speaker, this body is hopelessly addicted to excessive spending and budget deficits—hopelessly. On the other side, those who argue that we should not have a balanced budget

amendment are hopelessly in denial, just like drug addicts are in denial about their addictions. We have 535 Members, if you include the Senate, who compete with one another to see how much money we can spend, and we have an executive branch that does the same. Republican or Democrat—it doesn't matter—we all do the same thing. There is absolutely no control—or governor, if you will—on our excessive spending.

Let's put this in perspective.

In the 235 years since the founding of this great country, we have added $10.6 trillion to the national debt. In the 2½ years of this Presidency, we have increased that by 50 percent, an addition of $5 trillion. We just passed the $15 trillion debt level. At the current rate—and this is not just a projection; this is set in stone—by the end of the first term of President Obama's, we will have increased the national debt by 70 percent. This is just in that one term of 4 years.

Mr. Speaker, we cannot do this based on our willingness to balance the budget. We are incapable of doing that. We are addicted to spending. We are in denial about this, and it's time that we do something. I stand in support of H.J. Res. 2, a balanced budget amendment to the Constitution of the United States. Frankly, I would like to see a more restrictive form, a more severe form that controls the possibility of added taxes, but I will vote for this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. I yield the gentleman an additional 30 seconds.

Mr. FLEMING. Just in closing, I would like to say that it does some wonderful things.

It prohibits a debt increase without a three-fourths vote, and it requires the President to submit a balanced budget each year. Our Senate over there has yet to pass a budget resolution in 3 years. It also provides for a waiver in a time of war.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. JACKSON of Illinois. I would like to know if I can be against the balanced budget amendment without being compared to being a drug addict. Is that doable in this body to maintain some comity? I believe in helping my constituents, but my support of spending isn't tied to a drug addiction.

The SPEAKER pro tempore. The gentleman is not stating a point of order.

Mr. JACKSON of Illinois. It's not a point of order that the gentleman has made reference to those of us who are opposed to a balanced budget amendment as having been addicted to drugs? Is that a problem for the comity of this Chamber, Mr. Speaker?

The SPEAKER pro tempore. Is the gentleman demanding that the words be taken down?

Mr. JACKSON of Illinois. I am not prepared to go that far. I'd like to hear the gentleman's explanation.

Mr. FLEMING. Mr. Speaker, I ask for regular order. This is ridiculous.

Mr. JACKSON of Illinois. The gentleman needs to be very careful because I can actually have them read that back to you again.

The SPEAKER pro tempore. The gentleman from Louisiana will suspend. The gentleman from Illinois will suspend.

The Chair asks again, Does the gentleman wish that the words be taken down?

Mr. JACKSON of Illinois. I withdraw my point of order, Mr. Speaker.

The SPEAKER pro tempore. No point of order has been stated.

Mr. FLEMING. In conclusion, let me say, when I talk about our being addicted to spending, I'm talking about everyone in Congress and the executive branch. I am not pointing fingers at any one group of people. I will say that those who are unwilling to do something about it, by supporting a balanced budget amendment, are in a clear state of denial.

Mr. NADLER. Mr. Speaker, I yield myself 90 seconds.

It is not true, as we have heard on this floor repeatedly today, that both parties are addicted to spending and that the deficit is equally the fault of both parties.

It is the fault of George Bush. It is the fault of the Republican Congress. Under President Clinton, a Democratic Congress voted for tax increases and for spending cuts, and produced balanced budgets 4 years in a row of such a significance that we were going to eliminate the entire national debt by 2012. The Republicans came in and without Democratic support voted for huge tax cuts, for two unfunded wars, and for doubling the Pentagon's budget without increasing taxes to pay for it.

That generated the huge deficit we have. The deficit was also generated by the fact that, because of, arguably, Republican deregulatory policies, we got into this huge depression caused by Wall Street, and that increased the deficit. In January of 2009, before President Obama took office, 1 month before, the CBO said that the next year's deficit would be $1.2 trillion without this President's having done a thing.

The point, as I said before, is that nondefense discretionary spending—everything other than Medicare, Medicaid, Social Security, veterans benefits, and interest on the debt—has not increased since 2001 when adjusted for inflation and population growth. So that is not the source of our budget deficit. The source of our budget deficit is that we cut the taxes on the rich and the corporations and that we spent money on wars we didn't pay for.

□ 1100

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman.

In response to the gentleman from New York, I just want to point out a few facts: first of all, in the last 50 years, the budget has been balanced six times. Democrats have controlled the House of Representatives 37 of those years, and in only two of those years did they balance the budget. Four times when Republicans were in the majority, the budget was balanced: 1998, 1999, 2000, and 2001.

When those budgets were offered in this House, many Democrats voted in a bipartisan fashion for at least one of those budgets. The gentleman from New York voted against all four of the last balanced budgets that occurred in the time that he has been in Congress.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. For fear of offending the training that my mother gave me, I will again say that I stand here unaddicted and recognize that there are those who are addicted to throwing the vulnerable on the trash heap of life. Time and time again, in those budgets that my good friend from New York (Mr. NADLER) voted against, I assume that he refused to throw the vulnerable on the trash heap of life.

We come again to a time when we want to abdicate our responsibility under the Constitution. But, my friends, I want to remind you that time and time again the Republicans came back to that tired old formula, balanced budget amendment; and time and time again they were rejected.

This Constitution is sacred. It has nothing in it about the balanced budget. Twenty-six amendments, and they have been rejected. Why? Because they don't want to do the job that the people of the United States have sent us to do. The job that says give and take on how we fund this government.

Someone wants to talk about State governments. Yes, 49 States have a balanced budget amendment; but it is on the operations budget, not on the capital budget. The United States of America is responsible for disasters when they hit New York, Missouri, and Texas. The United States is responsible for lifting a military and providing for our sons and daughters on the front lines of Iraq and Afghanistan, World Wars I and II, Korea, and, of course, Vietnam, the Persian Gulf, and many other places. Our States are not responsible for that.

Balanced budget amendment, maybe we want to be able to follow the good work of our dear friends on the supercommittee. I have great respect for them. The headline says: ''Supercommittee Well Short of a Deal,'' because this is not the way we run a country.

And I refuse to be called ''addicted'' without the explanation that my mother would want me to give. I am addicted to saving lives. I'm addicted to making sure that Social Security is not violently cut by the balanced budget amendment, Medicare being cut by

nearly $750 billion if this resolution were to pass, Social Security almost $1.2 trillion, veterans benefits $85 billion through 2021.

So my argument is to be able to analyze what we're doing here, my friends. The Constitution gives this House the power of the purse strings; yet it will take a two-thirds vote in the middle of a crisis, a war, a disaster, the need to invest in our young people—numbers that Dr. Jeffrey Sachs said that we need for a legitimate apprentice program that leads young people from college or training into a job.

Creating jobs invests in America. Would you understand that we have the lowest number of white males going to college, the lowest number of African Americans going to college, the lowest number of Latinos.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. I yield the gentlelady an additional 30 seconds.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

We need investment in human resources. And all we're doing today is denouncing and ridding ourselves of the obligatory responsibility that we have when we take an oath to this Constitution every 2 years.

I don't want to be a spoilsport today. I believe we should tighten our belt. There are many ways of doing so, looking at the financial transactions on Wall Street or the Chicago commodities. Many ways to do it. But this is a stranglehold on our neck. I refuse to cut seniors, children, Social Security because you won't do your job. This is a bad amendment. I will not vote for it.

Mr. Speaker, I rise today in strong opposition to H.J. Res. 2, "Proposing a Balanced Budget Amendment to the Constitution of the United States." While I support bipartisan efforts to increase the debt limit and to resolve our differences over budgetary revenue and spending issues, I cannot support a bill that unduly constrains the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles.

In my lifetime, I have never seen such a concerted effort to ransom the American economy in order to extort the American public. While I support bipartisan efforts to increase the debt limit and to resolve our differences over budgetary revenue and spending issues, I cannot support a bill that unduly robs average Americans of their economic security and ability to provide for their families while constraining the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles.

This bill would put our national security at risk. If our nation is under attack or needs to respond to an imminent threat, the last person I would consider contacting is an accountant. I would expect that this body would act swiftly and this mandate takes away that ability.

We need to change the tone here in Congress. Federal Reserve Chairman Ben Bernanke said it best when he stated recently before the House Committee on Financial Services. "We really don't want to just cut, cut, cut." Chairman Bernanke further stated, "You need to be a little bit cautious about sharp cuts in the very near term because of the potential impact on the recovery. That doesn't at all preclude—in fact, I believe it's entirely consistent with—a longer-term program that will bring our budget into a sustainable position."

NATIONAL SECURITY—VETERANS AND MILITARY FAMILIES

I am outraged to find that revisions to this legislation include a provision that will hurt our veterans and military families and seriously compromise our ability to combat terrorism. As a senior Member of the Homeland Security Committee, I am deeply concerned about any measure that undermines the men and women of the Armed Forces or the safety and security of the American people.

The Department of Defense (DOD) has already agreed to cut its budget by $450 billion over the next ten years. The Center for Strategic and International Studies predicts that further budget reductions, including those that would stem from a balanced budget amendment, will cause substantive modification to our defense strategy, capabilities and force structure.

Enacting a balanced budget requirement would severely limit the ability of the Armed Forces to procure the equipment necessary to keep our troops safe, and prepare them for potential combat. A balanced budget amendment would dramatically constrain discretionary budgets, so much so that procurement, research and development, and the acquisition of new technologies would have to be zeroed out of the DOD budget.

These deep cuts to research and development and procurement would threaten the safety of the men and women of the Armed Forces. For example, the constraints caused by a balanced budget amendment would seriously endanger the Marine Corps' V–22 Osprey program, as well as the intended order of 340 F–35B Joint Strike Fighters. The effects of a balanced budget amendment would hinder the Navy's planned expansion from 287 to 320 ships.

This bill will deeply impact the Defense Industrial Base (DIB), a group of companies and contractors that supply equipment and technology to the Armed Forces. The budget reductions caused by a balanced budget amendment would deeply impact modernization and procurement. In fact, Army Secretary John McHugh recently said that to facilitate any further budget cuts, "you'd probably have to take some 50% out of modernization."

The DIB has resulted in the development of the most advanced military force the world has ever seen. However, large cuts in procurement funding would seriously compromise our ability to develop some essential future capabilities. Moreover, the downsizing that a balanced budget requires would leave a large number of highly skilled and professional workers unemployed in an economy unlikely to absorb them for quite some time.

Passing this legislation will not, as many of my colleagues on the other side of the aisle believe, result in a more stable budget. An amendment requiring a balanced budget will render discretionary budgets, particularly the DOD and national security budgets, much less predictable. The Departments of State, Defense and Homeland Security will have to compete for their shares of the national security budget, and furthermore, a likely response to a balanced budget amendment will be an increased reliance on emergency, ad hoc appropriations.

A provision of H.J. Res. 2 requires legislation to spend money that will take the budget out of balance due to a military conflict or national security need. As it stands, this bill will require a Joint Resolution from both houses of Congress with the specific dollar amount being spent.

In order to spend more than has been appropriated, agencies tasked with defense and national security will need approval from Congress. This increased reliance on emergency appropriations will have detrimental effects on the sound functioning of our defense and national security institutions. The more these institutions are forced to rely on emergency funding, the more unpredictable their budgets will become.

This legislation would allow a military conflict or threat to national security to take the budget out of balance. However, in order to authorize additional funds for military engagement or threats to national security that require action, Congress would need to pass legislation citing a specific dollar amount.

As a senior Member of the Homeland Security Committee, I know that the threats against the nation are constantly changing and ever present. We cannot ask those responsible for protecting this nation to ask Congress for a specific amount of money every time there is a threat to our national security that requires action. Should we ever experience another attack on American soil, we cannot expect out first responders to wait for authorization before intervening.

Mr. Speaker, I am incredibly disheartened to see my colleagues on the other side of the aisle champion this legislation, legislation that has so many negative impacts on our veterans and military families. The permanent budget cuts necessitated by a balance budget amendment would require the DOD to drastically curtail the number of active duty service members, retirement benefits, and healthcare benefits for veterans and military families.

There are currently 22.6 million veterans living in the United States, and all of them deserve the retirement and healthcare benefits that were promised to them. In my home State of Texas we have nearly 1.7 million veterans, and 18th District is home to 32,000 of them. Of the 200,000 veterans of military service who live and work in Houston; more than 13,000 are veterans from the Iraq and Afghanistan. We should not compromise the benefits for one of these patriotic Americans with this harmful legislation.

There has been a theme this Congress of focusing on cutting programs that benefit the public good and for the most at need, while ignoring the need to focus on job creation and economic recovery. Debate of this balanced budget amendment is wasting a tremendous amount of time when we should be focused on paying our nation's bills and resolving our differences!

As I mentioned, a balanced budget is not something that should be mandated in our Constitution, nor something that should be automatically required every year. In particular, during economic downturns, the government can stimulate growth by cutting taxes and increasing spending. And in fact, the cost of many government benefit programs is designed to automatically increase when the economy is down—for example, costs for food stamps (SNAP) and Medicaid increase when more people need to rely upon them.

These countercyclical measures lessen the impact of job losses and economic hardship associated with economic downturns. The resulting temporary increases in spending could cause deficits that would trigger the balanced budget requirements at the worst possible moment.

A constitutional amendment requiring Congress to cut spending to match revenue every year would both limit Congress's ability to respond to changing fiscal conditions and would dramatically impede federal responses to high unemployment as well as federal guarantees for food and medical assistance.

H.J. Res. 2 would amend the Constitution to require Congress to balance the budget each year. It would also impose new procedural hurdles to raising the debt ceiling, and require the President to submit a balanced budget each year.

The thresholds proposed in H.J. Res. 2 are completely unrealistic. Even during Ronald Reagan's presidency—before the baby boomers had reached retirement age, swelling the population eligible for Social Security and Medicare, when health care costs were much lower—federal spending averaged 22 percent of GDP. This would impose arbitrary limits on government actions to respond to an economic slowdown or recession.

Cutting spending during a recession could make the recession worse by increasing the number of unemployed, decreasing business investment, and withholding services needed to jump-start the economy. As written, this bill would render Social Security unconstitutional in its current form. By Capping future spending below Reagan-era levels would force devastating cuts to Medicaid, Medicare, Social Security, Head Start, child care, Pell grants, and many other critical programs.

Only five years in the last fifty has the federal government posted an annual budget surplus; all other years the government has been in deficit. Even the House-passed Republican budget resolution, which requires immediate and sustained drastic spending cuts, never reaches balance in the ten-year window required by H.J. Res. 2—indeed, it is not projected to be balanced for several decades, only reaching balance by 2040.

Because this proposal makes it so much harder for Congress to increase revenues than to cut spending, it in essence forces the President to match those same restrictions in his budget. In other words, H.J. Res. 2 is a political ploy designed to force the President to submit a budget that reflects the Republican priorities of ending the Medicare guarantee while cutting taxes for millionaires.

SOCIAL SECURITY & MEDICARE

According to the Center on Budget and Policy Priorities, H.J. Res. 2's balanced budget requirement could result in Medicare being cut by nearly $750 billion, Social Security almost $1.2 trillion, and veterans' benefits $85 billion, through 2021 assuming that the spending cuts would be distributed evenly across the government. These cuts would devastate millions of seniors, veterans, children and the disabled.

These cuts would have a devastating effect on the millions of aged, disabled, veterans, children, and others who depend on Social Security. The BBA would have the foreseeable effect of plunging millions of Social Security beneficiaries into poverty and making for a very bleak future for most others. Over two-thirds of seniors and 70 percent of people with disabilities depend on Social Security for half or more of their income. Close to half—47 percent—of all single (i.e., widowed, divorced, or never-married) women over age 65 rely on Social Security for 90 percent or more of their income.

Seniors are spending more on their health care costs, and Americans in general are making less. The face of poverty is a child's face. If a private employer attempted to do what is being asked of us here today, which would be to use their pension plans in a manner that H.J. Res. 2 would deal with Social Security that would be against the law.

Furthermore, the need to raise the debt ceiling has no correlation to whether future budgets are balanced; increases in the debt ceiling reflect past decisions on fiscal policy. And as demonstrated by this year's current disagreement about whether and when to raise the debt ceiling, Congress does not need to impose further barriers to its consideration. Treasury has warned that failing to raise the debt ceiling and the resulting government default, which would be unprecedented, could have catastrophic impacts on the economy. Interest rates would rise, increasing costs for the government and potentially on American businesses and families.

Any cuts made to accommodate a mandated balanced budget would fall most heavily on domestic discretionary programs; the immediate result of a balanced budget amendment would be devastating cuts in education, homeland security, public safety, health care and research, transportation and other vital services.

The Founders purposely made the Constitutional amendment process a long and arduous one. Having a Constitutional balanced budget amendment is not a novel idea. Balanced budget amendments have made it to a floor vote in the Senate five times, and in the House four times, according to CRS. The Senate barely passed a version in 1982, but it failed to gain the necessary two-thirds majority in the House. The House passed a version in 1995, but it failed in the Senate.

Do my Republican colleagues really expect Congress to capriciously pass an amendment altering our nation's founding document on such short notice; an amendment that will fundamentally change our country without reasonable time for debate; without the opportunity for a hearing or questioning of witnesses; without any reports as to what impact it may have?

By tying the fate of whether the United States pays its debt obligations to the historically prolonged Constitutional amendment process, the Republicans who support this bill have demonstrated, at this critical juncture in American history, that they are profoundly irresponsible when it comes to the integrity of our economy and utterly bereft of sensible solutions for fixing it.

POTENTIAL IMPACT ON MEDICARE

Medicare covers a population with diverse needs and circumstances. Most people with Medicare live on modest incomes. While many beneficiaries enjoy good health, 25% or more have serious health problems and live with multiple chronic conditions, including cognitive and functional impairments.

Today, 43% of all Medicare beneficiaries are between 65 and 74 years old and 12% are 85 or older. Those who are 85 or older are the fastest-growing age group among elderly Medicare beneficiaries. With the aging and growth of the population, the number of Medicare beneficiaries more than doubled between 1966 and 2000 and is projected to grow from 45 million today to 79 million in 2030.

POVERTY

We are constantly discussing cutting the budget, reducing our debt. Any yet, there has not been a single strong job creating measure purported by my Republican Colleagues. Instead time and again there is legislation brought before this body to delay having a real debate on job creation. The poorest among us are being asked to bear the brunt of this legislation; cuts to Medicare, Cuts Social Security . . . who do you think these programs serve. We would be asking the poor to pay more for health insurance, to pay more for medical expenses, to pay more for housing. I ask my colleagues a simple question?

Currently more Americans are in need of jobs than jobs are available. Without focusing on creating jobs and advocating for job growth, what will happen to those individuals who are unable to find work, are seniors, are disabled, are children? What about veterans who find their pensions cut? When all these cuts to essential and vital programs occur in order to support this proposed constitutional mandate, what will happen to these individuals; how will they pay housing, health, and basic life necessities?

I am, as we all are, deeply troubled by the report issued by the U.S. Census Bureau. 1 of every 6 Americans is living in poverty, totaling 46.2 million people, this highest number in 17 years. In a country with so many resources, there is no excuse for this staggering level of poverty.

Children represent a disproportionate amount of the United States poor population. In 2008, there were 15.45 million impoverished children in the nation, 20.7% of America's youth. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty, 2.2 million of them children, and that 17.4% of households in the state struggle with food insecurity.

In my district, the Texas 18th, more than 190,000 people live below the poverty line. We must not, we cannot, at a time when the Census Bureau places the number of Americans living in poverty at the highest rate in over 17 years, cut vital social services. Not in the wake of the 2008 financial crisis and persistent unemployment, when so many rely on federal benefits to survive, like the Supplemental Nutrition Access Program (SNAP) that fed 3.9 million residents of Texas in April 2011, or the Women, Infant, and Children (WIC) Program that provides nutritious food to more than 990,000 mothers and children in my home state.

The Census Bureau also reported there are 49.9 million people in this country without health insurance. This is an absolute injustice that must be addressed. We can no longer ignore the fact that nearly 50 million Americans, many of them children, have no health insurance.

Texas has the largest uninsured population in the country; 24.6% of Texans do not have health care coverage. This includes 1.3 million children in the state of Texas alone who do not have health insurance, or access to the healthcare they need.

It is unconscionable that, despite egregiously high poverty rates, Republicans seek

to reduce spending by cutting social programs that provide food and healthcare instead of raising taxes on the wealthiest in the nation, or closing corporate tax loopholes.

Balanced budget amendments have made it to a floor vote in the Senate five times, and in the House four times, according to CRS. The Senate passed a version in 1982, but it failed to gain the necessary two-thirds majority in the House. The House passed a version in 1995, but it failed in the Senate.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, November 15, 2011.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 3.2 million members of the National Education Association, we strongly urge you to VOTE NO on the constitutional balanced budget amendment scheduled for floor debate this week. While we understand the need to get our nation's fiscal house in order, such proposals are not the right mechanism. The effect would be devastating for public education and retirement security, undermining economic recovery and jeopardizing our future strength as a nation. Votes associated with this issue may be included in the NEA Legislative Report Card for the 112th Congress.

Overall, a balanced budget amendment could result in the largest cuts in federal spending in modern history. In fact, it simply will not be possible to achieve the spending levels required under any balanced budget amendment without massive cuts in education, Medicare, Medicaid, Social Security, and other programs that meet crucial national needs.

Educators understand that Congress must work to ensure America's long-term economic prosperity and that we must address the nation's serious fiscal challenges. However, cutting education funding and slashing programs that serve children, seniors, and working families is not the answer. Claims that families and states balance their budgets are erroneous. Most families have mortgages and car loans, and take on other debt to provide for their children's futures. In addition, while many states must balance their operating budgets, they take on debt for capital costs and job-creating projects such as building roads, bridges, and schools.

NEA members see first-hand every day the struggles of many of their students and their families. A balanced budget amendment will make their struggles even harder—essentially abandoning them while continuing to cater to the wealthiest in our nation.

Mandating a balanced budget would constitute exceedingly unwise economic policy. It would risk tipping a faltering economy into recession and slowing economic recovery. It would determine spending levels for decades and tie future Congress' hands. And, it would render impossible the sorts of investments necessary to continue economic recovery and grow the skilled workforce necessary for future economic strength.

A balanced budget amendment would decimate public education and other programs that ensure a competitive workforce and future economic vitality. We urge you to vote NO.

Sincerely,

KIM ANDERSON,
Director, Center for Advocacy.

MARY KUSLER,
Manager, Federal Advocacy.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, November 15, 2011.

(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.J. RES. 2—PROPOSING A BALANCED BUDGET AMENDMENT

(Rep. Goodlatte, R–VA, and 242 cosponsors)

The Administration strongly opposes H. J. Res. 2. We do not need to amend the Constitution for only the 28th time in our nation's history to do the job of restoring fiscal discipline. Instead, it requires us—as members of both parties have done in the past—to move beyond politics as usual and find bipartisan common ground to restore us to a sustainable fiscal path.

H. J. Res. 2 would impose serious risks for our economy in several ways. It risks accelerating economic downturns by requiring the government to raise taxes and cut spending in the face of a contraction, which would accelerate job losses. The President proposed a balanced approach to restore fiscal sustainability and in a way that doesn't slow the Federal Government's ability to initiate actions that help stabilize the economy and keep future recessions from becoming worse. By contrast, under H. J. Res. 2, a minority in a single house of Congress could block the will of the majority and the Executive to waive its provisions when our country faces a downturn. If H. J. Res. 2 had been in effect in recent years, such a minority in one house would have been able to prevent efforts to override the requirement for tax increases or spending cuts, risking an even deeper contraction and pushing the economy into a second Great Depression. Further, H. J. Res. 2 ducks responsibility and does not take the Nation's fiscal challenges head-on. Rather, it could inevitably result in handing the hard decisions that our elected representatives in the Congress should be making to the Federal Courts.

In addition, absent a willingness to raise substantially higher revenues than in the House Budget Resolution by closing tax loopholes or asking the most fortunate to pay more, H. J. Res. 2 would undercut the Federal Government's ability to meet its core commitments to seniors, middle class families and the most vulnerable, while reducing our ability to invest in our future. This could result in severe cuts to programs like Medicare and Social Security that are growing due to the retirement of the baby boomers, putting at risk the retirement security of millions of Americans, and it could result in significant cuts to education, research and development, and other programs critical to growing our economy and winning the future.

H. J. Res. 2 is not a solution to the Nation's deficits. The Administration is committed to working with the Congress on a bipartisan basis to achieve real deficit reduction. The President laid out a set of recommendations to the Joint Select Committee to achieve over $4 trillion in balanced deficit reduction, including the deficit reduction already locked in by the Budget Control Act. The President urges the Committee to meet or exceed its mandate for deficit reduction.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. HURT), a member of the Financial Services Committee.

Mr. HURT. I rise today in support of a balanced budget amendment to the United States Constitution, offered by my friend from Virginia (Mr. GOODLATTE). I would like to thank the gentleman from Virginia for his leadership on this important legislation; and as a cosponsor of this measure, I urge my colleagues to vote in favor of this balanced budget amendment.

Our Nation's staggering debt and reckless borrowing illustrate the urgent need to implement real institutional change in Washington. For far too long, Members of both parties have routinely chosen the politically expedient course over what is in the best interest of our Nation, casting aside any spending pledges or statutory caps and pushing our Nation further along on a careless spending binge with devastating consequences for the people of Virginia's Fifth Congressional District and all across our country.

We, as a Nation, now face a $15 trillion debt that nearly equals the size of our entire United States economy. We are running a $1.3 trillion deficit, and we are borrowing over 40 cents on every dollar we spend. This dire debt crisis not only threatens our economic recovery by stifling job creation, but it also threatens the very future of our country.

Given the seriousness of our current fiscal situation, Congress' abysmal record of fiscal management, it is critical that we put institutional spending reforms in place that will force the government to live within its means, just as families, businesses, and State governments do in Virginia and across the country. By passing a balanced budget amendment, Congress will be required to spend no more than it takes in, reining in out-of-control spending once and for all.

As I travel across Virginia's Fifth District, I continually hear from my constituents—Republicans, Democrats, and independents—who say that if we are serious about turning our economy around, and if we are serious about preserving this country for our children and grandchildren, we must put an immediate end to Washington's out-of-control spending.

I urge my colleagues to vote in favor of this bipartisan measure so we may implement the structural framework necessary to put our Nation back on a path of fiscal sustainability for the sake of future Americans.

I thank the gentleman for yielding me the time.

Mr. NADLER. Mr. Speaker, I am proud to yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, we've heard a lot about the Members on the other side of the aisle trying to take credit for the fiscal responsibility in the 1990s. I think we need to review what actually happened during those years.

I came into Congress in 1993, and the first tough votes we had to cast were on the budget. We passed a tough budget. It passed by one vote in the House and a tie-breaking vote by the Vice President in the Senate. Not a single Republican voted for that tough budget. In fact, it's that budget that we are

talking about that laid the groundwork for the fiscal responsibility for the 1990s.

And on that vote, when the last vote was cast by Marjorie Margolies-Mezvinsky from Pennsylvania, the Members on the other side of the aisle did not congratulate her for casting the tie-breaking vote to pass the bill. They started chanting ''Bye-bye, Marjorie,'' and she was defeated with that vote in her next election. In fact, she was defeated along with almost 50 Members of the Democratic Party who voted for that budget.

In 1995, when the Republicans came in with a majority, they tried to dismantle the budget. And in fact, President Clinton vetoed all of those budgets that they had offered; and we shut down the government, rather than dismantle that plan. Finally, when the deficit had gone from $290 billion down to less than $25 billion, then the Members on the other side of the aisle joined on as we crossed the finish line.

Well, that's like showing up for the ribbon-cutting after you have voted against the stimulus bill. All of the tough votes had been cast. All of the hard work, all of the political damage had been suffered. And now all of a sudden, they want to come in and take credit. What they can take credit for is President Clinton vetoing their bills.

If you want to know what would have happened if they had been signed, we found out in 2001. Because as Chairman Greenspan had to answer questions as to what's going to happen if we pay off the national debt too quickly—we were on chart to paying off the national debt after the first tax cut—that was the last time you heard anybody talking about paying off the national debt.

Two tax cuts not paid for, two wars not paid for, prescription drugs not paid for, and now we find ourselves in the ditch.

Balancing the budget is arithmetic. You've got to pass some unpopular votes. You've got to raise taxes and/or cut spending, and you're going to make some political enemies doing either one.

□ 1110

This legislation doesn't help us make those tough choices. In fact, it makes it even more difficult. People say we need a constitutional amendment to force us to balance the budget. This legislation doesn't force us to do anything. It makes it more difficult. Read the bill. If we want to pass something—we had a hearing on it a couple of days ago when the former Governor of Pennsylvania said that the balanced budget provision in the Pennsylvania State Constitution was a good idea, and I asked him what provision in this legislation can be found in the Pennsylvania Constitution; none of them. None of the provisions of H.J. Res. 2 can be found in any State constitution other than the title. And so here we are talking about the title but not the provisions of the bill.

The major provision in this bill is a three-fifths requirement to pass a budget that's not in balance; which, incidentally, would cover every budget that we considered this year.

Now, I think it is fair to say that the most fiscally conservative budget on the table was the Republican Study Group that got a few votes, not anywhere close to a majority. And if that's your goal, why would raising the threshold from a simple majority that you couldn't even get up to three-fifths make it more likely that you could pass that tough kind of budget?

The SPEAKER pro tempore (Mr. YODER). The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional 1 minute.

Mr. SCOTT of Virginia. Once you have ascertained that even the Republican Study Group budget would require three-fifths, any budget, responsible or irresponsible, could pass with the same three-fifths. In fact, you could cut taxes with three-fifths. You could raise spending. You could have a totally irresponsible budget with three-fifths. So why is it more likely that you're going to be fiscally responsible with three-fifths when you've never been able to get even a simple majority, when three-fifths—last December we passed an $800 billion tax cut, putting us $800 billion further in the ditch. We got three-fifths for that, but try to get three-fifths for a meaningful deficit reduction plan.

This legislation will make it more difficult to balance the budget. All of this debate has been about the title, how nice it would be to balance the budget. But we ought to read the bill and point out that the provisions of this bill will actually make it more difficult, probably impossible, to ever balance the budget, and we will end up trying to get three-fifths vote, ending up with worse budgets than we would have under the present system.

Mr. SMITH of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman.

I need to comment on the revisionist history that we are hearing.

Mr. Speaker, the fact of the matter is that tough votes are made when Congresses make the decision to balance the budget. That decision wasn't made in 1993 when Democrats voted to raise taxes; it was made when we sent a budget to the President that he vetoed. The government shut down, and after that shutdown, then and only then did President Clinton get in favor of welfare reform and other things that led to a slowing of the rate of growth in government spending.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. I yield the gentleman an additional 1 minute.

Mr. GOODLATTE. He calls a ribbon cutting to show up and vote for budgets that are actually balanced. The gentleman from Virginia, my good friend, voted against all four—all four—of the budgets that were balanced in the 1990s and leading up to 2001.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to my friend and colleague from Texas (Mr. CANSECO), a member of the Financial Services Committee.

Mr. CANSECO. Thank you, Mr. Chairman.

Today we are taking an important step towards changing the way Washington does business; and it couldn't come at a more opportune time as our national debt crossed the $15 trillion threshold this week, which means that now on average every American household's share of the national debt is $127,899. Our Nation is in the midst of a spending-driven debt crisis. We have run three successive $1 trillion-plus deficits. We are borrowing approximately 40 cents out of every dollar the Federal Government spends; and the CBO estimates that, by the end of the decade, we'll be spending almost $1 trillion just to pay the interest on our debt.

If we do nothing, the problem will get worse. We will continue spending, borrowing, and accumulating more debt, until one day our children and grandchildren and their futures are drowned in a sea of red ink. Our inability to get our fiscal house in order will leave them with a downsized American Dream.

As a father of three children, this is something that I refuse to do. I am the son of Mexican immigrants who came to this Nation to provide their children with a better life and to live in a land where my opportunity would be limited only by how hard I worked and how big I could dream.

I want to ensure that America remains a land of unlimited opportunity for our children and grandchildren. I don't want the legacy of this generation of Americans to be that we're the first generation of Americans to pass on a smaller American Dream to future generations.

For too long, our Nation has spent far beyond its means. We have run up a national credit card, borrowing from our children's and grandchildren's future to pay for spending today. We need to cut up the national credit card and make sure the dire situation we have gotten ourselves into never happens again, and a balanced budget amendment will do just that.

Mr. NADLER. Mr. Speaker, how much time remains, please?

The SPEAKER pro tempore. The gentleman from New York has 36¾ minutes, and the gentleman from Texas has 1 hour and 4½ minutes.

Mr. NADLER. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia (Mr. GOODLATTE) control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield 1½ minutes to the gentleman from Louisiana (Mr. SCALISE), a member of the Energy and Commerce Committee.

Mr. SCALISE. I thank the gentleman from Virginia for yielding me this time to speak about this important issue. I really want to thank him for bringing this to the floor because this is one of those rare bipartisan pieces of legislation that Congress brings forward that is so critical to the future of our country. You know, a balanced budget amendment is an idea that is long overdue.

If you look at where we are right now, some of the biggest challenges facing our country come from the fact that Washington continues to spend money it doesn't have. This Nation just passed the $15 trillion threshold in debt. Just in the last 2½ years since President Obama has been in office, another $5 trillion, mountains of debt that have been added to the backs of our children and grandchildren. It is irresponsible to keep dumping this debt onto future generations. It hurts America's ability to grow, it holds America's promise back, and it has got to stop.

If you look at what is important about this debate, a balanced budget amendment will finally bring permanent accountability and force Washington to start living within its means, to tell Washington you can't keep spending money you don't have. And yet you listen to this debate and there are Republicans and Democrats supporting this concept that's long overdue to require a balanced Federal budget; but, of course, there are opponents as well. If you listen to what some of the opponents have been saying, they call it reckless. Forty-nine States do this, families all across the country balance their budget, and they call it reckless to live within our means.

What I would finally say in conclusion is that we have got to put these reins on Washington spending. We've got to give this promise to the next generation. Stop playing politics. Let's pass this amendment.

Mr. NADLER. Mr. Speaker, I would point out that the 49 States borrow for capital budgets. They have balanced budget amendments for operating budgets. This makes no distinction and would not let us borrow ever.

I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to point out that this does allow you to borrow; you just have to have a supermajority and a special reason to do so. And I point out that if the States had anything like the proportionate debt that is constituted by this government today of $15 trillion, they wouldn't be borrowing much money either.

At this time, it is my pleasure to yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY), a member of the Financial Services Committee.

□ 1120

Mr. DUFFY. This was not the version that I supported. I wanted a version that had spending caps linked to GDP. But as this week we passed the $15 trillion debt mark, I thought it was important that this House come together and figure out a way to control the spending. If you look at our recent history, this House conference on the GOP side passed a budget this year that brought our country to balance. And all the Democrats across the aisle—not all—most of them voted no. They were offered a counterproposal that could bring our budget to balance.

The Democrats in the Senate haven't proposed a budget in 900 days. We need to be serious about this debt. And, today, as we are $15 trillion in debt and we have historic interest rate lows, let's look out 10 years, when the debt is $25 trillion and we go from historic low interest rates to historic norms. If we can't balance the budget today, is it going to be easier 10 years from now when it's $25 trillion and we have more people on Social Security and Medicare?

My friends across the aisle like to pull up Social Security, Medicare, and the needy. And do you know what? I care about those constituents in my district as well. But we have to be honest about what we're doing. We are borrowing this money from China. We have given them an economic nuclear bomb. We are bankrupting this country and jeopardizing the freedom of our next generation.

Let's make sure we pass this balanced budget amendment, and let's rely on the American people to fund the obligations that this House makes. With that, I encourage all of my colleagues to support the amendment.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is now my honor to yield 2 minutes to the gentleman from Pennsylvania (Mr. PLATTS), chairman of the Government Organization Subcommittee of the Oversight and Government Reform Committee.

Mr. PLATTS. I thank the chairman for yielding, and I especially thank him for his great leadership on this very important issue.

I rise in favor of this legislation. The Federal Government is currently borrowing close to 40 cents of every dollar that it spends. Our $15 trillion national debt has grown to be as large as our entire economy. One of the most important actions that Congress can take to restore fiscal sanity to Washington for generations to come is to adopt a balanced budget amendment to the United States Constitution.

I've cosponsored a version of a balanced budget amendment every session since first being elected to Congress, including the measure that we are debating here today. This proposal would impose a similar requirement for annually adopting a balanced budget, as currently exists in 49 States, recognizing a commonsense exception for defense under limited circumstances.

The idea of a balanced budget amendment is not new. One of our Founding Fathers, Thomas Jefferson, was a strong proponent of this idea. More recently, in 1995, as has been discussed, following passage by the House of Representatives, the United States Senate came within one vote of sending this version of the balanced budget amendment to the States for ratification. Since then, our total national debt has nearly tripled.

A balanced budget amendment to the Constitution will help to restore fiscal integrity to Washington, boost confidence in the American economy, and stop Washington's practice of saddling future generations with insurmountable levels of debt. The adoption of a balanced budget amendment has the strong support of the overwhelming majority of Americans.

Our constituents get it. We can't continue to spend money that we don't have. It's time for Washington to get it and to heed the will of the American people. We should pass this legislation and thereby allow our State legislatures the opportunity to ratify this commonsense addition to the United States Constitution.

Mr. NADLER. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. I thank the gentleman for yielding time.

I haven't heard this said since I've been sitting on the floor listening to the debate, but if anybody has said it, I want to express my agreement with them. We cannot continue to spend more year after year after year than we receive. That is unsustainable, and with that, I cannot argue. However, I disagree that we need a balanced budget amendment to make that point.

I have no balanced budget amendment to operate my household. Some years I have borrowed money and gone in debt, and some years I have accumulated a surplus and paid down that debt. I'm sure that's the way every American citizen operates their life, trying to make responsible decisions and not hiding behind some subterfuge like a balanced budget amendment.

Being responsible, I went into debt to go to college. It was a wonderful investment because I wouldn't be here today if I had not done that. And I paid that debt back in some years where I generated surpluses in my household—as a result of going to college. I went into debt to buy a house. It's been a wonderful investment. The house has a lot more value now than what I paid for it. It is part of my assets. And one of these days, I'm going to pay that debt off. But I'm still, if you count that, operating in a deficit situation. There are some years that I'm in surplus. There are some years that I'm in deficit. The one thing I do know, whether I'm in deficit or surplus, I count the income, and I count the expenditures.

Balancing a budget is not just about how much you spend; it is also about how much you take in. And the government's only source of taking in money is tax revenues. So for somebody to come in here and lecture me about a balanced budget amendment, when they jumped up from discussions and said, I'm not going to talk about revenues in an effort to balance the budget, I'm just going to have you talk about expenditures—that is unacceptable to me.

Let's grow up in this institution. Act responsibly and make tough decisions, and we can get out of this deficit situation, and we can pay off the debt. We have proved it. We proved it while I was here in this body. We got to the point that Chairman Greenspan at that time was saying, hey, I'm worried that you're going to pay off the national debt too fast and it's going to be deflationary. Republicans were not in control then. We didn't have a balanced budget amendment then.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional 30 seconds.

Mr. WATT. We didn't have a balanced budget amendment then. We acted responsibly, and not with a single vote from the people who are here lecturing us today and saying they need a balanced budget to stand behind. That's like standing behind my mother's skirt.

Grow up. Make responsible decisions. Quit going into wars that we can't afford to pay for and not paying for them. Make some responsible decisions, and you won't need this skirt to stand behind. We don't need this. It's irrational. The American people know it's irrational because they know that balancing a budget is a function of income and expenditures.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to the gentleman.

If the gentleman's complaint is that there have been decisions made during Republican Congresses that he doesn't agree with that spent too much money, that didn't yield to balancing budgets, the gentleman is correct.

But the gentleman neglects to point out that there have been many, many Democratic Congresses in the last 50 years, 37 of them, of which only two of them resulted in a balanced budget. That is not a good record either. In fact, during the 1990s, when we were fortunate enough to receive four balanced budgets, those balanced budgets were under a Republican Congress and a Democratic President.

□ 1130

In point of fact, it was only after there was a confrontation about the level of spending and a government shutdown that the necessary reforms were made to slow the rate of government spending so we could achieve those balanced budgets.

The gentleman from North Carolina takes credit for his vote in 1993, which I did not agree with. I'm going to take credit for my four votes that were balanced budgets in 1998 through 2001, which he voted against. So we need bipartisan support for a rule in our Constitution that requires that the budget be balanced every year, except in times of national emergency when we should have bipartisan support to not balance.

At this time it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. STEARNS), chairman of the Energy and Commerce Oversight and Investigation Subcommittee.

Mr. STEARNS. I thank my distinguished colleague.

You know, I say to my colleagues on the Democrat side, we can sit here and blame Bush; we can sit here, on our side we could blame President Obama; and we can have this high rhetoric talking about this issue but now is the time to get serious. But we are in a very precarious situation. This is all different with a debt to GDP ratio at 100 percent.

When you look at the statistics and you say, well, look, what's going to happen in this country in 10 years, in 10 years 95 percent of all Federal tax revenues will be consumed by payments of interest on the national debt and mandatory programs like Social Security. I think you would agree with that. Medicare and Medicaid are also there. This will leave just about 5 percent of our annual tax revenue available for funding national defense and other essential functions of the government. So this is an attempt here today, a very sober attempt, to control federal budgets and do this through a balanced budget amendment.

Now, you make a valid argument about the difference of these 49 States having an operational balanced budget, which is they don't have a capital outlay balanced budget. I understand that argument. But also, with this constitutional amendment, we are projecting an attempt to have a rainy-day fund, where we set aside money for these emergencies we all worry about. So you cannot hang your whole argument on the difference between the state operational budgets and a state capital budget and a federal budget as a reason for not voting for this because we are at such dire extreme situations.

And talking about Founding Fathers, they understood the perils associated with debt. In fact, Thomas Jefferson said, ''The principle of spending money to be paid by future generations, under the name of funding, is but swindling futurity on a large scale.''

We need to come together and understand that this is not business as usual like when we voted for the constitutional amendment some 16 years ago. This is a precarious moment in history. We do not think we can go forward without controlling our spending, and this is a legitimate attempt to do so. I think the high rhetoric on both sides of blaming different Presidents and talking about the past is gone. We're talking about the future.

I urge you to support this resolution.

Mr. NADLER. Mr. Speaker, either we will have the discipline to do what we have to or this amendment simply puts those decisions in the hands of a Federal judge, which we don't want to see, I don't think.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from Illinois (Mr. HULTGREN), a member of the Agriculture Committee.

Mr. HULTGREN. The time is now.

This week we watched as our Nation's debt reached an unprecedented level—$15 trillion. This debt crisis was caused by past administrations and past Congresses who refused to say no more spending.

Washington spends too much and is under water. Because of that, our national security and sovereignty and the standard of living for our children and grandchildren are in jeopardy.

Mr. Speaker, the time is now for this Congress to pass immediate, bold and permanent spending reforms that will hold all future Congresses accountable for their spending. And now we have the opportunity to do just that by passing a balanced budget amendment to our Constitution. Let's forever change the way that Washington spends money and bring accountability back to Congress by passing the balanced budget amendment to the Constitution. We've come close before, but there's no more excuses. The time is now.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. POSEY), a member of the Financial Services Committee and, as a realtor, may want to comment on some of the remarks made here today regarding the ability of people to borrow money under certain circumstances.

Mr. POSEY. Well, first I will comment on the value of buying homes on credit. I think it's a pretty good idea; but when you go to get qualified for a home, the rule of thumb is that you should buy a home roughly not more than 2.5 times your annual income. If you compare that to our known debt of $15 trillion, our revenues of about $2.2 trillion, you would see that if our debt was a home loan, it would be 14 times our annual income. No lender would loan you money under those circumstances; they would say you are bankrupt far beyond any possibility of recovering. And that doesn't include the $60 trillion unfunded liabilities for Social Security, Medicare, and Medicaid. So I don't know if that was really a very good analogy.

Now, to my point, there is an old political axiom that says that anytime you promise to steal from Peter to pay Paul, one thing usually happens: Paul votes for you. Total revenues, as I just said in answer to the chairman's question, are about $2.2 trillion; total expenses the Federal Government spends, $3.6 trillion.

Where does the money come from? Rather than balancing our budget like every hardworking American family, 49 other States, and virtually every local government in the country, Congress instead currently puts about 40 percent of every what has been described as ''vote-buying'' dollar it spends on our kids' and our grandkids' credit cards, to the point where each American family's share of the national debt is about $125,000—actually, in excess of $125,000. It will be hard to stop the spending. It will be like taking drugs away from an addict.

Since Congress—Republicans and Democrats—has not shown the political will to be accountable, I believe a voter-mandated, balanced budget constitutional amendment is the only hope this country has to preserve the American experiment at representative self-government. And I urge Members of this body to begin thinking about the next generation instead of the next election.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Mr. Speaker, today this House will vote on the momentous issue of amending the Constitution of the United States. All of us should understand that this is no symbolic vote. This is not a routine legislative act. We are asked to consider amending the most sacred document of a free people with a provision not contemplated by the Founders.

The argument is propounded that the times demand it, there is no other choice, and that public opinion favors it. But as legislators, we must hold ourselves to a higher threshold to amend the Constitution. Is the proposal essential? Did the Founders fail to consider the issue that now must be addressed in and only in a constitutional framework? Is there no legislative remedy? What are the negative and foreseeable consequences of such a constitutional mandate? And importantly, we must remember that, but for one, all constitutional amendments are written in indelible ink.

Desirous of a balanced budget, like everybody else, I must regrettably oppose the proposed amendment before us. It does not pass the higher constitutional threshold we must insist upon. We balanced the budget just a decade ago for 4 consecutive years without such an amendment. It was a matter of political will, fiscal discipline, and successful economic growth.

There is no evidence that says potential cannot be resurrected. There is ample evidence, however, that this institution lacks the will and courage to undertake the policy changes necessary.

Political failure can and must be addressed here and, failing that, at the ballot box. The corrective is forging a political consensus, not amending the Constitution. In fact, to leap to the latter as an expedient is to admit the collapse of our democratic institutions and to abandon all faith in our collective ability to respond. I refuse to recant my faith in our ability to make the difficult choices necessary to achieve the desired goals of debt reduction and balanced fiscal performance.

The proposed amendment also fails another test: do no harm.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman 1 additional minute.

Mr. CONNOLLY of Virginia. Had this amendment been in place during the income contraction we just experienced, we would have abandoned the economic field to the Darwinian forces at work and guaranteed that the Great Recession became the second Great Depression, condemning our citizens to their own fate, one which would have been characterized for a generation with want, double-digit unemployment, and endemic poverty.

□ 1140

Why would any Member of this body consciously choose such a course, especially when there are alternatives, although painful ones? Perhaps it's easier to pander to the clamor of the moment or to seek out the seductively easy answers. Perhaps we seek to mask an ideological agenda to starve the government investments cloaked in the more respectable argument of a constitutional amendment made necessary to balance the budget.

For me, the Founders' silence on this matter in the Constitution was intentional. They understood and expected that Congress would meet its duties and do its job.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Tennessee (Mr. DESJARLAIS), a member of the Oversight and Government Reform Committee.

Mr. DESJARLAIS. I thank the gentleman.

Mr. Speaker, no one can deny that our Nation's on an unsustainable spending path that will lead this country to bankruptcy. Our national debt is now a staggering $15 trillion and rising daily.

In the past 50 years, the budget has been balanced just six times, a losing record that has seen our deficit explode from $300 billion to $15 trillion.

Congress has tried spending caps. Time and time again, one Congress sets them, just to see the next Congress undo them. That's why we must have this amendment. A balanced budget amendment will finally force the Federal Government to live within its means, not just this Congress, but for generations to come.

Politicians love their polls, and a recent poll shows that 75 percent of Americans favor a balanced budget amendment to the Constitution. If we, as Congressmen, are truly representing the people who sent us here, this is the day that we set partisan differences aside and listen to the people. Three-fourths of Americans want this. We only need two-thirds of our Members to make this happen.

It is no secret to anyone here that Congress suffers from a 90 percent disapproval rating, and I believe it's because the American people are sick and tired of partisan politics and that their voices fall on deaf ears. Today we have a chance to show the American people that we are listening, that we do care about them, and that we do hear their voices.

Republicans should embrace this bill; Democrats should embrace this bill; the President of the United States should embrace this bill because, clearly, the American people embrace this bill. It is a rare opportunity where we all win.

Let us return to our districts with our heads held high, tell our constituents that their voices were heard, that we listened. Let's hug our children and grandchildren and tell them today we made history and we have taken a giant step toward securing their future. For the sake of this great Nation, do the right thing. Pass this resolution.

Mr. NADLER. Mr. Speaker, how much time do we have, please?

The SPEAKER pro tempore. The gentleman from New York has 29 minutes. The gentleman from Virginia has 51 minutes.

Mr. NADLER. I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), the chairman of the Agriculture, Energy and Trade Subcommittee of the Small Business Committee.

Mr. TIPTON. I thank the gentleman for yielding.

Mr. Speaker, generations of Americans from now will stand in judgment of the choices that we make today.

In my district, as I've traveled and visited with people, from the farm and ranch community to small business owners to families around their kitchen tables, the message is clear: They're frustrated that Washington does not live under the same rules that they do.

Those families gather each night to be able to balance their budget. Small businesses do it every day. Forty-nine of our 50 States balance their budget. And the question is always raised: Why doesn't Washington live under the same rules?

We look at our European counterparts right now, Greece, Italy, struggling under their crushing debt. Will we follow that same path or will we pick a better way?

Mr. Speaker, the time has come, the day has arrived, and the hour is now. We have an opportunity to stand up for the American people. The one thing that we can all understand as we debate the different sides of this issue is one important point that is not debatable—$15 trillion in debt.

Our children, our grandchildren, those of us today, we need to be standing up for responsibility. This Congress, at this time, has that opportunity. The choice we make here today does not end the debate. We return to our States, to the people who sent us here to make that final choice. I think the answer will be clear.

The time has come for this Congress to embrace a balanced budget, to stand up and do what every American does every day. We need to pass this bill, and we need to pass it now.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Indiana (Mr. ROKITA), a member of the Budget Committee and a leader on this issue.

Mr. ROKITA. I thank the gentleman from Virginia.

Mr. Speaker, I rise today as a cosponsor of this bipartisan bill in full support of it.

Rarely do we have a chance in this body to make fundamental difference. It's so easy, as I've learned in a short 10 months, for Members of this body to say ''no'' instead of taking a personal responsibility to make the tough decisions that need to be made. This morning we have that chance. I don't think this chance will come closer in our orbit for a very long time.

If we can pass language out of this House this morning, the Senate has to vote on it. The Senate Majority Leader cannot table it. And because it's a constitutional amendment, it has nothing to do with the President. He can't veto it. He doesn't have to sign it. It goes right to the States.

And why is that so important? Why is that so different? Because finally the people of this country, of the State of Indiana, of my beloved Fourth District, will have a chance to tell us, by ratification of this amendment, whether or not they want to live within their means instead of passing their bills from the Federal Government—spending that's occurring here, $8 billion to $12 billion a day more in debt—whether they're done passing it on to their kids and grandkids. And I believe, speaking specifically to those of us who represent senior citizens, that most of them have grandchildren, and they don't want their bills passed on to them.

Those that say no today, those that say no today are really saying no because they don't want to lose control. They don't want the people to decide. They'd rather have that in their hands. They'd rather keep kicking that heavier and heavier can down the road so that citizens like this, Teddy and Ryan and their kids, can pay the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield an additional minute to the gentleman from Indiana.

Mr. ROKITA. That's what this is about.

Ladies and gentlemen of this Chamber, Mr. Speaker, there are two constituencies out there. Mr. POSEY from Florida said it well. We're robbing Peter to pay Paul. And why that works around here is because Paul can vote for us.

I ask every Member here today: Who stands for the constituency that can't directly vote for the next election? Who stands for their constituency that doesn't exist yet but will?

Because of the decisions that are made here on this floor in this Federal Government in this town where too often up is down and down is up and black is white and white is black, we don't represent the constituency. We don't prioritize the right constituency at the right time. This is a chance to do this. This is a chance to not let us have that out anymore, to make us have the tax fight, to make us have the cut spending fight, but not allow the option of kicking the can down the road to make people who aren't here today pay for it.

□ 1150

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Indiana (Mr. PENCE), who is not only the vice chairman of the Constitution Subcommittee but has been a great partner in this effort to pass a balanced budget amendment to the United States Constitution.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding.

I rise today in support of H.J. Res. 2, a balanced budget amendment to the U.S. Constitution.

This is a challenging time in the life of our Nation. Our economy is struggling under the failed economic policies of the recent past and under a mountain range of debt. We have an unchecked, spendthrift Federal Government that's placing a burden of insurmountable debt on our children and grandchildren. Washington, D.C. isn't just broke, it's broken. And the time has come to change the way we spend the people's money. And to do that in our national charter, the time has come for a balanced budget amendment to the Constitution of the United States.

I want to take a moment to commend just a few people who brought us to this day. I want to commend Speaker BOEHNER and the Republican leadership for ensuring that for the first time in 15 years we would have an up-or-down vote in the House and in the Senate on a balanced budget amendment to the Constitution.

But I also want to commend the gentleman from Virginia, Congressman GOODLATTE, who throughout those last 15 years has been, as we say back home, like a dog with a bone on a balanced budget amendment to the Constitution. His tenacity, his commitment to this reform, not singularly but predominantly, has brought us to this day, and I commend him from my heart.

Our Nation is sinking in a sea of debt. Just this week, we passed $15 trillion in national debt. And the American people are tired of the same old arguments. They want solutions, not slogans. They want reforms, not rhetoric. The balanced budget amendment to the Constitution is an authentic, long-term solution to runaway Federal spending, deficits, and debt by both political parties.

The measure we bring to the floor today is a bipartisan measure. It is nearly identical to the version that last passed the House with bipartisan support. It requires simply that the Federal Government not spend more than it takes; it requires a three-fifths vote to raise the Nation's debt ceiling; and it requires any increase in taxes by a true majority rollcall vote.

Now, while I support this historic version, this bipartisan version of the balanced budget amendment, I do regret it doesn't go further. I would that we had brought a version of the balanced budget amendment to the floor that included a cap on Federal spending, strict limits on the judiciary, and a higher hurdle for Congress to raise taxes on the American people.

But while this version of the balanced budget amendment doesn't have everything I want, I believe it will move the debate forward.

Adding to our national charter the expectation of the American people that this national government live within its means, that the income meet the outgo, would be a historic addition.

So I urge my colleagues to support this bipartisan version of the balanced budget amendment. Let's send it to the Senate by the requisite supermajority, and then let's let the States decide whether the time has come to put in our national charter the requirement that this government live within the means of the American people.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlelady from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I thank the gentleman from New York for yielding.

I rise in strong opposition to this misguided amendment which will visit harm on working families, prevent government from responding to crises, and cripple the U.S. economy.

Under this amendment, it will become difficult to raise the debt ceiling, putting our country at greater risk of default. It is alarming that so shortly after averting the most recent danger of a default, the authors of this amendment will endanger our Nation's credit so directly.

Equally disturbing, should a war, domestic crisis, or natural disaster strike, our government could find its hands tied, incapable of responding swiftly. When crises occur, Congress must have the flexibility to respond.

It is shortsighted and dangerous to cede this authority from the legislative branch. Not only will this amendment effectively slow our response to future catastrophe, but it will also undercut our current economic recovery, eliminating 50 million jobs.

The fact is, if you like 9 percent unemployment, you will love this amendment.

Mr. Speaker, our government has in the past been able to balance its books and create surplus. When President Clinton left office, we had a $5 trillion surplus. However, an unprovoked war, unpaid for, coupled with tax cuts for the wealthy erased this windfall and led to our current fiscal problems. If we truly wish to tackle the deficit, the most effective thing we could do is create new jobs.

In the 1990s, economic prosperity helped drive deficits down. Rather than wasting this institution's time on a cheap political stunt which has zero chance of becoming law, we should create opportunity and work to restore the American dream. That is a deficit reduction plan all of us could support.

Vote down this misguided amendment.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), a distinguished member of the House Judiciary Committee.

Mr. CHABOT. I thank the gentleman for yielding.

Mr. Speaker, our national debt has reached a staggering $15 trillion. We're currently borrowing 43 cents on every dollar that's spent here in Washington. Think of it, 43 cents on a dollar. A trillion dollars had to be borrowed from China. Our very sovereignty is at risk when you look at numbers like that. It's outrageous.

Our great Nation is on a dangerous path of fiscal irresponsibility directed by a reckless addiction to spending here in Washington. Research has consistently shown that the American people want a balanced budget amendment. In fact, a recent survey found that 81 percent of those polled support the requirement that the Federal Government balance its budget each year, just like American families have to do.

Today, each of us will have the opportunity to choose sides, casting an ''aye'' vote and standing with the American people on this issue, or casting a ''nay'' vote and opposing what the American people are demanding.

The balanced budget amendment is a game-changer. It will hold Congress' feet to the fire, forcing us to live within our means just as every American family and every American business must do every year. It has become commonplace for Washington to spend money it doesn't have for projects it doesn't need. This is an unacceptable position for us to be in. Our constituents deserve better.

Washington's spending binge has put a wet blanket over our economy. Small businesses are struggling to stay afloat, and according to the Bureau of Labor Statistics, a staggering 26 million Americans are unemployed, underemployed, or have given up looking for a job altogether.

Small business owners tell me that the uncertainty that they're going through right now makes it so they won't hire people because they don't know how much money they're going to have. What we're doing here in Washington puts those small businesses at risk. That's why they're not hiring.

Passing H.J. Res. 2, the balanced budget amendment, would be a huge step in the right direction, and in my opinion is the only thing that will actually work over the long run to get our spending under control here in Washington.

You know, it's interesting. The President recently weighed in on this, and one of the things that he said about the American people is that they're lazy. I mean, what an incredible comment to make. That's absolutely not true. That's not what the problem with the economy is. The problem is that the government sector is sucking up so much of the funding now that the private sector has no funds to invest or go out and hire people and create jobs. That's the problem, not, as the President said, that the American people are lazy. That's absolutely not true. It's outrageous.

This is not a Democrat or a Republican issue. This is an American issue. I had the opportunity to weigh in on this amendment back in 1995, when it was last voted on here in Congress. I voted for it, alongside most of my Republican colleagues as well as 72 Democratic Members of the House. I would urge them to vote with us today. Let's pass this. It's in the interest of the American people.

□ 1200

Mr. NADLER. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentleman from New York has 31 minutes remaining, and the gentleman from Virginia has 40 minutes remaining.

Mr. NADLER. I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN), the chairman of the Economic Opportunity Subcommittee of the House Veterans' Affairs Committee.

Mr. STUTZMAN. I thank the gentleman for yielding.

It is a great privilege and honor to stand here today. In listening to this crucial and very timely debate on the floor, it is one that I believe Americans have been expecting for quite some time because Americans are looking to Washington to see if leadership is going to come forward and do what American families do every day, what small businesses do every day—make sure that they don't spend more money than they have.

When our national debt tops $15 trillion, it's clear that we're broke. When the Senate refuses to pass any budget at all, something clearly is wrong. When each child born today inherits nearly $48,000 worth of debt, something must be changed.

My wife, Christy, and I have two young sons—Payton and Preston, who are 10 years old and 5 years old—and their lives are entirely in front of them. What we do today on this floor will determine the outcome for them and their families and for their children and their grandchildren.

This has not been a problem that has happened just under the control of the Democrats and Barack Obama. This has happened over the last 30 years under the control of both the Republicans and Democrats. That is why this amendment is so important.

Now, we'd all like to stand here and say, We just need to do the right thing—and I agree with that. Yet the problem is, over the last 30 years, Washington has not done the right thing. We have accumulated $15 trillion of debt. Debt is a disease which threatens to kill us.

Today, we must act decisively, and we must act permanently and let the American people vote on our Constitution, allowing them to say to Washington, Enough is enough. Small businesses and families are waiting and watching to see if Washington is going to increase the takings on top of an enormous and convoluted Tax Code.

I support this resolution, and I ask my colleagues to support it as well.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Georgia (Mr. GINGREY), a member of the House Energy and Commerce Committee.

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

I stand here in proud support of H.J. Res. 2.

I was listening to arguments on both sides of the aisle, particularly from my colleagues the Democrats, in regard to the gentleman from North Carolina talking about the ability of individuals to balance their own budgets, and he made a very convincing personal argument.

Yet I would like to remind him that 1995—I wasn't here then; maybe he was here—was the last time we had an opportunity to vote on a balanced budget amendment, some 16 years ago, and it failed by one single vote. The debt that this country has accumulated since that time is $9 trillion. The rest of us, obviously, need some constraints. We have proven that we do not have the discipline to balance the budget of this country—$9 trillion—and that's how we get to $15 trillion worth of debt.

So I would say to my colleagues on both sides of the aisle to please support this. This is an opportunity for us not only to show the fiscal responsibility that 75 percent of the country wants us

to show but also to show that spirit of bipartisanship and break the gridlock.

I want to take just a moment, Mr. Speaker, to commend the gentleman from Virginia, Representative GOODLATTE. As a physician Member, I sometimes think that there are too many attorneys in this body; but thank God for the gentleman from Virginia and for his ability and understanding of the Constitution. He has gone to the Democrat side and the Republican side, not just in this session, but for years, in promoting this balanced budget amendment and in bringing us all together in a bipartisan way to do something for the American people and for, as the gentleman from Indiana said, our children and our grandchildren.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I am happy to yield an additional 30 seconds to the gentleman from Georgia.

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

So without question, the time has come. This is my opportunity to cast a vote, the most important that I will have cast in 9 years. An opportunity like this just seldom comes. As I say, it has been 16 years since we have had this opportunity. Don't pass on this. Let's make sure that we do this in a bipartisan way because it takes a two-thirds vote.

I do disagree with the naysayers who say, Well, this has no chance of passing. God help us if this has no chance of passing. This is the one thing that we can do for this country to get us back on the right track and to finally prove to the American people that we do have the discipline to protect their money and to protect our children and our grandchildren.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), the chairman of the Conservation, Energy, and Forestry Subcommittee, my subcommittee on the House Agriculture Committee.

Mr. THOMPSON of Pennsylvania. I thank the gentleman from Virginia.

It is no secret, Mr. Speaker, that Washington has a spending addiction. Congress has demonstrated, regardless of which party is in charge, that the out-of-control spending just does not stop. Each Congress, spending in budget reforms are enacted only to be revised or ignored by the next. Unfortunate as it is, this body has reliably circumvented any real budget process, even its own rules, in order to fulfill its spending addiction. Routine abuses and budget gimmicks, such as ''emergency'' designations, are designed to skirt budget enforcement rules and to disguise the real level of spending. Similar to rampant drug abuse in the 1980s, which led to addiction and violence at epidemic levels, our spending habits have led to a debt crisis that borders on an overdose.

Our country needs urgent help, Mr. Speaker. It's time for intervention.

That's why we're here today to consider H.J. Res. 2, a balanced budget amendment to the Constitution. Most importantly, the balanced budget amendment will discourage Congress from circumventing its fiscal responsibilities because a constitutional amendment cannot be revised or ignored. This measure is the only way to force the hand of Congress toward fiscal responsibility, ensuring that policymakers just say ''no'' to reckless spending.

Many economists and experts agree that the adoption of such amendment would begin to address this Nation's looming debt crisis and would lay a stronger path to long-term economic growth. The American people overwhelmingly back a balanced budget amendment. That's exactly why H.J. Res. 2 already has the strong support of a majority of my fellow Representatives, including 242 bipartisan cosponsors. Our constituents understand what it means to live within their means, and they expect nothing less from the Federal Government.

No more denial, Mr. Speaker. It is time for this body to come clean. It is time for each Member to decide whether or not this country will continue down a reckless path of debt and despair or if it will quit living beyond its means—cold turkey. It's time to rid this Chamber of its reckless spending addiction. It's time for Congress to just say ''no'' by voting ''yes'' on H.J. Res. 2.

Mr. NADLER. I yield 2 minutes to the gentlelady from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in opposition to H.J. Res. 2, the Republican plan to amend the Constitution to reduce government investments and codify economic stagnation.

We can all agree that it's important to get the Federal deficit under control. However, the amendment Republicans are proposing is absolutely the wrong way to do it. It should all be very familiar to anyone who has experienced California's budget problems or who has even observed them from afar. It should be familiar because, just like in California, this legislation would require that a supermajority of both the House of Representatives and the Senate agree to any bill which raises Federal revenues.

This not only means potential tax increases but also any bill that allows tax cuts to expire. In effect, the Republican majority is insisting that the only way the Federal Government can tackle its deficit is by reducing programs like Pell Grants, unemployment benefits, and infrastructure projects like Federal highways. These are the very programs that help people keep their heads above water during tough economic times or help them achieve the American Dream; and time and time again, the American people have said that cutting these programs is unacceptable.

□ 1210

I agree that we should look at ways to cut waste. However, it's foolish to insist on severe cuts to vital programs which help people during an economic downturn. Furthermore, the California experience has shown that it is practically impossible for 60 percent of a political body to agree on revenue increases, no matter how limited they are or how much sense they might make. California has tried this flawed plan; and guess what, it doesn't work. California's fiscal situation becomes increasingly difficult each year because of this supermajority requirement. Do we really want the same at the Federal Government level?

I cannot and will not support legislation which would impose California's flawed fiscal system on the Federal Government. I urge my colleagues to learn from history, from a real-life example, my home State of California, and reject this crushing and foolish amendment.

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds to respond to the gentlewoman to say that 49 out of 50 States have a balanced budget requirement. And while she sites California as perhaps the worst example—and it may be the worst example—still, the fiscal situation of California is much better than the fiscal situation here in Washington. The $25 billion deficit that they have to deal with this year—and they have to deal with it—for a State that has one-eighth of the population of the country of America which, taken nationwide, would mean a $200 billion deficit nationwide. We have a $1.3 trillion deficit, more than six times as much. And this is good discipline. It's worked in the States. It will work here as well.

It is now my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE), a member of the Appropriations Committee.

Mr. FLAKE. Mr. Speaker, I doubt that I can match the volume that's been displayed today, using partisan accusations as to who's responsible for the budget mess that we're in. But I think that all of us, we Republicans, for example, in our candid moments, would admit that we were headed toward this fiscal cliff long before the current President took the wheel. But we're in this together. It has been decisions made by Republicans and Democrats to expand entitlement programs and to expand discretionary spending that have put us in the situation we're in today.

I think we would also concede that any bout of fiscal discipline we've had over the past couple of decades has been caused by—or at least accompanied by—statutory spending caps that have been put in place. The problem is those only last for a few years, and then this body simply waives them.

So we need a backstop. We need a constitutional backstop that will force us to make decisions that we know have to be made. It is sad commentary on this body that we have to have a constitutional balanced budget amendment to force us to do our jobs of prioritizing spending, but I think with a $15 trillion deficit we can concede that we need it.

So this won't make the decisions for us—we'll still have to make the tough decisions going ahead—but we need it, nonetheless.

I urge adoption of this amendment.

Mr. NADLER. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from New York has 29 minutes. The gentleman from Virginia has 31½ minutes.

Mr. NADLER. I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), a member of the Financial Services Committee.

Mr. PEARCE. I thank the gentleman from Virginia for bringing this forward to us.

The American debt was downgraded about 2 months ago; that is, we're approaching junk bond status in the minds of certain debt raters. It's not just that we have a $15 trillion debt—that's significant—but we have no apparent means or way of paying it off.

Our deficit—that is, the shortfall this year is $1.5 trillion, which will be added to that $15 trillion during the course of spending the money. This is not just that we are in debt. It's that we're broke. And also the raters have seen that we have gone to Social Security. Both parties for the past 70 years have taken every cent out of the Social Security lock box and spent it. So it's not just that we're in debt $15 trillion; it's that we have taken everything out of the piggy bank and we've spent that.

And to my friends who are saying we could continue to borrow money, that's also very inaccurate. We could borrow money when we ran deficits of $300 billion. That was the amount that we ran during the last year of President Bush, $300 billion. We can borrow that in the world. But when we went to the trillion-dollar deficits under President Obama, there is no nation in the world capable of lending $1 trillion. China cannot lend $1 trillion. Their total economy of $6 trillion. So the raters looking at our economy say, not only are they broke, but they have no apparent way to pay it back. It's time to say that to the American people.

So this resolution is very simple. It simply says that Washington is going to do what you do as the American family. In order to pay off your bills, you tighten your belt, you live within your means. That's what we're suggesting with this balanced budget amendment, that we live within our means, that we do not spend money that we don't have.

H.J. Res. 2 is a commonsense solution to a serious problem that America faces. I will support it and urge support.

Mr. NADLER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. The Republicans call this bill a ''balanced budget amendment,'' but it is not balanced because it will blow a hole in the budget of vital programs that millions of Americans depend on. It's unbalanced, unneeded, and will undermine our struggling economy.

Republicans want us to mangle the Constitution because they cannot manage this institution. This amendment is a means to an end. It's a means for Republicans to end Medicare, to end Social Security and Medicaid, to end every antipoverty program. And why? Because they harbor an ancient animosity towards all of those programs. And their plan is to leave them as debt-soaked relics of an era where we actually cared about poor people, the elderly in our country, because the Republican plan will cut critical health care and antipoverty programs, put them on a starvation diet, and leave vulnerable Americans with the crumbs.

Our economy now has a 9 percent unemployment rate. You know what that means? It means that 46 million Americans today live in poverty. Do you want to know what poverty is in America in 2011? That's a family of four living on $22,000 a year. There are almost 9 million families living at or below the poverty line, including 15.5 million children. That means that one in five children in our country are living in poverty. Those are the programs that they want to cut here today, for the poorest children in America in 2011.

There are almost 50 million Americans at risk of not having enough food. More than 16 million children are in danger of going to bed tonight without a meal. One in six seniors now live in poverty, dependent upon Medicare, dependent upon Medicaid, each of them now at grave risk because of the Republican plan here today. Their plan is really a Robin Hood in reverse—take from the neediest and give to the greediest. That is the plan.

Now let's go back into the ''way back'' machine, all the way back to the year 2000, the last time we voted on a balanced budget here in Congress, 2000. Bill Clinton was President. It passed. The budget balanced. And the country was feeling good. The economy was booming. And then George Bush takes over in January of 2001. The Republicans controlled the House. The Republicans controlled the Senate. What do they do? Huge tax breaks for billionaires and millionaires, two wars which were not paid for, Iraq and Afghanistan, all on the Republicans' shoulders. And they then turn a blind eye as Wall Street turned the entire economy into a casino, which then cascaded into the biggest longstanding recession that we've seen since the Great Depression, descending upon the shoulders of whom? The poor, the sick, the elderly, the ordinary families killing themselves to pay for their mortgage each day.

You don't need a constitutional amendment, ladies and gentlemen, Republicans, my good friends. You have a supercommittee meeting right now down the corridor. You know what you should do? Say: Take away those $40 billion worth of tax breaks for the oil companies. They don't need them. Take away the $700 billion in new nuclear weapons programs. We don't have any targets for those nuclear weapons. Kill those programs. Look at the tax breaks for the billionaires and millionaires. They don't need them. Cut them right now.

□ 1220

All of you have taken a pledge, no reductions in the tax breaks for billionaires. No reductions in defense spending. You've tied your own hands even as you, with crocodile tears, come out here and say how much you care about balancing the budget and how much you care about the American economy. The proof will come next week when you do not stand up in order to take the tough actions needed right now for the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to address their remarks to the Chair and not to other Members in the second person.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to address the Chair but in response to comments made by the gentleman from Massachusetts.

We do need to look at that way-back machine. I hear the gentleman's complaints about decisions made by Republicans. In the last 50 years, and the gentleman has been here for many of those years, in the last 50 years, this Congress has balanced its budget a mere six times. Thirteen of those years Republicans were in control of the House, and four of those years we had balanced budgets, including the year the gentleman mentioned.

And in that year, the gentleman voted ''no'' on the balanced budget that was passed by this Congress that year. And the year before that, we had a balanced budget; the gentleman voted ''no.'' And the year before that, we had a balanced budget. And then in 1998, we had a balanced budget. And the gentleman voted ''no'' every single time a balanced budget was offered in this Congress. In fact, for the 37 years that Democrats controlled the Congress in the last 50 years, only twice did they do it.

Now, I have to agree with the gentleman about something, and that is that Social Security and Medicare are endangered.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield myself an additional 30 seconds to say that Social

Security and Medicare are endangered. And do you know why they're endangered? Because we have a $15 trillion debt. And in all of those years that we didn't balance the budget, what did the Congress do? They went into the Social Security trust fund and took every penny of it and spent it on something else.

And how ironic will it be that all that debt that we're transferring to the next generation, all of that debt will be on our children and grandchildren; and when they need Social Security and Medicare, it won't be there for them, not because of anything in a balanced budget amendment but because of the debt that we have accumulated.

I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, Social Security and Medicare will be there unless we pass this balanced budget amendment because this balanced budget amendment will cause the inability to pay for them. The trust fund is amply funded right now for Social Security.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. GARDNER), a member of the Energy and Commerce Committee.

Mr. GARDNER. I thank the gentleman for yielding.

My constituents have a very simple question for people participating in this debate today: What part of broke don't you understand? What part of the fact that we are borrowing 42 cents of every dollar don't you get? Do you know what happens to the everyday American if they borrow 42 cents of every dollar time after time after time? It's bankruptcy. They lose their homes. They lose their ability to provide food for their families. They go broke, just like this country is going broke today.

Only Congress doesn't have to pay an overdraft fee. When we write checks for more money than we have, we're not paying an overdraft fee. You know what we're paying, we're paying interest. We're passing the buck. We're putting our future into great debt that they cannot sustain for current-day spending. We shouldn't be passing the buck. We should pass the BBA, the balanced budget amendment.

I come from the State of Colorado, served in the Colorado State Legislature where we have a strong balanced budget amendment. And you know what that forces us to do? It forces us to make tough choices, to make the right decisions for the people of Colorado and to make sure that we are, indeed, balancing our budget.

Sure, it means that there are some very difficult decisions that have to be made, but that's exactly what we were sent here to do. We weren't sent here to fiddle while the Treasury burns. We were sent here to solve one of the greatest challenges that this country faces, and that is growing, insurmountable debt and deficits.

I would urge my colleagues to pass this resolution. This Congress cannot make choices on its own. We need the guidance of a balanced budget amendment to restrain the unrestrained fiscal mess that we have right now.

In 1995 when we passed the balanced budget amendment, the debt has grown $9 trillion since then. Our experience in Colorado and the 49 States that have a balanced budget amendment show that when we have a requirement forcing us to balance the budget, we will do just that. Don't pass the buck; pass the BBA.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Since this is the Thanksgiving season, maybe rather than denigrating the inheritance of a child born in our country, we can celebrate it. The truth is not that as a young American you are born with all this debt. What you're born into is as a citizen of the greatest country anywhere in the world, the wealthiest, most powerful Nation in the world, made up of decisions that are being decried here. We could not balance our budget and win World War I or World War II, or build 40,000 miles of Federal highway or build the land grant college system.

In my church, we borrowed a mortgage to build a church, and you pay for it over time. These 49 States that we hear, these imaginary balanced budget amendments, all of those States borrow money. They have a capital budget. They borrow money to build bridges and highways and roads. This nonsense that families don't borrow money to buy homes or cars, Republicans in the majority can do better than this. This is not a debate between Republicans and Democrats.

We don't need a balanced budget. We need a budget as a country that retains our leadership position in the world. We don't want to have a balanced budget and a weak military. We don't want to have a balanced budget but not be able to take care of the needs that have propelled our country forward.

We just honored John Glenn and Neil Armstrong, astronauts who led our way into space. We didn't do that on a balanced budget. We said that we were going to lead in terms of the race to the Moon, and we led. This country deserves better.

Republicans who are here, let us address the real issue. The real issue is that we have a 70-year low in the amount of resources coming into the government because we've cut taxes. The gentleman says where can we borrow a trillion dollars from? Well, we can borrow it from the trillion dollars of tax expenditures we are going to provide this tax year, many to the wealthiest people of our country. We have the ability to pay our bills. We need to make the decision to do it and leave the Constitution alone.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON), the chairman of the Agriculture Appropriations Subcommittee of the Appropriations Committee.

Mr. KINGSTON. I thank the gentleman from Virginia.

An amendment to the United States Constitution should never be taken lightly. It is a sacred and profound document. Well, 15 years ago when Mr. GOODLATTE and I and a number of others first came to town, we voted to amend that Constitution. We were joined not only by all of the Republicans but by 72 Democrats. Now some of those very 72 who voted ''yes'' have changed their minds. We're hearing the same old arguments: Social Security and Medicare. When all else goes wrong in Democrat liberal land, you start scaring seniors, children, teachers, first responders, critical programs, and saying whatever the bill is, this bill threatens them. Well, the worst thing you could do to Social Security and Medicare is to go broke. And since that vote 15 years ago when it failed in the Senate by one single Member, we have accumulated $9.2 trillion in debt.

Balancing the budget is what 49 States do, what every city does, what businesses and families do. It's a matter of survival. It's not a radical concept. Oh, don't the people in Greece wish that they had a balanced budget all those many years? And what of their Social Security and Medicare programs right now? What will happen to the seniors in Greece without those critical programs?

□ 1230

If their government had done the prudent thing, the right thing, just as we tried to do 15 years ago, what a different picture it would be in Greece. But Greece is not alone in trying to defy the laws of financial gravity. America seems to be doing it. For every dollar we spend, 40 cents is borrowed. And yet we are choosing to ignore all the many red flags that are around us. But when the whole thing goes broke and melts down, won't our children say, What were you thinking?

Mr. Speaker, this vote today is not about the next election. It is truly about the next generation. Vote ''yes.''

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I rise in strong opposition to H.J. Res. 2, the so-called—so-called—balanced budget amendment.

I also rise, Mr. Speaker, to point out the nefarious, cynical intergenerational warfare that has been raised as an argument for passing this misguided so-called balanced budget amendment, to say that we want to extract $2 trillion over the next decade from programs that benefit seniors, like Social Security and Medicare, and say we're doing it to keep from imposing a burden on our children and grandchildren, as if this balanced budget amendment benefited those children.

Mr. Speaker, this program will devastate public education. It will devastate the Federal Government's current mandatory spending in Pell

Grants, a program that's designed to help us meet the global challenges of the future by educating our assets—our children.

It's a program that in the next decade will take a half trillion dollars out of the Children's Health Insurance Program. It's a program that will exacerbate hunger that children face right now through WIC and our SNAP program, our food stamp program, and the earned income tax credit. We have now one in five children today that are going to bed hungry.

So when we say we want to balance the budget, we are balancing it on the backs of our children. And those children that we are trying to save—or we say that we are trying to save—must be the children of those heirs, those 1 percent that we are now enriching.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Illinois (Mr. SCHILLING), a member of the Agriculture Committee.

Mr. SCHILLING. I would like to thank the gentleman from Virginia for giving me the time today.

We continue to hear a common thread: Let's raise taxes on our job creators with no solution to our spending problems.

I rise today as the people's House prepares to vote for an amendment to our Constitution that will require Congress and the President to balance the budget. I look forward to voting in favor of this amendment today. Fifteen years ago, an amendment nearly identical to this one passed the House with strong bipartisan support but failed by one single vote in the Senate. Since that time, our debt has tripled.

Did you know that on Wednesday our national debt surpassed $15 trillion? And it has been nearly 950 days since the Senate has passed a budget, not to mention the 20 jobs bills that are sitting over there that they've decided not to act upon.

The American people deserve better. You deserve a credible plan to help get our fiscal house in order, grow our economy, and get folks back to work. It's clear, though, we cannot borrow or spend our way out of this mess. We also cannot afford to put off badly needed but difficult decisions. We need to tackle this unsustainable spending addiction head on.

Since coming to Washington, my fellow freshman colleagues and I have helped change the way the conversation has been held here for years from ''How much can we spend?'' to ''How much can we save?'' This is a good start, but we can do much more to get our country on a better fiscal path and save the American Dream for our kids and our grandkids.

We have the duty to leave our kids and our grandkids with a country better off than it is now. We have the opportunity here to fundamentally change the way Washington does business by supporting the balanced budget amendment. It's time for Washington to balance the budget.

I'm pleased to vote in strong support of a balanced budget amendment and will continue working on ways to get our fiscal house in order, grow America's economy, and create jobs.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I rise in strong opposition to H.J. Res. 2.

It represents an attack on the middle class and the most vulnerable in our society by the Grover Norquist Tea Party Republicans. You see, there is no fiscal emergency, but the fiscal crisis has been manufactured by the Tea Partiers, along with Grover Norquist and the Republicans that represent them, for the purposes of tricking the American people into thinking that America can't pay its bills. We paid our debts, we can pay our debts, and we'll continue to pay our debts.

Just like families of America who incur debt as a normal course of taking care of their families, we've heard a lot of analogies to the Federal Government should balance its budget like a family. But how many 99ers, how many families do you know that can go out and purchase a car for cash? How many of those 99ers, how many of those families out there working can afford to pay cash for a house? Everybody out there incurs debt for legitimate expenses, and this Nation has legitimate expenses that it has to pay debts for, like two wars, like a Medicare part D supplement, and like the Bush tax cuts that they don't want to expire.

So what they're doing, ladies and gentlemen, is they are trying to enshrine in the Constitution what is already an unfair tax system, a system that favors the rich and balances the budget on the backs of the middle class. Those are the people that pay for America's expenses, not the corporations and wealthy individuals, many of whom do not pay one red cent in taxes—and you know it's true, and they know it's true.

So, ladies and gentlemen, I rise in strong opposition. This is shortsighted, mean-spirited, unfair, and wrong for America, and I urge my colleagues to vote against it.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Illinois (Mr. WALSH), chairman of the Small Business Economic Growth Subcommittee.

Mr. WALSH of Illinois. A big thank-you to the gentleman from Virginia for taking a lead—a very strong lead—on this issue.

Mr. Speaker, like many of my fellow freshmen, I was sent here to Washington because we're broke. We have a government we can't afford. Like all of us, we were sent here, though, not just to cut spending. We were sent here, hopefully, to try to change the way this town does business so that we never get to this point again and so that our kids and our grandkids aren't stuck with a bill they'll never be able to pay off.

As a freshman in Congress, the very first bill I introduced back in March was a balanced budget amendment, and it was a stronger balanced budget amendment than this. It included a spending limitation, and it made it more difficult for myself and my colleagues to raise taxes. I support this balanced budget amendment with everything I've got because, again, we have an opportunity to do something fairly historic, and this amendment will enable us to do that.

I've learned in my year—almost a year—as a Congressman that there's plenty of hypocrisy in this Chamber on both sides of the aisle. The hypocrisy today is regrettably, Mr. Speaker, with too many of our Democratic colleagues who really would like to vote for this but they simply can't because of political reasons.

□ 1240

I would implore my Democratic colleagues to just think about, again, what our kids and our grandkids will say—and we throw their names around here often—what they will say to us 20, 30, 40 years down the road when they know we didn't exhibit the courage we need to exhibit right here and now.

I stand with my colleague from Virginia in full support of this balanced budget amendment.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend from New York.

I rise in strong opposition to this piece of legislation.

With all due respect, I always enjoy listening to my Republican friends lecture us about fiscal responsibility. May I remind them that when Bill Clinton left office we had record surpluses, and in 8 years of George Bush, record deficits. And may I remind my Republican friends that for 6 of those 8 years, during the Bush years, Republicans controlled both Houses of the Congress. So if we were going to do the right thing and attempt to balance our budget, we could have done so then. But what did we do then? We fought two wars on the credit card; we had tax cuts for the wealthy, which we're now paying for in terms of our deficits now; a prescription drug program unpaid for. And so it seems to me that if we have the resolve to do it—you know, I love people who have newfound religion, but when they controlled the place, we went from massive surpluses to massive deficits.

Now, this Congress needs to work with the President in passing a jobs bill. This Congress should be passing a robust transportation bill. This Congress should get out of the business of attacking our labor, attacking seniors, and attacking women, and do what the American people want us to do: Put people back to work.

A balanced budget amendment will ultimately lead to either draconian cuts in the social safety net for some of our Nation's most cherished programs

like Social Security, Medicare, and Medicaid, or significant tax hikes on the Nation's middle class. This is nothing more than a gimmick to garner headlines while avoiding the tough decisions that the people have asked us to make. You know, there may be times in the future when we need to run a surplus, there may be times when we need to run a deficit to stimulate the economy. This amendment handcuffs us and puts us in a straitjacket where we have nowhere to move.

I care and my constituents care very much about preserving Medicare, Medicaid, and Social Security. I think that if we're going to get our budget to balance, it's not only cuts in programs that we need, although my friends on the other side of the aisle fret about defense cuts. We need to cut spending, yes. We also need to raise taxes on those who can most afford to do it, the 1 percent. I think that's something we should consider.

So while we think this is one size fits all, and we can all go home and say, well, we tried to save the Republic, what I think this does is handcuff us for generations to come, makes it impossible for us to stimulate the economy, and makes it impossible for us to continue those social service programs that the American people have come to rely on—Medicare, Medicaid, and Social Security. I think we need to meet in a sensible center, not have something like this that's draconian.

Let me finally say, what's truly absurd is that we require only a simple majority to send our men and women in uniform into harm's way, and yet the Republican majority would require a supermajority to raise the Nation's debt ceiling. We all saw how close our economy came to disaster with only a simple majority vote to raise the debt ceiling the last time.

So I would say to my colleagues, vote ''no.'' Let's do the job that we were elected to do. Let's make the tough choices. We don't need a balanced budget amendment.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to my good friend from New York.

I would just say to the gentleman that we do need to do the job, but you don't have to look ahead to wonder what's going to happen, all you have to do is look back. Over the past 50 years we've balanced the budget just six times and we've run up a $15 trillion national debt. Now, the gentleman has cited some criticism of Republican votes, but there are plenty of Democratic votes in the 4 years that the Democrats were in control of this Congress. Just recently we added $4 trillion to the national debt. Now, the fact of the matter is, over the 50 years, 37 of those years Democrats have controlled the House of Representatives and only 2 of those 37 years was it balanced. So when the gentleman says that some years will run surpluses and some years will run deficits, that's very true, but the history has been almost all of those years will run deficits unless we have a discipline in our Constitution to require that we do otherwise.

And I would also point out that in the 4 years since the gentleman has been here and I've been here we've had balanced budgets. The gentleman, for I'm sure reasons that he felt were very justified, voted against all four of the budgets that balanced in this Congress.

I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself 2 minutes to reply to what the gentleman just said.

The fact is, the reason this country is in such deficit is because of a deliberate Republican crusade over the last 30 years to reduce taxes on the rich in order to deliberately create huge deficits, and to then use those deficits as the excuse to justify large cuts to gut Social Security and Medicare and Medicaid and education programs that they have never liked in the first place but could not justify cutting without it.

Taxes used to be 18 to 19 percent of the economy, of GDP. Now they're about 14 percent of GDP, and yet the Republicans won't increase it because we have decreased the taxes on the rich and on the corporations. The country is not broke; we're just not taxing the millionaires and the billionaires the way we used to.

And the fact is, you look at the history here. When Ronald Reagan took over as President of the United States, the entire national debt of the United States accumulated from George Washington through Jimmy Carter was less than $800 billion. Then you had 12 years of Reagan and the first Bush cutting taxes on the rich. When Clinton took over, you had a $4.3 trillion deficit, and it was expected to go much higher. We made the tough decisions; we voted for increased taxes in 1993 and for cutting the budget. And when Clinton left office 8 years later, the budget had been balanced. But from the time we made that vote in 1993, the deficit decreased every year until it became a surplus, then it increased every year. And when Bush II took over, we were looking at a $5.7 trillion surplus over the next 10 years, and we were going to pay off the entire national debt. Then we had those huge Bush tax cuts and the irresponsible, unpaid-for wars. And when Bush left office, we had a $9.5 trillion deficit—a turnaround of $15 trillion—and a recession, which causes the bigger deficits now.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. I yield myself an additional 30 seconds.

The CBO estimated, before President Obama took office, that the next year's deficit would be $1.2 trillion before he did anything. And I would remind us that nondefense discretionary spending in this country has not gone up by a nickel, adjusted for inflation and population growth, since 2001, when we had a huge surplus.

The problem is that our taxes on the rich are too low. We cannot reach an agreement in the supercommittee because the Republicans will not tax the rich. That's the basic problem, and a balanced budget amendment will not solve that problem.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to the gentleman.

First of all, let me just be very clear that when the gentleman talks about the sins that he wants to impose upon Republicans for not balancing the budget, I think that's a very good argument. But since this is a bipartisan bill and dozens of his colleagues will be voting for this, I think it's because those of us who vote for it recognize that this is true on both sides of the aisle, that there has been a lack of tough decisions that have led to balanced budgets.

Every single year I vote for the toughest budget offered in this Congress. Those budgets never pass. Why? Because there's no requirement that they do so. So, what do we have? We have complaints on the other side of the aisle that this is a terrible plot on our part to bring about all kinds of harsh cuts. This balanced budget amendment doesn't make any distinction between whether you balance a budget by raising taxes or cutting spending. I'm going to do it to cut spending because I see lots of waste in our government. And I've voted for budgets that bring about a balance without raising taxes, but that is not the point here. The point is that it doesn't get done either way.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield myself an additional 30 seconds.

As to the gentleman's complaint that this is all because we haven't taxed the rich, my goodness, in the last Congress, under the control of your party, you extended all of those tax cuts for everyone. And the fact of the matter is that the top 1 percent of American families pay 38 percent—38 percent—of the personal income taxes in this country today.

□ 1250

That, by the way, is up from 34 percent in 2001. So all of this can be on the table when we have a discussion about how to balance the budget.

All we're debating here today is the principle of whether or not we should balance the budget and looking at the past history where we have not, indeed, balanced it but six times in 50 years.

Mr. Speaker, at this time it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. WEST), who is not only a member of the House Armed Services Committee, but a great advocate for fiscal responsibility and a balanced budget.

Mr. WEST. I want to thank my colleague from Virginia, and I want to say that I rise in strong support of H.J. Res. 2, which is the balanced budget amendment.

The United States of America has just topped $15 trillion in debt; $4.4 trillion of new debt has been added.

In Greece we see a debt to GDP ratio of 128 percent. Mr. Speaker, in Italy it's 120 percent debt to GDP ratio. The United States of America is now at 101 percent debt to GDP ratio. It is about time now that we start to make a decision. Are we going to be fiscally disciplined? Are we going to have fiscal responsibility? Are we going to continue to bankrupt the future of our children and grandchildren because we were sent here to be elected officials, sent here to be leaders and we're afraid to make the tough decisions?

Historically, we have shown that we are not going to make those tough decisions. Now, I've only been here for 11 months; but I will tell you that right now we have to do something different, and it has to start now. Or else what do I say, Mr. Speaker, to my two daughters, 18 and 14? Am I going to say to them that I did not have the courage to stand here today and make the right decisions in order to ensure that they have a bright and prosperous future in the United States of America?

It is not about raising taxes. In fiscal year 2011 we saw a 6.5 percent increase in revenues in the United States of America; yet we still had a $1.3 trillion deficit, which follows on the heels of a $1.42 trillion and a $1.29 trillion deficit.

Now is the time for a balanced budget amendment. If not now, then when, when we hit $20 trillion in debt?

Mr. Speaker, I think that each and every one of us here today, when we cast our vote, there needs to be that little yellow Y next to our names because if it's a red N next to our names, we're telling the American people that we're not willing to stand up and make the hard decisions, we're not willing to make ourselves fiscally responsible. And I think that's absolutely reprehensible.

The SPEAKER pro tempore. The Chair would note that the gentleman from Virginia has 15½ minutes remaining and the gentleman from New York has 13 minutes remaining.

Mr. NADLER. I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON), a member of the House Veterans' Affairs Committee and a great supporter of the balanced budget amendment.

Mr. JOHNSON of Ohio. Mr. Speaker, I am indeed a great supporter of the balanced budget amendment, and I stand in strong support of it today.

You know, it's amazing to me we still keep talking about the Bush-era tax cuts. Those same tax cuts are today's current tax law that have been affirmed by this Congress, this Senate, and signed into law by this President. So why we keep blaming financial woes on President Bush is beyond me.

But let's make one thing perfectly clear. The American people are not taxed too little. The problem is that Washington spends too much. This has been going on for years, and it needs to stop now. We need a balanced budget amendment because Washington has clearly indicated its inability to discipline itself.

This balanced budget amendment offers Congress and the President a very clear choice, either stand with the already overtaxed American families and small businesses who have to balance their budgets on a daily basis, or stand with the Washington establishment that always demands more of the American people, more of their hard-earned tax dollars without any accountability for how they spend their money.

American families have to stick to a budget every month, so why should the Federal Government be any different? We can't keep mortgaging our children's future to China.

It's time to take a stand, Mr. Speaker. The ''tax and spend and then blame the American people for not paying their 'fair share' game'' must end, and it can end today. Passing the balanced budget amendment will help bring this country back to economic prosperity and end this game.

Mr. NADLER. Mr. Speaker, I yield to the gentleman from Illinois (Mr. JACKSON) for a unanimous consent request.

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent to enter into the RECORD a letter of national organizations opposing the balanced budget amendment. They include: the Children's Welfare League of America, the Children's Defense Fund, the Children's Dental Health Project, the Disability Rights Education and Defense Fund, Division of Early Childhood of the Council For Exceptional Children, the Easter Seals, Every Child Matters Education Fund, Families USA, the Forum for Youth Investment, the Foster Family-based Treatment Association, Horizons For Homeless Children, the National Association for Adults with Special Learning Needs, the National Association For Education of Young Children, the National Association of Elementary School Principals, the National Association of Private Special Education Centers, the National Association of School Psychologists, the National Association of Secondary School Principals, the National Black Child Development Institute, the National Partnership for Women and Families, the National School Boards Association, School Social Work Association of America, YouthBuild USA, the YWCA, the AIDS Alliance for Children, Youth and Families, the Alliance For Educational Excellence, the Association of Education Service Agencies.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

NATIONAL ORGANIZATIONS OPPOSING THE BALANCED BUDGET AMENDMENT

November 16, 2011.

DEAR REPRESENTATIVE/SENATOR: The 275 undersigned national organizations strongly urge you to oppose any balanced budget amendment to the United States Constitution.

A balanced budget constitutional amendment would damage the economy, not strengthen it. Demanding that policymakers cut spending and/or raise taxes, even when the economy slows, is the opposite of what is needed to stabilize a weak economy and avert recessions. Such steps would risk tipping a faltering economy into recession or worsening an ongoing downturn, costing large numbers of jobs while blocking worthy investments to stimulate jobs and growth and address the nation's urgent needs in infrastructure and other areas.

According to a new analysis of a balanced budget amendment by Macroeconomic Advisers, one of the nation's preeminent private economic forecasting firms, if a constitutional balanced budget amendment had already been ratified and were now being enforced for fiscal year 2012, ''the effect on the economy would be catastrophic.'' The analysis reports that if the 2012 budget were balanced through spending cuts, those cuts would have to total about $1.5 trillion in 2012 alone, which they estimate would throw about 15 million more people out of work, double the unemployment rate from 9 percent to approximately 18 percent, and cause the economy to shrink by about 17 percent instead of growing by an expected 2 percent.

Additionally, all versions of the balanced budget amendment being considered also contain a Provision requiring three-fifths of the whole membership of both houses to raise the debt limit, making risk of default more likely and empowering a willful minority to hold the full faith and credit of the U.S. hostage to whatever other political demands they may have. The difficulty of raising the debt limit this summer illustrates how hard it can be to secure the necessary votes even when the consequences are so grave. Only two of the last ten debt limit increases achieved a three-fifths vote, and in those two cases, only because the increases were imbedded in other must-pass legislation. In short, a balanced budget amendment is a recipe for making recessions more frequent, longer, and deeper, while requiring severe cuts that would harshly affect seniors, children, veterans, people with disabilities, homeland security , activities, public health and safety, environmental protection, education and medical research. It would almost certainly necessitate massive cuts to vital programs including Social Security, Medicare, Medicaid, veterans' benefits and lead to even deeper cuts than the House-passed budget.

A balanced budget amendment has no place in the Constitution of the United States. Our Constitution has served the nation well because it represents enduring principles that are the foundations of our government. It should not be used as a substitute for real leadership on fiscal policy.

We strongly urge you to oppose any constitutional balanced budget amendment.

Sincerely,

9to5, National Association of Working Women, AFL–CIO, AIDS Alliance for Children, Youth & Families, AIDS Community Research Initiative of America, The AIDS Institute, AIDS Project Los Angeles, AIDS United, Alliance for a Just Society, Alliance for Excellent Education, Alliance for Justice.

Alliance for Retired Americans, American Association of Colleges for Teacher Education, American Association of Community Colleges, American Association of School Administrators (AASA), American Association of University Professors, American Association of University Women (AAUW), American Counseling Association, American

Dance Therapy Association, American Educational Research Association, American Federation of Government Employees, AFL–CIO, American Federation of School Administrators, AFL–CIO, American Federation of State, County and Municipal Employees (AFSCME), American Federation of Teachers, AFL–CIO, American Jewish Committee, American Medical Rehabilitation Providers Association (AMRPA),

American Medical Student Association (AMSA), American Network of Community Options and Resources, American Postal Workers Union, AFL–CIO, American Psychiatric Association, American Public Health Association, American Rights at Work, American School Counselor Association, Americans for Democratic Action, American-Arab Anti-Discrimination Committee (ADC), The Arc of the United States, Asian American Justice Center, member of Asian American Center for Advancing Justice, Asian & Pacific Islander American Health Forum, Association for Career and Technical Education, Association of Adult Literacy Professional Developers, Association of Assistive Technology Act Programs (ATAP).

Association of Education Service Agencies (AESA), Association of School Business Officials, Association of University Centers on Disabilities (AUCD), Autism National Committee, AVAC: Global Advocacy for HIV Prevention, Bazelon Center for Mental Health Law, Bienestar Human Services, Bread for the World, Break the Cycle, Building and Construction Trades Department, AFL-CIO, B'nai B'rith International, Campaign for America's Future, Campaign for Community Change.

CANN—Community Access National Network, Center for Law and Social Policy (CLASP), The Center for Media and Democracy, Center for Medicare Advocacy, Center on Budget and Policy Priorities, Child Welfare League of America (CWLA), Children's Defense Fund, Children's Dental Health Project, Cities for Progress, Institute for Policy Studies, Citizens for Global Solutions, Citizens for Responsibility and Ethics in Washington, Citizens for Tax Justice.

Clinical Social Work Association, Coalition for Health Funding, Coalition of Labor Union Women, Coalition on Human Needs, Commission on Adult Basic Education, Committee for Education Funding, Common Cause, Communications Workers of America (CWA), Community Action Partnership, Community Food Security Coalition, Community Organizations in Action, Corporation for Enterprise Development (CFED), Council for Children with Behavioral Disorders.

Council for Exceptional Children, Council for Opportunity in Education, Council of Administrators of Special Education, Council of the Great City Schools, CREDO Action, Defenders of Wildlife, Democracy 21, Demos, Department for Professional Employees, AFL-CIO, Direct Care Alliance, Disability Rights Education and Defense Fund, Division for Early Childhood of the Council for Exceptional Children (DEC).

Easter Seals, Elev8 (Baltimore, Chicago, New Mexico, and Oakland), Every Child Matters Education Fund, FairTest, the National Center for Fair & Open Testing, Inc., Families USA, Farmworker Justice, Feminist Majority, First Focus Campaign for Children, Food & Water Watch, Food Research & Action Center (FRAC), Forum for Youth Investment, Foster Family-based Treatment Association.

Franciscan Action Network (FAN), Friends Committee on National Legislation, Friends of the Earth, Gamaliel, Generations United, GLSEN, Gray Panthers, Growth & Justice, Half in Ten, Health & Disability Advocates, Health Care for America Now, Health GAP (Global Access Project).

HealthHIV, HIV Law Project, Horizons for Homeless Children, Housing Works, Interfaith Worker Justice, International Association of Fire Fighters, International Association of Machinists and Aerospace Workers, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL–CIO.

International Brotherhood of Electrical Workers, International Brotherhood of Teamsters, International Society for Technology in Education, International Union of Police Associations, AFL–CIO, International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Jewish Council for Public Affairs, Laborers' International Union of North America (LiUNA!), Latino Commission on AIDS, The Lawyers' Committee for Civil Rights Under Law, The Leadership Conference on Civil and Human Rights.

Leadership Team, Sisters of St. Francis of Philadelphia, League of Conservation Voters, League of Rural Voters, League of United Latin American Citizens (LULAC), League of Women Voters of the United States, Learning Disabilities Association of America, Main Street Alliance, Medicare Rights Center, Mental Health America, NAACP.

National Academy of Elder Law Attorneys, National Active and Retired Federal Employees Association (NARFE), National Alliance for Partnerships in Equity, National Alliance of State & Territorial AIDS Directors (NASTAD), National Assembly on School-Based Health Care, National Association for Adults with Special Learning Needs, National Association for Children's Behavioral Health, National Association for College Admission Counseling, National Association for Hispanic Elderly, National Association for Music Education.

National Association for the Education of Young Children, National Association of Area Agencies on Aging (n4a), National Association of Councils on Developmental Disabilities, National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD), National Association of Elementary School Principals, National Association of Federally Impacted Schools, National Association of Government Employees/SEIU, National Association of Housing and Redevelopment Officials (NAHRO), National Association of Letter Carriers, National Association of Nutrition and Aging Services Programs (NANASP).

National Association of People with AIDS (NAPWA), National Association of Private Special Education Centers, National Association of School Psychologists, National Association of Secondary School Principals (NASSP), National Association of State Directors of Career Technical Education Consortium, National Association of State Directors of Special Education (NASDSE), National Association of State Head Injury Administrators, National Association of Thrift Savings Plan Participants, National Black Child Development Institute, National Center for Family Literacy.

National Center for Law and Economic Justice, National Center on Domestic and Sexual Violence, National Coalition Against Domestic Violence, National Coalition for Asian Pacific American Community Development, National Coalition for LGBT Health, National Coalition for Literacy, National Committee to Preserve Social Security and Medicare, National Congress of American Indians, The National Consumer Voice for Quality Long-Term Care, National Council for Community Behavioral Healthcare.

National Council for the Social Studies, National Council of Jewish Women, National Council of La Raza (NCLR), National Council of Women's Organizations (NCWO), National Council on Independent Living, National Disability Rights Network, National Education Association (NEA), National Employment Law Project (NELP), National Fair Housing Alliance, National Family Caregivers Association, National Federation of Federal Employees.

National Gay and Lesbian Task Force Action Fund, National Health Care for the Homeless Council, National Hispanic Council on Aging (NHCOA), National Housing Trust, National Immigration Law Center, National Latina Institute for Reproductive Health, National Law Center on Homelessness & Poverty, National Low Income Housing Coalition, National Organization for Women (NOW), National Partnership for Women & Families, National Pediatric AIDS Network, National People's Action.

National Priorities Project, National Respite Coalition, National Rural Education Advocacy Coalition, National Rural Education Association (NREA), National School Boards Association, National Skills Coalition, National Superintendents Roundtable, National Treasury Employees Union, National Urban League, National WIC Association, National Women's Conference Committee,

National Women's Law Center, Natural Resources Defense Council (NRDC), NETWORK, A National Catholic Social Justice Lobby, Not Dead Yet, OMB Watch, Paralyzed Veterans of America, People For the American Way (PFAW), Population Action International, Progressive States Action, Project Inform, Public Citizen, Public Education Network.

Racial and Ethnic Health Disparities Coalition (REHDC), Rebuild The Dream, RESULTS, Sargent Shriver National Center on Poverty Law, School Social Work Association of America, Service Employees International Union (SEIU), Sexuality Information and Education Council of the U.S. (SIECUS), Share Our Strength, Sisters of Mercy Institute Justice Team, Social Security Disability Coalition, Social Security Works.

Southeast Asia Resource Action Center, Stand Up for Rural America, Robert S. Warwick, Steering Committee, Stewards of Affordable Housing for the Future (SAHF), Strengthen Social Security Campaign, Sugar Law Center for Economic and Social Justice, TESOL International Association, Transportation Equity Network, Transportation Trades Department, AFL–CIO, Treatment Access Expansion Project, Treatment Action Group (TAG).

Trust for America's Health (TFAH), Union for Reform Judaism, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, United Cerebral Palsy, United Church of Christ Justice and Witness Ministries, United Electrical, Radio and Machine Workers of America (UE), United for a Fair Economy, The United Methodist Church—General Board of Church and Society, United Mine Workers, United Spinal Association, United States Student Association (USSA).

United Steelworkers (USW), USAction, US Psychiatric Rehabilitation Association (USPRA), VillageCare, Voices for America's Children, Voices for Progress, Wider Opportunities for Women (WOW), Women's Institute for a Secure Retirement (WISER), The Woodhull Sexual Freedom Alliance, Working America, YouthBuild USA, YWCA USA, ZERO TO THREE.

Mr. NADLER. Mr. Speaker, I now yield 4 minutes to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I'd like my good friend from Virginia, the distinguished chairman of

the Judiciary Committee, to engage me in a dialogue on a series of questions.

The most important question to be raised with respect to the BBA, at least for me, and I believe most Americans, is how does the balanced budget amendment narrow certain gaps that are obvious in our society?

The first gap, Mr. Chairman, is the social gap between racial minorities and the majority population.

How does the balanced budget amendment narrow that gap?

I yield to the gentleman from Virginia.

Mr. GOODLATTE. The balanced budget amendment is fair to all because all it simply says is that for all time, the people of this country want their government to live within their means, not just right now, but in the future as well. Right now, we're not anywhere near living within our means; $1.3 trillion deficits each of the last 3 years, all that's being passed on to those children.

Mr. JACKSON of Illinois. Respectfully, Mr. Chairman, reclaiming my time, it does not reduce the gap between racial minorities and the majority population.

My next question, there's a gender gap in our society. Women earn 76 cents to the dollar of what men earn in our society.

How does the balanced budget amendment close the gap between what women earn in our society and what men earn in our society?

Mr. GOODLATTE. If you don't balance the budget and you continue to pile up enormous debt, women, children, minorities, all will suffer in the future because our economy will shrink, just like Greece's economy is shrinking right now because they can't meet their obligations.

And to answer the gentleman's question, I think it's best to turn to those people themselves.

Mr. JACKSON of Illinois. Respectfully, Mr. Chairman, reclaiming my time, the balanced budget amendment does not close the gap between women who earn 76 cents to the dollar of what men make, because only the Federal Government in the 50 States can close the gap between what women earn in our society and what men earn in our society.

How does the balanced budget amendment close the economic gap between the rich and the poor in our society?

I yield to my friend from Virginia.

Mr. GOODLATTE. Well, I just pointed out that the rich pay far, far, far more in taxes than other people do, and they should. But this balanced budget amendment doesn't make any distinction between how you balance it, whether it's by increasing revenues, whether it's by economic growth, or whether it's by tax increases.

Mr. JACKSON of Illinois. Reclaiming my time, the failure of this balanced budget amendment to not make any distinction between the rich and the poor is part of the fallacy and the problem with the balanced budget amendment.

We are here as representatives of the people to close profound gaps that exist between our constituents and the society. We're supposed to be one America. We're supposed to be all Americans. We're supposed to be one people, e pluribus unum, through many, one, going somewhere. But what I'm hearing from the distinguished chairman is that the gaps will not close.

Mr. GOODLATTE. Will the gentleman yield?

Mr. JACKSON of Illinois. I would be happy to yield to the chairman.

Mr. GOODLATTE. I'm not the chairman of the Judiciary Committee; Congressman SMITH is. But I am happy to be here in his stead.

Mr. JACKSON of Illinois. I would be happy to yield to the gentleman controlling time for the majority.

Infrastructure gaps, upgrades to roads in communities that have been left behind, bridges, ports, levees, water and sewer systems—how does the balanced budget amendment propose to close the infrastructure gaps that exist in our society where the States themselves have failed to do so?

Mr. GOODLATTE. If you don't have the resources to pay for what you need because you've spent it on a lot of other things, you're not going to have the infrastructure.

□ 1300

Mr. JACKSON of Illinois. Reclaiming my time, I must assume, then, there is no goal of the balanced budget amendment to actually close the infrastructure gap.

Mr. GOODLATTE. Will the gentleman yield?

Mr. JACKSON of Illinois. I would be happy to yield.

Mr. GOODLATTE. Absolutely there's a goal of doing that, and it is the goal of being able to generate a growing economy that results from living within your means and then using those means to pay for what our society needs.

Mr. JACKSON of Illinois. Reclaiming my time, it is obvious that the balanced budget amendment does not narrow the economic, social, gender, and generational gap and infrastructural gaps in our country.

Mr. Speaker, vote down the BBA. Give the American people a reason to believe that the Federal Government can close the gaps that exist.

Mr. GOODLATTE. Madam Speaker, I yield myself 1 minute to say to the gentleman that the balanced budget amendment also will not deliver a pennant to the Chicago Cubs.

Now, let me also say this. In talking about those groups that the gentleman is rightly concerned about how they will do in the future, CNN asked them what they thought of a balanced budget amendment to the United States Constitution, and 75 percent of women said they favored a balanced budget amendment to the Constitution; 72 percent of nonwhite voters said they favored a balanced budget amendment to the Constitution; 79 percent of our senior citizens said they favored a balanced budget amendment to the Constitution; 79 percent of those who earn less than $50,000 a year said they favor a balanced budget amendment to the United States Constitution. And the same is true whether you look at urban areas, suburban areas, rural areas, or any geographic region of our country. Consistently, they support a balanced budget amendment to the Constitution.

Mr. JACKSON of Illinois. Will the gentleman yield?

Mr. GOODLATTE. I would be happy to yield.

Mr. JACKSON of Illinois. What would the balanced budget amendment do for the Chicago White Sox? I'm a South Sider.

Mr. GOODLATTE. I don't know. I'm a Boston Red Sox fan. We finally got ours, but we have a ways to go.

I reserve the balance of my time.

Mr. NADLER. Madam Speaker, since the gentleman has admitted that the balanced budget amendment would not deliver the pennant to the White Sox or the Red Sox or the Cubs, or, I suppose, the Yankees, there's no argument to the balanced budget amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, it is now my pleasure to yield 2 minutes to the distinguished gentleman from Illinois, who is the chief deputy whip and a member of the Ways and Means Committee, Mr. ROSKAM.

Mr. ROSKAM. I thank the gentleman for yielding.

There's a level of anxiety that we're all sensing back at home as people are looking at Washington, DC, for solutions, and there are various tales that are going on right now in terms of what the Joint Select Committee is going to be able to produce, and the fact of the matter is we don't know what the yield is going to be of that negotiation. That's still ongoing, and we will be dealing with that next week.

But we know what we can do right now, Madam Speaker. We can create a buoyancy and a sense of clarity and a sense of cohesiveness to seize upon a bipartisan moment, a moment that the country came close to in 1995. It came within a whisker of passing the balanced budget amendment and sending it out to the States. Over 70 House Democrats in 1995, including several of the current leaders, voted in favor of that amendment. And now here we are, and we have that opportunity to do the same thing, although, to do it successfully.

This is not about donkeys and elephants. This is ultimately about us coming together as a Congress in a thoughtful way that says one thing to the United States, and that is we can govern wisely; we can govern forthrightly; we can live within our means;

and we can do what the overwhelming majority, Madam Speaker, of what the American public wants us to do, and that is to balance our budget.

I urge both sides of the aisle to shrug off the bad advice, frankly, of the Democratic leadership and to come down here in a short period of time and vote ''aye.''

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Ohio (Mr. LATTA), a member of the House Energy and Commerce Committee.

Mr. LATTA. I thank the gentleman from Virginia for yielding.

I had the privilege for 6 years of serving as a county commissioner in Ohio and serving in the general assembly. During that time, we saw good times and we saw bad times in the economy. But in the bad times, our constitution told us in the State of Ohio that we had to balance our books to make sure that we didn't overspend. And that's what this House has to do and this country has to do.

You know, when we look back, we don't have a very good track record—over 50 years and only balanced a budget six times during that period of time. That's horrendous.

It's kind of interesting. I was at a town hall. I was talking one day, and one of my farmers came up and asked this question. He said, I don't understand what the problem is in Washington. He said, What's the President want to spend?'' And I told him it's about 3.8 trillion. He said, How much have you got? I told him what we thought the revenue was going to be for the year. He said, It's simple. All you've got to do is subtract your revenues from what you want to spend, and that's all you get to spend is just that revenue. You don't spend over the top of it.

People back home understand it. Because people back home sit around their kitchen tables, their dining room tables, and they get their pencils and papers out and they figure out how much they can spend. It's not complicated.

But we've got to start thinking about this because we're in debt now $15 trillion. And it went over this week. When I have to look at my kids' faces and kids down the street, and when I go into schools and talk to these young children, they're going to ask me in 10 to 15 years, What did you do to us, not for us?

It's time that this Congress acts and passes this balanced budget amendment. We've been talking about it for years, and we have that opportunity today. I thank the gentleman for bringing it forth. I wish I could vote for it more than once today. But we must pass this today.

Mr. NADLER. Madam Speaker, I yield 4 minutes to the distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from New York for yielding.

I spoke yesterday on this issue. My good friend, Mr. GOODLATTE, and I have talked a number of times about this.

In 1995, as I said yesterday, I voted for an amendment very similar to this, almost exactly like it. I had a confidence at that point in time that, in an emergency, three-fifths of us would come together and vote to do that which the country needed to keep it stable and safe.

Regrettably, over the 16 years, I have lost that confidence. I've lost that confidence this year, where, frankly, on the majority's side of the aisle we would not have passed a CR to keep the government open once. We wouldn't have passed it a second time; and, very frankly, had we had to rely on the votes solely of the majority side, as we have in the past on my side, we would have defaulted on our debt.

That is not a good context in which to adopt an amendment that puts the country at risk if three-fifths are not available to act in an emergency. As a result, I will not vote for this amendment, and I urge my colleagues to oppose this amendment.

We are engaged at this very day in an effort to try to come to agreement on how we balance the budget; and, very frankly, we only need 51 percent, and 51 percent is not there.

But we have balanced the budget, and we balanced it without an amendment. We balanced it in 1998, 1999, 2000, and 2001. And my Republican colleagues rightfully say, ''Well, we offered those budgets.'' Yes, they did. But I will tell you, I have no doubt, not a single doubt, that if the surpluses that were created by those budgets had been available in 1998 and Bill Clinton had not said save Social Security first, that what we would have done is cut revenues deeply and had deficits during those 4 years. Now, you may disagree, but I have no doubt, based upon the philosophy that I have heard since 1981 from my Republican friends, that that would have been the case.

□ 1310

I said yesterday that what we need is not a balanced budget amendment, that what we need is a balanced budget.

How do we get to a balanced budget?

The gentleman from Ohio (Mr. LATTA) pointed out he was a county commissioner. Now, I'll bet as a county commissioner he probably had to pay for what he bought. He gave the analogy, if you've got X coming in, then that's what you spend, not X plus Y. The fact of the matter is his party has spent X plus Y, plus Z, plus A, plus B, plus C, and has run a deficit for every single year they had the Presidency during the last 30 years I've been in the Congress—without fail.

Now, what happened to bring us a balanced budget?

First of all, we had two parties responsible. I don't think we could have done it with just one party—my party or your party. We had two parties responsible, and we constrained one another. Then we had extraordinary growth in our economy, and that's what brought us a balanced budget. But we also adopted in 1990, again in 1993 and in 1997—and I tell my good friend, the sponsor of this, sometimes he voted for PAYGO and sometimes he did not, and your party abandoned the principle of paying for what you bought in 2001.

The SPEAKER pro tempore (Mrs. ROBY). The time of the gentleman has expired.

Mr. NADLER. I yield the gentleman an additional minute.

Mr. HOYER. As a result of abandoning that PAYGO responsibility, you could cut revenues very deeply and not pay for them, not cut spending. It takes no courage, I suggest to my friends, to cut taxes—none whatsoever. Everybody is happy. Paying for bills is a lot tougher. It requires a lot more courage, a lot more responsibility. But you jettisoned statutory PAYGO in the 2000s, and you went on a spending binge. Not only did you blow a hole in the deficit, but you also blew a hole in the economy, and we saw the worst job creation of any administration since Herbert Hoover because the economy, rightfully, was not confident that we would manage our finances correctly.

What we need, ladies and gentlemen, in this House is a balanced budget, not a balanced budget amendment. Let us summon the courage, the will, and the ability to work together immediately on this Joint Select Committee on Deficit Reduction, but let us do it day after day after day. Then when the issues come before you, have the courage to either vote against spending or to vote for the revenues to pay for what all of us have wanted to buy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

Mr. GOODLATTE. Madam Speaker, I yield myself 1 minute to respond to the distinguished minority whip and to point out this chart.

The gentleman is quite right when he talks about profligacy when there have been Republican Congresses. Although, I would point out to the gentleman that, when we were in the majority and when we had President Bill Clinton and when we had those four balanced budgets, he voted for one but not the three others. We did not cut taxes then. Taxes were cut after the attack on this country, on September 11, 2001, to stimulate the economy, and we got roundly criticized for the deficits that ran up during that time.

Mr. HOYER. Will the gentleman yield? Because the gentleman is not accurate on that.

Mr. GOODLATTE. I will yield to the gentleman from Maryland in just a minute.

This chart show that, in 2004, we had a $400 billion deficit. It was the highest deficit in American history, and it was part of the reason we lost our majority later on. Then in 2007, as the deficit stepped down each of the interceding years, the gentleman from Maryland became the majority leader, and the gentlewoman from California became the Speaker of the House—and look at what has happened to our deficits ever since.

The Congress writes budgets; the Congress doesn't balance budgets. Both parties are to blame.

There have been six balanced budgets in the last 50 years. In 37 of those years, Democrats only balanced it twice. This is a bipartisan balanced budget amendment that the gentleman voted for once before. He should join us today and set the future on a different track.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOYER. The gentleman, I take it, has no time to yield.

Mr. GOODLATTE. I don't. I have all these speakers.

Mr. NADLER. Madam Speaker, I yield 30 seconds to the distinguished whip.

Mr. HOYER. The gentleman's chart is very interesting. He talks about voting for budgets.

I didn't agree with some of the priorities in your budget; that's accurate. He is correct that we didn't cut taxes, but he is incorrect as to when you cut taxes. You cut taxes in April, months before 9/11, and you gave away a lot of money and you didn't pay for it. You didn't cut spending in order to pay for it in your budgets that you offered. Furthermore, what the gentleman doesn't point out is in 1993, to a person, you voted against a program which was designed to pay our bills—to a person. You said it would destroy the economy.

We had the best economy and the largest budget surplus that you've had and an administration that is the only administration in your lifetime that ended its 96 months with a surplus, Bill Clinton's.

Mr. GOODLATTE. Madam Speaker, I am delighted to yield 2 minutes to the gentleman from Texas (Mr. BARTON), the former chairman of the House Energy and Commerce Committee.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the gentlelady from Alabama for her chairmanship of this historic debate, and I thank the gentleman from Virginia for his leadership and his willingness to yield me time.

Madam Speaker, in January 1985, I held up my right hand, and I held my 2-year-old daughter in my left hand as I stood right out here in front of the podium and took the oath to be the Congressman of the Sixth Congressional District of Texas. As soon as I was sworn in, I signed my first bill and put it right over there in the hopper—the Tax Limitation/Balanced Budget Amendment.

The total public debt that year was less than $5 trillion. In January of 1995, I took the oath of office and then led the debate on the Contract with America balanced budget amendment. We actually had two votes that day—one on the Tax Limitation/Balanced Budget Amendment, which got about 260-something votes, and then we came back and voted on a balanced budget amendment without the tax limitation provision, and it passed and went to the Senate.

The public debt that day was a little under $8 trillion. Today, the public debt is $15 trillion—$10 trillion more than in January of 1985 and $7 trillion more than in January of 1995.

How many years do we have to stand here and bemoan the fact that we need more courage or more this or more that and then pile up more public debt?

The annual deficit this year, the deficit in 1 year, is more than the total Federal budget was in 1985—the total budget.

I want to thank Mr. GOODLATTE for bringing this bill forward. I want to thank the Republican leadership for putting it on the floor.

We owe $15 trillion, Madam Speaker, and we're going to borrow another $1.5 trillion. Let's stop the madness. Let's vote for this amendment and send it to the Senate.

Mr. NADLER. Madam Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON) for a unanimous consent request.

Mr. JOHNSON of Georgia. Madam Speaker, I ask unanimous consent to submit the following two documents into the RECORD:

One is from the International Association of Fire Fighters, and the other is from the AARP—both of which express their opposition to this ill-founded measure before us, H.J. Res. 2.

The SPEAKER pro tempore. Without objection, the gentleman's request is granted.

There was no objection.

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS,
JULY 28, 2011.

MEMBER OF CONGRESS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE, On behalf of the nation's nearly 300,000 professional fire fighters and emergency medical personnel, I urge you to oppose any balanced budget amendment to the United States Constitution.

Although there is a clear need to lower the long-term federal budget deficit, requiring a balanced budget through a constitutional amendment would be disastrous for the U.S. economy. During periods of economic downturns, the federal government's safety-net programs like unemployment insurance, Medicaid, and food stamps face greater demand right when federal receipts are in rapid decline. Requiring a balanced budget every year would force cuts to these and other important programs or force tax increases. Either prescription would risk tipping a faltering economy into recession or making recessions worse.

Furthermore, any constitutional balanced budget amendment would limit the ability of the federal government to make important investments in worthy causes, including crucial public safety and homeland security programs. Even at a time of fiscal austerity, we must continue to provide for the country's public safety and homeland security needs. Any constitutional balanced budget amendment would grossly undermine the ability to protect the lives and well-being of Americans nationwide.

The nation's fire fighters understand and support the need to reduce federal spending, but passage of a constitutional balanced budget amendment would further damage the already weakened economy and prevent the federal government from making critical investments.

Again, I urge you to vote against any balanced budget amendment to the United States Constitution. Thank you for considering the views of our nation's first responders.

Sincerely,

HAROLD A. SCHAITBERGER,
General President.

AARP,
NOVEMBER 17, 2011.

DEAR REPRESENTATIVE: On behalf of our members and other Americans who are age 50 and older, AARP is writing to express our opposition to H.J. Res. 2, a balanced budget amendment to the Constitution of the United States. H.J. Res. 2 would subject Social Security and Medicare, as well as all other spending, to potentially very deep cuts, without regard to the impact on the health and financial security of individuals. AARP strongly opposes proposals that can result in arbitrary and harmful cuts to Social Security and Medicare.

N.J. Res. 2 would prohibit outlays for a fiscal year (except those for repayment of debt principal) from exceeding total receipts for that fiscal year. This is the equivalent of imposing a constitutional cap on all spending that is equivalent to the revenues raised in any given year. Revenues, however, fluctuate based on many factors, including the health of the economy and the rate of labor participation. Consequently, spending would of necessity also fluctuate, and as a result, a balanced budget amendment would not allow the provision of predictable Social Security and Medicare benefits that can be reliably delivered during an individual's retirement years. Individuals who have contributed their entire working lives to earn a predictable benefit during their retirement would find that their retirement income and health care out of pocket costs would vary significantly year to year, making planning difficult, and peace of mind impossible.

It is particularly inappropriate to subject Social Security to a balanced budget amendment given that Social Security is an off-budget program that is separately funded through its own revenue stream, including significant trust fund reserves to finance benefits. Imposing a cap on Social Security outlays is unjustifiable, especially when the Social Security trust funds have run a surplus for decades—which have reduced the past need for additional government borrowing from the public—and resulted in a public debt that is less today than what it otherwise would have been.

Older Americans truly understand that budgets matter and that we all need to live within our means. But they also understand that budgets impact real people; and they certainly understand the difference between programs to which they have made a contribution and earned over the course of a lifetime of work, and those they have not. From surveys, letters, e-mails, town hall meetings, and numerous other interactions, we know older Americans of all political affiliations reject cuts to Social Security and

Medicare to balance the budget. We therefore oppose the adoption of a balanced budget amendment that puts Social Security and Medicare at risk, and on behalf of our millions of members and all older Americans, we urge you to vote against H. J. Res. 2.

If you have any questions, feel free to call me, or please have your staff contact Cristina Martin Firvida of our Government Affairs office at 202–434–6194.

Sincerely,

NANCY LEAMOND,
Executive Vice President.

□ 1320

Mr. NADLER. I yield 30 seconds to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. We do not need a constitutional amendment. We need a supercommittee congressional agreement now.

To the Republicans: do it now. Call President Obama now. Tell him tax breaks for the billionaires, on the table. Tell him defense spending, on the table. Tell him tax breaks for oil companies, on the table. The President says he'll put the social programs on the table.

You don't have to go back 200 years to amend the Constitution. You just have to next week, next Wednesday say, We want to do it now. We, who are here, will do it now. We will balance the budget by putting all of our programs on the table.

Do it now. Do it now, Republicans. Don't pretend and hide behind a constitutional amendment when you can do it now. You can be the Founding Fathers of a balanced budget in 2011.

Mr. GOODLATTE. Noting that the Republicans on the supercommittee have put a proposal on the table and the Democrats have not, I now yield 1½ minutes to the gentleman from Illinois (Mr. MANZULLO), a member of the Financial Services Committee.

Mr. MANZULLO. Madam Speaker, there are over 10,000 Federal programs and counting. No one quite knows how many there are.

I do most of my work in Congress on manufacturing; and for 12 years, I've been working on a chart to identify every agency, every bureau that is involved somehow in manufacturing. And it continues to grow and grow and grow. And my objective was to find a way with a common portal to be able to access via the Internet exactly what's going on, but it's impossible. And that's the problem with this government. People run to Congress and say, I have got a program for this and for that.

Well, you know what, it's time to start eliminating programs around here. It's time to just keep those programs that are absolutely necessary, and the best way to do that is to have the fiscal restraint imposed by a balanced budget amendment. No longer is it a matter of going to the backroom and simply printing money to cover this program or that program. We need to come to the realization that Washington doesn't have the answer for everything. And the best way to cut back on these 10,000 programs is to have the discipline of a balanced budget amendment so that the Members of the House and Members of the Senate can realize you really can't spend more than what you take in.

Mr. NADLER. I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Virginia has 4 minutes remaining, and the gentleman from New York has 2¾ minutes remaining.

Mr. GOODLATTE. Madam Speaker, at this time it is my pleasure to yield 1½ minutes to the gentleman from Arkansas (Mr. WOMACK), a member of the Appropriations Committee.

Mr. WOMACK. Today is payday. It's Friday. For a lot of people, it's payday. They're going to get a check from their employer, if they're lucky enough to have a job. And I'm for sure for most of them, before ever cashing that check, they know exactly where it's going. These people have likely already come to the realization that there are a lot more needs, a lot more things they would like to have or do, but there's just so much money.

I find it incredible that my friends on the other side of the aisle believe this Federal Government should not have to go through the same process of discerning between what they want and what they need and what they can afford, like the rest of America. In the 10-plus months I have been here, I consider this vote the most important vote I will have cast because it's the vote that has the most impact on the future of my grandson.

It is sad that Congress does not have the discipline to live within its means, and I strongly believe the only way to constrain an undisciplined Congress is to enshrine its obligation in the Constitution. An overwhelming majority of Americans believe that the balanced budget amendment, as proposed today, is the right way forward for America.

I thank my friend from Virginia for his leadership on the issue, and I urge its passage.

Mr. NADLER. I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from South Carolina (Mr. MULVANEY), a member of the House Budget Committee.

Mr. MULVANEY. Madam Speaker, I have enjoyed sitting here listening to the arguments against this amendment. They range from the bizarre to the completely incredible. We've heard it's not 1985. I wish it were and that the deficit were only $5 trillion. Imagine what the world would have been like if we could have accomplished this 15 years ago.

I have heard that we don't need this amendment to do our job against the backdrop of only being able to do it four times in the last 50 years. That argument simply does not pass the laugh test. I heard just a few moments ago from the honorable minority leader that this was not the right time to pass this amendment because somehow this body was too partisan, too partisan to pass an amendment to the Constitution that would take partisanship out of the equation and force us to balance the budget. These are all extraordinarily weak arguments, Madam Speaker, and they are weak because they do not go to the heart of the matter of why you would be against this amendment.

There's only one reason to be against this amendment. The only true argument against this amendment is that you want to continue to spend money that we don't have, and there are people in this Chamber who believe that is the way that they keep their jobs, that if we continue to run up debt, that if we continue to spend money that we don't have, that somehow back in their district it will encourage their voters to send them back to this Chamber.

Madam Speaker, I believe there are more important things than our jobs. There are more important things than simply remaining a Member of Congress. More so than any amendment, any bill that we will take up this year, this amendment is the opportunity that we have to send a message to the people back home that we are willing to do what is right, that we're willing to stand up for them and to give them the opportunity to change the Constitution of the United States in a way that they see fit.

Mr. GOODLATTE. Madam Speaker, I would advise my colleague that I have only one speaker remaining.

Mr. NADLER. I yield myself the balance of my time.

Madam Speaker, since 1995, when this amendment was last on the floor, we proved we could balance the budget without a balanced budget amendment. But a balanced budget is not the highest goal. The highest goal is prosperity, a full employment economy; and that requires a balanced budget over the business cycle. It requires that in good times we have a surplus and pay down the deficit. But then in recessions, you should have a deficit to spur the economy; you should spend money to spur the economy to get out of the recession. To try to balance the budget by cutting spending during a recession is to increase unemployment, is to guarantee that every recession becomes a depression. Just look at what's happening in Germany, which was in pretty good shape until they elected a government that enacted austerity to try to balance the budget. Their economy is tanking. The same thing in Great Britain.

The second point I want to make is that when we talk about balanced budgets in the States, they have a separate budget for operating expenses and for capital budgets. Here, this balanced budget amendment would say we should never borrow money for anything; the Federal Government should never borrow money. That's insanity economically. It means we have no

money for our bridges, roads, highways, et cetera.

Third, this amendment would say if we couldn't reach agreement, if we didn't pass the balanced budget, the courts would have to decide whether to increase taxes and, if so, which taxes, or cut programs, and in such a case, which programs. We should not be giving the courts the power to make such decisions.

Finally, Social Security, Medicare, these are not debts. They're obligations of the Federal Government. A balanced budget amendment would put them at risk. We would have to cut Social Security, cut Medicare, cut all these things if we passed a balanced budget amendment. And if we're unwilling, as our colleagues on the other side are, raise taxes on the rich. The fact is taxes on the rich are much less than they've ever been, which is the basic cause of the deficits that we're running now.

The balanced budget amendment would not balance the budget. You would still have a stalemate between Republicans, who want no taxes on the rich and want draconian cuts on lower- and middle-income programs, and those on our side of the aisle who disagree on them. If you can't reach agreement on those things now in the supercommittee, what makes you think you would reach agreement just because you had a requirement on the books that said you should? It would end up in court.

□ 1330

The balanced budget amendment is simply a sop to be able to say we are doing something about a balanced budget when we are, in fact, unwilling to make the tough decisions that could, in fact, balance the budget. We showed, during the Clinton administration, that those decisions could be made. And if we really want to balance the budget, we have to undo most of the Bush tax cuts, we have to stop voting for wars that we don't pay for, and we have to really balance the budget, not pass an amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield myself the balance of my time.

The gentleman from New York and I agree on one thing: Prosperity is the goal. And this is not a pathway to prosperity. Fifty years with six balanced budgets is a pathway that has led to a $15 trillion debt that we have right now. That's not prosperity. The largest debtor nation on Earth is not prosperity. $50,000 per American citizen in debt is not prosperity. And the $60 trillion in future obligations that we have yielding this result is definitely not prosperity for our children and grandchildren.

That is why we need the discipline that a balanced budget amendment to the Constitution provides. That is why this is a bipartisan vote. That is why dozens of Democrats will join us today in enshrining in our Constitution something that will require that future Congresses balance the budget.

I urge my colleagues to join us in this matter, and I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask Members not to traffic the well when another Member is under recognition.

Mr. VAN HOLLEN. Madam Speaker, Democrats remain committed to responsibly putting the budget on a fiscally sustainable path through a balanced approach that includes both spending and revenue. But the Republican Constitutional amendment defeated on the House floor today was not the answer. It could have dire consequences for the economy, on needed services to seniors and others, and on the government's ability to quickly and appropriately respond to changing needs.

This Constitutional amendment would have made it easier to cut Social Security or Medicare than to cut corporate tax loopholes or eliminate tax breaks for millionaires. It required a roll call vote by the majority of the whole number of each House—218 votes in the House regardless of how many Members are absent—to raise revenue, but allowed spending cuts with a simple majority vote of those present. Why should there be a different standard for cutting Social Security benefits than for cutting even a dime of special interest tax breaks?

The disparity clearly highlighted that this Amendment was not actually about balancing the budget, but rather about establishing a constitutionally mandated path to impose the Republican budget priorities. In fact, the Amendment would have required even deeper cuts than the House Republican budget resolution, which never reached balance. The Republican budget ran $1.6 trillion in deficits from 2018 through 2021, when this Amendment could have been in effect.

This Constitutional amendment would have jeopardized Social Security and Medicare benefits, veterans' benefits, and all other guarantees to our citizens by limiting annual spending to that year's receipts. Regardless of whether the country has brought in receipts over many years, saving to cover upcoming obligations—and regardless of the retirement guarantee made to our seniors who contributed to the Social Security trust fund throughout their working years—this Amendment would not have let us make those payments unless we had an equal amount of receipts coming in that year.

The Constitutional amendment also would have deprived Congress of the flexibility to address national needs and economic emergencies by limiting spending to the level of that year's receipts. For example, during a recession the Amendment would have required spending cuts or tax increases at the very time the country required additional spending or tax cuts to provide needed help and to boost the economy. Even in the face of a natural disaster there was no emergency exemption to allow immediate extra assistance.

This year has illustrated the economic consequences of risking default on the nation's obligations, yet the Constitutional amendment would have made default more likely by increasing the difficulty of raising the debt limit by requiring a 3/5th supermajority vote. In fact, the need to raise the debt ceiling has no correlation to whether future budgets are balanced; increases in the debt ceiling reflect past decisions on fiscal policy.

Some have argued that this Amendment would have put the federal government in the same position as state governments and households, which balance their budgets. And while many states are required to balance their operating budgets, they still can and do borrow for capital projects. Likewise, families regularly do not balance their budgets on an annual basis; a 30-year home mortgage or a student loan are both examples of ways families can responsibly take on debt and pay it back over time. By requiring the federal government to balance spending and receipts each year—regardless of the country's economic circumstance or the need for immediate resources—the Amendment would have prohibited the nation from making necessary investments.

This Constitutional amendment was not a responsible budget plan. It did not make any of the hard choices necessary to fix our fiscal and economic crisis. Instead, it would have enshrined in the Constitution a fixed budgetary goal without providing guidance on how to reach it or how to enforce it. The Amendment could send budget decisions to the courts, tying up federal budgeting and transferring the power to make the laws from Congress to the federal judiciary. If cases were filed arguing that the budget is not balanced, court involvement could lead to shutting down all federal operations—even emergency services.

The Constitution provides broad guarantees for citizens, but is not designed to implement particular policies. Congress must confront the difficult choices before it. Passing the Amendment may make for good theater, but it is simply a device for pretending we are doing something while ducking difficult choices. Instead, we are working hard now to responsibly put the budget on a sustainable path, and that is the right thing to do.

Mr. HOLT. Madam Speaker, the right question to ask is not, "How can Congress create the political will necessary to balance our budget?" The right questions to ask are, "What is the right budget to enable a vigorous economy?" And that is not necessarily a budget in exact numerical equality between income and outgo. And, second, "How has America balanced its budget in the past?"

Madam Speaker, I took great personal satisfaction during my first term as a member of this body in voting for and helping to achieve America's first balanced budget in a generation. It was not easy to attain. Those members of Congress, myself included, who believe in fiscal responsibility and budgetary discipline, had to make tough choices and cast difficult votes in order to put the federal government's fiscal house in order. The White House and Congress can balance the federal budget without a constitutional amendment.

We needed two things: sufficient income and no unnecessary spending. A revenue base made balancing the budget possible. We also had a recognition that a vibrant economy produces more revenue than an economy in a recession.

That, Madam Speaker, is what is lacking today—not the political will, but the economic fundamentals. America's revenue base was decimated by the Bush tax cuts, which gave away hundreds of billions of dollars to the most fortunate Americans while doing little to

help middle-class families. And America's economy has been devastated by the financial crisis, which has diminished the federal government's revenue base and required us to spend money to sustain the social safety net and to create jobs.

Madam Speaker, if America truly wants to return to the era of balanced budgets, we don't need a misguided and destructive constitutional amendment. What America needs is to invest in those things that allow and help our people to be productive—education, research, health care, and things that help the wheels of commerce turn, like banking and trading regulations, environmental protection, and freer migration of talented people. We need the wealthiest Americans and our wealthiest corporations to pay their fair share of the cost of running this nation. And we need to act with urgency and compassion to put to work the 25 million Americans who are out of work or underemployed. We need to create jobs in the short-term to stop the damage to our long-term economy.

Madam Speaker, our history of amending the Constitution has been about the enhancement of individual rights or the correction of fundamental structural flaws in the federal government. Politics—not a structural flaw—created our current deficit problem, and political compromise can fix it. We must be committed to reaching the political compromises that are necessary in order to exercise fiscal responsibility and balance budgets consistently.

Madam Speaker, a balanced budget amendment is nothing more than a fine example of political theater. We will debate this amendment for hours, but without any chance to amend it or consider any alternatives. The majority is putting the bill on the floor under a procedure normally reserved for non-controversial measures, despite the very controversial nature of this flawed constitutional amendment. It is bad policy that will not bring us any closer to solving our budget problems, and I urge my colleagues to oppose it here today.

Mr. YOUNG of Florida. Madam Speaker, I rise in support of this Balanced Budget Amendment.

I have always been hesitant to support changes to our Constitution. It is the most significant document in our Nation's history and I am reminded of its guiding principals by the copy I carry with me each day.

Truthfully, I wish this step had not become so necessary. A simple majority of us in the House, working with the Senate and the President have the ability to balance our budget without this Amendment.

It has been done before. I have been honored to serve in this House for the last 41 years. During this time, we have managed to balance our budget twice, and both times occurred during my tenure as Chairman of the House Appropriations Committee.

The way we balanced the budget then was by making the hard, but necessary choices. The Appropriations Committee had to say no to many funding requests. It was not always easy and I was not always the most popular person around here. But we had to do the right thing for the country and we did it as a Republican House working with a Democrat President.

In this Congress, the House and the House Appropriations Committee have made the difficult decisions to cut wasteful spending, consolidate duplicative programs, and reign in the excesses of recent years. We have reduced excessive spending and passed a responsible budget resolution. We have brought our bills to the floor under regular order—in contrast to recent years. Every Member on the Committee and in the entire House has had the opportunity to make their voices heard and offer their amendments. In fact, we have considered almost 500 amendments to appropriations bills just this year.

I am proud to say that the House has made real progress towards fiscal responsibility. Unfortunately, much of our budget process has become dysfunctional.

We are stuck with a Senate that has been unwilling to do their part. It has been more than two and a half years since they have completed the basic task of passing a budget.

Under this President, spending has skyrocketed to consume more than 25 percent of the economy. Since 2008, annual spending has jumped by close to $1 trillion. The President's budget proposed to keep the spending going for the next decade, with spending growing from its historical average of 18 percent to 24 percent of GDP in 2021.

We have mandatory spending that is spiraling out of control.

For the first time in America's proud history, our credit rating was downgraded because we have been unable to come to an enforceable agreement on how to bring our debt under control.

I have come to believe that the only guaranteed way to bring spending under control is to pass this Balanced Budget Amendment. The only way to get the entire Congress and the President to consistently agree on a fiscally responsible budget is to amend the Constitution to require it to happen. It is a common sense proposal that has widespread support.

In 2009, I asked every voter in my district how they felt about requiring a balanced budget and 79.64 percent of the more than 32,000 who responded to my survey said that they support it.

The National Federation of Independent Businesses recently asked small business owners in my district if they support the Balanced Budget Amendment and 78 percent responded that they do.

National polls point to more overwhelming support. After all, families and small businesses across the country have to sit down and balance their own budgets, just as our state of Florida must. Why can't the federal government do the same?

America has a spending problem. Just on Wednesday our national debt topped $15 trillion. We are borrowing 43 cents for every dollar we spend. This year gross interest payments on the debt reached $466 billion. Every one of our children and our grandchildren already owes more than $46,000 to our creditors.

We owe it to the next generation to leave them a better country and a better future, as those who came before us did. It is essential that we change the culture of spending in Washington and restore fiscal sanity to our federal budget. It is crucial to the future of our Nation that we solve this debt problem, because if we don't, I hate to think what might happen to our economy, what might happen to our currency, and what might happen to our standing in the world.

Let me close by saying that to have a strong national defense we must have a strong robust economy.

Mr. THORNBERRY. Madam Speaker, it would be a mistake to believe that a Balanced Budget Amendment to the Constitution will solve all of our fiscal woes. There are no magic answers to what ails us. Fiscal discipline and common sense applied day-by-day, year-by-year are required.

A Balanced Budget Amendment to the Constitution would, however, help impose the discipline needed on the taxing and spending decisions of the federal government. It would be a very significant step—perhaps one of the most significant we could take—in repairing our fiscal house.

It forces Congress and the President to make choices. If new spending is proposed, other spending must be cut or some other way to finance the new program must be found.

A basic principle for individuals, businesses, and other organizations is that one should not spend more than one has to spend, except in extraordinary circumstances. That is common sense. Yet, for too long, that principle has been commonly absent from Washington. This vote on this Amendment is our opportunity to apply this basic idea to the federal government. We should do it now.

Mr. POSEY. Madam Speaker, nearly every State in the union is required to balance its budget each year, including my home State of Florida. Our counties, cities, school boards and special districts are all required to make financially responsible decisions with the hard-earned tax dollars of Florida's working families and small businesses.

It is long past due for Washington to do the same, which is why the Balanced Budget Amendment to the U.S. Constitution is one of the first bills I cosponsored as a new Member of Congress in 2009.

For 235 years, the United States has been the greatest economic success story the world has ever known. Yet, the most significant threat ever to our continued success is our unprecedented and rapidly growing national debt. From 1776 to 2008, Washington accumulated a debt of $10.6 trillion. Yet in just the last 3 years alone, another $4.4 trillion in debt has been added for a grand total of $15 trillion and counting.

Washington doesn't just have a spending problem. It has an insatiable addiction to spending money it does not have and it is threatening our children's future. The Chairman of the Joint Chiefs of Staff called it the greatest threat to our Nation.

The last time the House voted on and passed a Balanced Budget Amendment to the Constitution—back in 1997—the national debt stood at $5.4 trillion. That year the Balanced Budget Amendment fell just ONE VOTE short of passage in the Senate. It's something I like to call "The Ten Trillion Dollar Vote."

So, you might ask: How do these gigantic numbers relate to the American taxpayer? Because of Washington's failure to control spending, each and every taxpayer's share of the debt amounts to $130,000. It gets worse. On our current path, the non-partisan Congressional Budget Office estimates the national debt will reach $23 TRILLION in 2015. That's $200,000 in debt per taxpayer. This must change.

The American people were promised in 1997 that Washington would balance the

budget without a Balanced Budget Amendment. Given what we now know, it's ridiculous to believe that Washington will balance the budget and begin paying down the debt without the requirement of a Balanced Budget Amendment.

Future generations of Americans deserve to live with the same opportunities we have had. Burdening them with this unprecedented debt load is immoral and unthinkable. Only by passing a Balanced Budget Amendment can we eliminate their greatest threat to success and guarantee them the same opportunities that we have had.

I urge my colleagues to support the Balanced Budget Amendment and set our Nation on a more financially responsible and stable course.

Mr. WOLF. Madam Speaker, I rise today to support H.J. Res. 2, which is a common sense, balanced budget amendment to the U.S. Constitution. I am proud to join my friend from the Shenandoah Valley, BOB GOODLATTE, as a cosponsor of his legislation and I thank him for his work in bringing it to the floor for a vote.

I have long supported this legislation because I believe Washington must live within its limits when spending the hard earned money of the American taxpayers. This balanced budget amendment is one of the necessary steps we must take in order to address our Nation's crushing fiscal obligations. That is why I have consistently voted for a balanced budget amendment every time it has come before the House—in 1982, 1990, 1992, 1994 and 1995.

The national debt is over $15 trillion, annual deficits are over $1 trillion and we are looking at unfunded obligations and liabilities of $62 trillion. I am concerned that if we don't deal with this crushing burden now it could lead to another downgrade of our Nation's credit rating. This could make credit, from car loans to mortgage loans to college loans, more difficult and expensive to obtain. Everything must be on the table for consideration—all entitlement spending, all domestic discretionary spending, including defense spending, and tax policy—particularly reforms to make the tax code simpler and fairer and free from special interest earmarks.

That is why I have supported every serious effort to resolve this crisis: the Bowles-Simpson recommendations, the ''Gang of Six'' effort, the ''Cut, Cap and Balance'' bill, and the Budget Control Act. None of these solutions were perfect, but they all took the steps necessary to rebuild and protect our economy. I also joined a bipartisan group of 102 of my colleagues in sending the enclosed letter to the Joint Select Committee on Deficit Reduction to ''go big'' and identify $4 trillion in savings through spending cuts and tax reform in its proposal due later this month.

A balanced budget amendment to the Constitution is but one tool to get our fiscal house in order. This balanced budget amendment would establish critical institutional reforms that would ensure that the Federal Government lives within its means. We must reduce the deficit and pay down the debt to ensure that we have the ability to support the critical programs that citizens expect the government to provide.

In his Farewell Address, George Washington instructed the Congress to use the public credit as sparingly as possible. We should heed his wise words and pass this balanced budget amendment.

Mr. HASTINGS of Washington. Madam Speaker, I rise today in strong support of H.J. Res. 2, which would require the Federal Government to do what American families do every day—balance our budget.

One of the first votes I cast in Congress was in support of the Balanced Budget Amendment. That was in 1995 when the Federal deficit was $4.9 trillion—a level that I considered unacceptable to pass on to our children and grandchildren. And we came so close, Madam Speaker. The Balanced Budget Amendment passed by a two-thirds majority in the House.

This included 72 Democrats. Many of my colleagues from the other side of the aisle that I see here today stood with us to do what is best for the future of our country.

We came just one vote shy of passing it in the Senate, and have paid for this failure every day since, Madam Speaker. It has been 16 years and over 10 trillion dollars more in debt since I voted for the Balanced Budget Amendment.

The Federal deficit was unacceptable then, and it is unconscionable today—growing an incredible $1.6 billion per day.

This has led us to where we are today—facing a $15 trillion dollar debt that leaves future generations in even greater jeopardy and is causing serious harm to our economy.

Former Joint Chiefs of Staff Admiral Mike Mullen recently said that the greatest threat to our country is not Al-Qaeda—it is our national debt.

It is threatening our economy, our standard of living, and our very way of life.

Madam Speaker, just think of how different our country would be if we had succeeded in 1995.

It seems like such a simple concept—only spending as much as we take in.

This is our chance to make history. Let's not force future generations to look back and see how Congress once again failed to change the course of American history and get our economy back on track.

As a grandfather, Madam Speaker, I strongly urge all of my colleagues, regardless of political affiliation, to stand up for the future of our country and join me in voting for this vital resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise in opposition of the proposed Balanced-Budget Amendment to the U.S. Constitution.

The constitutional balanced budget amendment we are debating this week could force Congress to indiscriminately cut all programs by an average of 17.3 percent by 2018. According to the Center on Budget and Policy Priorities, if revenues are not raised and all programs are cut by the same percentage, Social Security would be cut $184 billion in 2018 alone and almost $1.2 trillion through 2021; Medicare would be cut $117 billion in 2018 and about $750 billion through 2021; and Medicaid and the Children's Health Insurance Program (CHIP) would be cut $80 billion in 2018 and about $500 billion through 2021.

I am also concerned the measure adds arbitrary caps on Federal spending that achieves nothing but to cripple this government's ability to jumpstart the economy, make the important investments to secure our future, and ultimately put Americans back to work.

That is why I, along with leading economists and Nobel laureates in economics, strongly oppose this radical and debilitating method for addressing our budget woes.

My republican colleagues have already had countless opportunities in this Congress to work with us to develop a tangible plan to reduce the deficit and fix this economy. In fact, Republicans have voted seventeen times against Democratic proposals or efforts to simply consider proposals to create or protect American jobs.

Fervent calls for a balanced budget make for great political talking points. However, it makes little to no practical sense to stymie this government indefinitely in its ability to borrow reasonable amounts of money to make smart investments in infrastructure, public services, and education. Nobody in this Congress or across the country is claiming that there is anything reasonable about borrowing fifteen trillion dollars. However, what some of my colleagues and I are going even further to say is that it is unreasonable to make severe cuts to vital programs that benefit the majority of Americans at a time when this type of investment is needed the most.

Even ignoring all of these points, a balanced-budget amendment would not even take effect in time to address the budget problems that Americans are experiencing today. In fact, if ratified by three-quarters of the States, the amendment would not take effect until the second fiscal year beginning after ratification, or the first fiscal year beginning December 31, 2016, whichever is later.

The economic problems we are experiencing are a very real threat today. Ignoring all of the fundamental problems with this amendment, it does nothing to address the problems we are having today. Americans are hurting today and we must do what we can today to address these problems. The Balanced-Budget Amendment to our Constitution is not the right solution.

This country is at a crossroad. I am not talking about finances or the economy. I am talking about a fundamental crossroads in beliefs that will affect generations after generations to come. This debate we are having today goes well beyond the national debt. It is about the fundamental beliefs whether or not we want government to provide the vast amounts of public services we enjoy today or to rely on for-profit private entities to provide those services to us on a for-profit basis.

This amendment would force us to shrink government to impractical levels, paving the way for severely reduced public services, very little oversight in the way private entities provide goods and services, and free reign for businesses to operate with the sole purpose in mind of making a profit.

Madam Speaker, I strongly oppose this Balanced-Budget Amendment that is being considered by the House. I implore my colleagues to see reason and oppose this measure that is before us today. It is a radical measure that would prove catastrophic for this country for generations to come.

Mr. BLUMENAUER. Madam Speaker, I oppose this amendment to our Constitution that purports to balance our nation's budget, but instead serves merely as an excuse for Congress to avoid the real responsibilities of governing. When the balanced budget amendment freight train was moving through Congress in 1995 and a number of people piled

on, it passed in the House overwhelmingly, but it failed in the Senate by one vote. The only Republican who voted no was Senator Mark Hatfield. As Chairman of the Appropriations Committee, he was visited repeatedly by some of the most ardent proponents of a ''balanced budget,'' asking him for special treatment so that they might spend more money in their home states. Senator Hatfield recognized that, in his words, a vote for a balanced budget amendment is, ''not a vote for a balanced budget, it is a vote for a fig leaf.''

Amending the Constitution to require a balanced budget is an irresponsible approach to fiscal discipline. It does not balance the budget; instead, it would restrict the government's ability to provide for the common welfare, to respond to economic crises and natural disasters, and to invest in America. Under a balanced budget amendment, recessions would be longer and deeper because Congress would be forced to raise taxes, cut spending, or both in order to meet the constitutional mandate. This flies in the face of sound economic policy. If the balanced budget amendment were in effect today, it would throw 15 million more people out of work, double the unemployment rate, and slash our economy by 17 percent.

It would also require devastating cuts to critical programs like Social Security, Medicare, and veteran's benefits. No program would be spared: education, job training, natural resources, environmental and financial protection, and transportation would all suffer under spending cuts. Yet a balanced budget amendment would do nothing for the corporate tax loopholes and benefits for the wealthy that cost taxpayers billions of dollars.

A balanced budget amendment limits the government's response to natural disasters. This year alone, our country has experienced flooding, tornadoes, hurricanes and earthquakes that have taken hundreds of lives and caused billions of dollars in damage. Our communities need immediate support to help those who are injured and without a home, and to help clean up the devastation. A balanced budget amendment would tie the government's hands by requiring the slow machinery of Congress to act before relief could be given to suffering families.

A popular argument in favor of a balanced budget amendment is that families across the country must live within their means, and thus, so should Congress. But few families paid cash for their home. And few students paid cash for their college education. Families in Oregon borrow money for important investments that will build their lifetime wealth and improve the quality of their lives. Congress must be able to make similar investments to rebuild and renew America—shoring up the country's crumbling infrastructure, repairing our dilapidated schools, and creating the energy resources that will drive the future of our economy.

Balancing the budget does not require a constitutional amendment. It requires courage and compromise.

After Senator Hatfield courageously voted no on the balanced budget amendment in 1995, Congress in fact was able to move forward to rein in spending and raise an appropriate level of revenue that balanced the budget for four consecutive years. Unfortunately, when Republicans took control of Congress and the Bush administration took power, restraint was lost, our nation's wealth was given away, deficits skyrocketed, and their tax cut and spending policies drive our deficit to this day.

A balanced budget amendment is a phony solution. Instead, members of Congress must stand up and work together to provide a balance of increased revenues and sensible spending cuts. Doing otherwise merely avoids our responsibilities and is an insult to the people who sent us to represent them in Congress.

Mr. WAXMAN. Madam Speaker, I am unalterably opposed to this proposed Constitutional amendment. President Obama stated it succinctly earlier this year: ''We won't need a constitutional amendment to do our job.'' He is right. President Clinton and Congress enjoyed balanced budgets in 1998, 1999, 2000 and 2001. The proponents of this deeply flawed and highly dangerous tampering with our Constitution are dead wrong. All that is needed is the responsible exercise of choices about our budget.

This proposed constitutional amendment fails on several counts:

First and foremost, the proposed amendment does not pass the truth in labeling test. There is nothing in it that requires Congress, under any and all conditions, to pass a balanced budget. Under the voting procedures that are established, Congress can pass an unbalanced budget.

Second, there is a dangerous tampering with the fundamental principle of majority rule in the House of Representatives. Today, the majority rules in votes on the budget. Under this proposed constitutional amendment, it will require a three-fifths (60%) vote of the House to pass a budget that is not in balance. The last thing the United States House of Representatives needs is to become more like the United States Senate in its rules for voting on legislation. We need coherence, not paralysis. We elect a President with a majority of the Electoral College. We should certainly be permitted to pass a budget through a simple majority vote in the House of Representatives—just as we do today. That's democracy. This proposed constitutional amendment is undemocratic.

Third, this amendment, by requiring a three-fifths vote in the House to approve any increase in the public debt limit, guarantees an annual repeat of the debacle we experienced this summer. Our debt goes up—or down—based on spending and tax decisions previously taken by Congress. The debt that exists is simply an expression of spending and tax bills already enacted into law. Increasing the public debt should therefore be a simple, technical legislative act. By imposing a supermajority requirement on any increase in the public debt, this guarantees that we will face a recurring risk of default on the full faith and credit of the United States. This summer, we saw fear spread in households across America, and havoc in markets worldwide, out of grave concern over what a default would mean. This amendment would cement such instability into the Constitution itself. To perpetuate uncertainty over whether the United States will default on its obligation is dangerous and irresponsible.

Fourth, this so-called balance budget amendment is, at its heart, a fraud. Section 7 of the proposed amendment provides that the budget is deemed in balance when outlays match receipts—except for revenues derived from borrowing and outlays of interest payments on the national debt. In other words, carrying the national debt does not count. This is not a balanced budget, as payment of the debt will require trillions in spending on interest for decades to come. Even under the draconian Republican budget plan adopted earlier this year by the House, the budget, with all its harsh cuts to Medicare, Medicaid and Social Security, would not approach being truly balanced until the 2030s or later. The House Republicans may want the American people to think this is a vote on a balanced budget constitutional amendment. What they are not telling you up front is that the United States budget will be in deficit for decades even if this becomes part of the Constitution. The American people should not be fooled.

Fifth, this amendment will gravely injure our seniors, and those who rely on Medicare and Medicaid. This amendment will require cuts at least as harsh as those rammed through the House by the Republicans earlier this year.

This will mean the end of Medicare as we know it, and it will be devastating for Medicare beneficiaries. The Congressional Budget Office concluded that the Republican budget, by privatizing Medicare, will more than double beneficiary costs for new enrollees. The average senior will face increased costs of over $6,000 annually when the program begins. And all of that extra spending by seniors and people with disabilities will go to private health insurance plans. The transfer of seniors into private plans will raise costs by over $11,000 per beneficiary by 2030. To add insult to injury, the Republican budget reopens the donut hole under the Part D prescription drug benefit, increasing the burden on seniors within 5 years.

For Medicaid, the Republican budget approved by the House was even worse. Medicaid accounts for 43% of total long term care spending in the U.S. But the Republican budget cuts Medicaid in half by 2022, and turns it into a block grant for the states. Moreover, by cutting reimbursement rates, Medicaid will lose health providers. At least 18 million people will be cut off from access to Medicaid. There will be a loss of quality and staffing in nursing homes—which means job losses in the health professions—as well as cuts to programs that provide in-home services to keep seniors independent.

There are other deep flaws in this proposal. The amendment puts our ability to respond to national crisis in a straightjacket. Section 5 of the proposed amendment permits an absolute majority of the House to vote to waive the balanced budget requirement if we are at war. But if we face an economic emergency—like we do today—the balanced budget requirement can only be waived by a three-fifths vote of the House. The economic crisis we face today is at least as significant as the Iraq war—but this amendment would make it harder to respond to recession and unemployment.

Also troubling is the prospect that the courts will become involved in budgets passed by Congress. By placing the budget under a specific constitutional amendment, it is likely that the courts could be asked to rule on whether a budget, as passed, complies with the requirements of the constitutional amendment. Is it really balanced? If this amendment is passed, we head down a dangerous legal road.

Madam Speaker, this week, 273 organizations representing health, welfare, labor, public advocacy and community groups across the Nation, have written to the Congress to insist that we reject this balanced budget constitutional amendment. Their letter states:

A balanced budget constitutional amendment would damage the economy, not strengthen it. Demanding that policymakers cut spending and/or raise taxes, even when the economy slows, is the opposite of what is needed to stabilize a weak economy and avert recessions. Such steps would risk tipping a faltering economy into recession or worsening an ongoing downturn, costing large numbers of jobs while blocking worthy investments to stimulate jobs and growth and address the nation's urgent needs in infrastructure and other areas . . .

A balanced budget amendment has no place in the Constitution of the United States. Our Constitution has served the nation well because it represents enduring principles that are the foundations of our government. It should not be used as a substitute for real leadership on fiscal policy.

We do not need a constitutional amendment to balance the budget. We do not need to turn the House into the Senate. We do not need to impose inhumane cuts on the most vulnerable in our society. And we do not need to ruin the fabric of the Constitution of the United States of America.

Mr. SENSENBRENNER. Madam Speaker, I rise today in strong support of H.J. Res. 2, which proposes a Balanced Budget Amendment to the Constitution. It's time to tighten the nation's purse strings and keep Washington from spending more than we can afford.

For too long Congress and the President, on a bipartisan basis, have let down the American people in our unwillingness and inability to be responsible with our nation's finances. We have spent too much, borrowed too much, and have failed to face the fact that we can no longer continue to spend money that we do not have. A Balanced Budget Amendment to the Constitution would legally force our government to live within its means. It's interesting to see that while many of my colleagues on the other side of the aisle, including our President, have argued that a constitutional amendment is not necessary, 49 states currently abide by some form of a balanced budget requirement.

President Obama urged opposition to this legislation, clearly showing how out of touch he is. He just doesn't seem to get it. Americans overwhelmingly support a Balanced Budget Amendment to the Constitution because their government has proven that it is unable to be responsible with their money. The arguments against a Balanced Budget Amendment appear to rest on the concerns that this will finally stop out-of-control spending; meaning Congress will no longer be able to spend at will on programs that may be nice to have, but are unnecessary or unaffordable.

The measure on the floor today is a good compromise between those who wanted a stronger Balanced Budget Amendment, and those who felt such proposals went too far. While I would have preferred the version that placed greater restriction on Congress's ability to tax and spend, I am pleased to support his legislation.

It is simply unfair to continue to pass our financial burdens along to our children and grandchildren. Given Congress's history of not being responsible with the American people's hard earned money, it is time we put in place these limitations on spending. A Balanced Budget Amendment would finally force us to make tough decisions about how we spend our money. This is not a silver bullet; however, it is an important step in controlling spending and restoring confidence among the American people. I strongly support passage of this important legislation, and urge my colleagues to support the bill.

Mr. JACKSON of Illinois. Madam Speaker, I rise in strong opposition to H.J. Res. 2—the Balanced Budget Amendment.

We do need to responsibly reduce our budget deficits and debt, but the best way to do that is by investing, building and growing our economy—or through balanced economic growth—not a Balanced Budget Amendment.

What is the most important question to be raised with respect to the BBA?

We have serious gaps in our society that need to be narrowed: Economic gaps between the rich and the poor—ask the 99%; social gaps between racial minorities and the majority population; gender gaps—women earn 76 cents of what men earn; generational gaps—will Social Security be there for the next generation?; and infrastructure gaps—upgrades to roads, bridges, ports, levees, water and sewer systems, high speed rail, airports and more in order to remain competitive in the world marketplace.

So the most important question is this: How does the BBA narrow these economic, social, gender, generational and infrastructure gaps? It won't! It will exacerbate them!

The BBA will permanently establish the United States as a ''separate and unequal'' society!

The BBA will balance the federal budget on the backs of the poor, the working class and the middle class.

The Center on Budget and Policy Priorities and Citizens for Tax Justice says the BBA would: Damage our economy by making recessions deeper and frequent; heighten the risk of default and jeopardize the full faith and credit of the U.S. Government; lead to reductions in needed investments for the future; favor wealthy Americans over middle- and low-income Americans by making it far more difficult to raise revenues and easier to cut programs; and weaken the principle of majority rule.

Before we affirm a BBA, we need to consider our future—not just the future of America's debt, but America's future. Do we want a future that is bright with promise? A future with innovation? A future with the best schools, the brightest students, and the strongest and healthiest workers? Do we want to continue to lead the world?

My answer is ''yes.''

Madam Speaker, I respectfully urge my colleagues to vote ''no'' on this irresponsible and short-sighted amendment.

Mr. HONDA. Madam Speaker, I rise in opposition to House Joint Resolution 2, the ''Balanced Budget'' Constitutional Amendment. This misguided proposal would harm our economic recovery by destroying jobs, cutting Medicare and Social Security, and increasing the likelihood that the United States will default on its debt.

With the nation struggling to recover from the economic crisis, the American people want Congress to focus on addressing the root causes of our country's economic hardships, not passing pointless message pieces to satisfy the Republican base that fail to get Americans back to work.

In fact, if we amend our Constitution in the way that H.J. Res. 2 proposes, it will wreak havoc on our economy. If enacted in Fiscal Year 2012, this Balanced Budget Amendment would cost 15 million people their jobs, double our unemployment rate to 18%, and cause our economy to shrink by 17%. As Bruce Bartlett, former advisor to President Ronald Reagan, correctly points out, rapidly cutting spending to balance our budget would throw our country into a recession.

This Balanced Budget Amendment would harm our middle class, seniors, and veterans at a time when they are most vulnerable. This amendment could force Congress to cut all programs by 17% by 2018. Furthermore, it would cut Social Security by $1.2 trillion, Medicare by $750 billion, and veterans' benefits by $85 billion through 2021.

Proponents are suggesting this is a simple balanced budget amendment, but it is not. Instead, H.J. Res. 2 would enshrine in our Constitution a requirement that Congress would need a three-fifths supermajority vote to raise the debt ceiling. This would make permanent the dysfunction we witnessed this summer, which created chaos in our financial markets and nearly unleashed a catastrophic default, and raise the likelihood that our country would default on its debts.

Madam Speaker, this Constitutional Amendment is not only bad for our country, but it is entirely unnecessary. If we want to balance our budget, we should instead allow the Bush Tax Cuts sunset, and bring our wars in Afghanistan and Iraq to an end. This would cut $5 trillion in spending and leave our country on sounder financial footing without harming our economic growth and our most vulnerable citizens.

This Balanced Budget Amendment would put the federal government under far tighter constraints than States and families operate under every day, and it would open the door to federal courts making the budget decisions that should be made by our elected officials. Our nation needs real legislation that will create jobs and stimulate growth, not a Constitutional Amendment that will cut jobs, kill growth, all in the name of balancing the budget. Our budget problems can instead be resolved in a responsible manner, but this amendment is not it. I urge my colleagues to reject H.J. Res. 2.

Mr. SESSIONS. Madam Speaker, earlier this week the federal budget eclipsed 15 trillion dollars. The passing of this milestone underscores the real, substantive need to address our ballooning debt crisis. It is past time for Congress to take action and put this nation on a path to fiscal responsibility. That is why today I will vote in favor of a balanced budget amendment to the United States constitution.

Madam Speaker, this country has a spending problem and a balanced budget amendment is the only permanent fix to ensure that we stop burdening our children and grandchildren with a debt they cannot afford. Last year alone, the United States ran a 1.3 trillion dollar budget deficit. That means we spent 1.3 trillion dollars that we do not have. Under this balanced budget amendment, Congress would be forced to live within its means and balance our checkbook, just like millions of Americans

across this country. I urge my colleagues to help ensure that America's best days lie in its future and join me in passing this balanced budget amendment.

Mr. STARK. Madam Speaker, I rise in opposition to H.J. Res. 2, the Balanced Budget Amendment. This amendment is just another opportunity for the House Majority to pander to their right wing base instead of focusing on the issue that ordinary families care about—jobs.

The families in my district are concerned about their next paycheck and how they will make that next mortgage or rent payment. Unemployment is unacceptably high, and in California it's even higher than the national average. There are five applicants for every available job. Unemployment benefits are set to expire at the end of the year for 305,000 people in my state, and millions nationwide. Our highest priority should be creating jobs and helping those who need help staying afloat while they search for work.

Instead of creating jobs the Congress is voting on this reckless amendment to the Constitution that would damage our shaky economy and end Social Security and Medicare as we know them. This balanced budget amendment would prevent the U.S. from responding to an economic crisis or making the investments we need to repair our infrastructure. H.J. Res. 2 is designed to guarantee that working families will bear the burden of deficit reduction through steep cuts to vital programs, instead of asking the wealthy to pay their fair share in taxes.

The balanced budget amendment is a distraction. The legislation has no chance of getting 2/3 support in the House and Senate or the support of 3/5 of the states, which is needed for ratification. We certainly won't be seeing a balanced budget amendment added to our Constitution anytime soon. This vote is typical for this Republican Congress. It is no surprise that our approval rating is 9%. Since Republicans took control of the House, the agenda has been dominated by symbolic votes to wipe out environmental protections, eliminate states' abilities to control guns, reaffirm our national motto which no one has threatened, limit access to abortion, weaken social insurance programs, and outsource American jobs.

There are plenty of good ideas to get our economy back on track. We could extend unemployment insurance, create jobs by repairing our infrastructure, and reform our tax code so the wealthy and Wall Street are paying their fair share. This balanced budget amendment doesn't impact our economy at all. Instead, it is a distraction from that work. I urge my colleagues to join me in voting no.

Mr. MICA. Madam Speaker, today I rise in support of the amending the Constitution to include a Balanced Budget Amendment requiring government to live within its means.

This week, our national debt surpassed $15 trillion. Our nation faces difficult economic times, a good part due to spending beyond our means. Debt per household and for every American is at an unsustainable level and jeopardizes our future. We can balance our budget. I helped and voted for that responsible path which we achieved from 1996 to 2001.

We have today the opportunity to take an important step toward reestablishing fiscal order to our nation. Congress must ensure that the reckless spending and poor choices of today do not doom our children and grandchildren to insurmountable indebtedness.

Having balanced our budgets in the past, and, while it will not be easy, it can be done again. Families and businesses have made the tough choices that are required. Government must now follow.

I strongly encourage my colleagues to support the passage of this resolution and provide Americans the opportunity to vote on a Balanced Budget Amendment. This is a decision not just for the House of Representatives or Congress, but for the American people. History will judge us today on how we have laid the foundation for the success of future generations. I urge my colleagues to make the right choice.

Ms. FOXX. Madam Speaker, today's debate over the balanced budget amendment is highly instructive. It throws the differences between those who believe in limited government and those who believe in an ever-expanding federal government into sharp relief.

This debate brings to mind what American founder Alexander Hamilton wrote in Federalist Paper 84.

He said that the Bill of Rights was ". . . not only unnecessary in the proposed Constitution, but would even be dangerous."

He thought that it "would contain various exceptions to powers not granted; and, on this very account, would afford a colorable pretext to claim more than were granted. For why declare that things shall not be done which there is no power to do? Why, for instance, should it be said that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed?"

He made a good point, but the Bill of Rights was adopted and has served to secure many of the liberties we enjoy.

Even though he was somewhat wrong about the Bill of Rights, he was correct in understanding the nature of power and government.

After all, if a power is implied, enthusiasts of big government are bound to leverage the slightest constitutional hiccup into a new "enumerated power." It appears that Hamilton understood very well the tendency of some to rush to the federal government to solve problems, create programs and expand in size and scope. In this sense, Hamilton was correct; the specter of an expanded and powerful central government is one that destroys and suppresses freedom.

That is why this debate over a balanced budget amendment is so important, if only for the sharp contrasts it unveils between the various parties to this crucial debate and the visions for limited government and big government.

Mr. FARR. Madam Speaker, I rise today in strong opposition to the Balanced Budget Amendment. The purpose of Congress is to serve the American people and this Amendment is an unforgiveable disservice to our constituents. Let's look at the facts: the American people want jobs. But this amendment would destroy some 15 million jobs, double unemployment, and contract the economy by an estimated 17%. The American people want security. But this amendment requires draconian cuts to critical lifelines like Medicare, Social Security, and veterans' benefits. The American people want a future for their children. But this amendment blocks investments in education and infrastructure, elevates the risk of federal default, and as Reagan's Economic Advisor Bruce Bartlett said would unquestionably cause another recession. But here's the one thing this Amendment would do for the American people: reinforce their belief that Congress can't get anything good done.

This legislative body is better than that. And it is better than this amendment, which is nothing more than political theater. And at a time of 9% unemployment and a contracted economy, there is no excuse to waste taxpayer dollars on petty political gamesmanship.

Madam Speaker, I urge my colleagues to oppose this amendment and get down to the serious legislative business of restoring order to our fiscal house. I have joined with many of my Democratic colleagues in fighting to stabilize the economy, create jobs, and build a better future for our children and grandchildren. And I will not stop this fight until we have rebuilt our economy so that the men and women of America can get back to work.

Mr. KIND. Madam Speaker, today I rise in support of H.J. Res. 2, the Balanced Budget Amendment.

The Balanced Budget Amendment is now the only check on the last decade Republican fiscal mismanagement. It is a practical solution to the last decade of Republican irresponsible spending. Of course, the easier response than going through the process of amending the U.S. Constitution is reinstituting pay-as-you-go budgeting rules, which I fully support. Unfortunately, my Republican colleagues do not.

Pay-as-you-go budgeting led our country into the healthy economic dynamic we saw in the 1990's under President Clinton. It, too, forced us to make tough decisions about our spending, but led to four years of budget surpluses, 27 million private sector jobs, and excess payments on our national debt. Unfortunately, the Republicans squandered all of that away as they recklessly cast aside fiscal discipline to enter two wars, enact two large tax cuts, and increase entitlement spending, all of which were not paid for. And all of which transformed our country from one with a budget surplus to one with a $1.5 trillion budget deficit in just eight short years.

I share my colleagues' concerns about the requirement for a supermajority to raise the debt ceiling in light of the irresponsible actions of House Republicans earlier this year when they nearly forced the U.S. Government into default.

We must act with fiscal responsibility and attention to long-term deficit reduction. And time is of the essence for the sake of economic growth and job creation—now and for future generations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the joint resolution, H.J. Res. 2, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds not being in the affirmative, the noes have it.

Mr. GOODLATTE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-

minute vote on the motion to suspend the rules will be followed by a 5-minute vote on adoption of House Resolution 470.

The vote was taken by electronic device, and there were—yeas 261, nays 165, not voting 8, as follows:

[Roll No. 858]

YEAS—261

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boehner
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—165

Ackerman
Amash
Andrews
Baca
Baldwin
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Bass (CA)
Deutch
Filner
Giffords
Napolitano
Nunes
Olver
Paul

□ 1358

Mr. FRANK of Massachusetts changed his vote from ''yea'' to ''nay.''

Mr. INSLEE changed his vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 858, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mrs. NAPOLITANO. Madam Speaker, I was absent during rollcall vote No. 858 in order to attend an important event in my district. Had I been present, I would have voted "nay" on the Motion to Suspend the Rules and Pass, As Amended H.J. Res. 2—Proposing a Balanced Budget Amendment to the Constitution of the United States.

Ms. BASS of California. Madam Speaker, on rollcall No. 858 I was unable to be present as I was in California attending a family funeral. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 3094, WORKFORCE DEMOCRACY AND FAIRNESS ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 470) providing for consideration of the bill (H.R. 3094) to amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 167, not voting 27, as follows:

[Roll No. 859]

YEAS—239

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—167

Ackerman
Altmire
Andrews
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Edwards
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—27

Baca
Bass (CA)
Butterfield
Capuano
Courtney
Crenshaw
Deutch
Doyle
Ellison
Filner
Gallegly
Giffords
Hirono
Larson (CT)
Marchant
Napolitano
Neal
Nunes
Olver
Pascrell
Paul
Roskam
Ryan (WI)
Sanchez, Loretta
Sires
Tierney
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1405

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RYAN of Wisconsin. Madam Speaker, today, I missed rollcall vote 859. Had I been present, I would have cast the following vote: rollcall 859—H. Res. 470, Providing for consideration of H.R. 3094—"yea."

Stated against:

Mrs. NAPOLITANO. Madam Speaker, I was absent during rollcall vote No. 859 in order to attend an important event in my district. Had I been present, I would have voted "nay" on agreeing to H. Res. 470—Rule providing for consideration of H.R. 3094—Workforce Democracy and Fairness Act.

Mr. PASCRELL. Madam Speaker, I missed the last rollcall vote today.

Had I been present, I would have voted "nay" on rollcall vote No. 859, on H. Res. 470—Rule providing for consideration of H.R. 3094—Workforce Democracy and Fairness Act.

Mr. FILNER. Madam Speaker, on rollcall 859, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mr. ELLISON. Madam Speaker, today I inadvertently missed rollcall vote No. 859. Had I been present I would have voted "nay."

PERSONAL EXPLANATION

Mrs. BIGGERT. Madam Speaker, on rollcall No. 857, I was unavoidably detained. Had I been present, I would have voted ''no.''

ADJOURNMENT TO TUESDAY, NOVEMBER 22, 2011

Mr. LoBIONDO. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, November 22, 2011; when the House adjourns on that day, it adjourn to meet at 1 p.m. on Friday, November 25, 2011; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Tuesday, November 29, 2011.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMERICA'S CUP ACT OF 2011

Mr. LoBIONDO. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3321) to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''America's Cup Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) 34TH AMERICA'S CUP.—The term ''34th America's Cup''—

(A) means the sailing competitions, commencing in 2011, to be held in the United States in response to the challenge to the defending team from the United States, in accordance with the terms of the America's Cup governing Deed of Gift, dated October 24, 1887; and

(B) if a United States yacht club successfully defends the America's Cup, includes additional sailing competitions conducted by America's Cup Race Management during the 1-year period beginning on the last date of such defense.

(2) AMERICA'S CUP RACE MANAGEMENT.—The term ''America's Cup Race Management'' means the entity established to provide for independent, professional, and neutral race management of the America's Cup sailing competitions.

(3) ELIGIBILITY CERTIFICATION.—The term ''Eligibility Certification'' means a certification issued under section 4.

(4) ELIGIBLE VESSEL.—The term ''eligible vessel'' means a competing vessel or supporting vessel of any registry that—

(A) is recognized by America's Cup Race Management as an official competing vessel, or supporting vessel of, the 34th America's Cup, as evidenced in writing to the Administrator of the Maritime Administration of the Department of Transportation;

(B) transports not more than 25 individuals, in addition to the crew;

(C) is not a ferry (as defined under section 2101(10b) of title 46, United States Code);

(D) does not transport individuals in point-to-point service for hire; and

(E) does not transport merchandise between ports in the United States.

(5) SUPPORTING VESSEL.—The term ''supporting vessel'' means a vessel that is operating in support of the 34th America's Cup by—

(A) positioning a competing vessel on the race course;

(B) transporting equipment and supplies utilized for the staging, operations, or broadcast of the competition; or

(C) transporting individuals who—

(i) have not purchased tickets or directly paid for their passage; and

(ii) who are engaged in the staging, operations, or broadcast of the competition, race team personnel, members of the media, or event sponsors.

SEC. 3. AUTHORIZATION OF ELIGIBLE VESSELS.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an eligible vessel, operating only in preparation for, or in connection with, the 34th America's Cup competition, may position competing vessels and may transport individuals and equipment and supplies utilized for the staging, operations, or broadcast of the competition from and around the ports in the United States.

SEC. 4. CERTIFICATION.

(a) REQUIREMENT.—A vessel may not operate under section 3 unless the vessel has received an Eligibility Certification.

(b) ISSUANCE.—The Administrator of the Maritime Administration of the Department of Transportation is authorized to issue an Eligibility Certification with respect to any vessel that the Administrator determines, in his or her sole discretion, meets the requirements set forth in section 2(4).

SEC. 5. ENFORCEMENT.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an Eligibility Certification shall be conclusive evidence to the Secretary of the Department of Homeland Security of the qualification of the vessel for which it has been issued to participate in the 34th America's Cup as a competing vessel or a supporting vessel.

SEC. 6. PENALTY.

Any vessel participating in the 34th America's Cup as a competing vessel or supporting vessel that has not received an Eligibility Certification or is not in compliance with section 12112 of title 46, United States Code, shall be subject to the applicable penalties provided in chapters 121 and 551 of title 46, United States Code.

SEC. 7. WAIVERS.

(a) IN GENERAL.—Notwithstanding sections 12112 and 12132 and chapter 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for each of the following vessels:

(1) M/V GEYSIR (United States official number 622178).

(2) OCEAN VERITAS (IMO number 7366805).

(3) LUNA (United States official number 280133).

(b) DOCUMENTATION OF LNG TANKERS.—

(1) IN GENERAL.—Notwithstanding sections 12112 and 12132 and chapter 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for each of the following vessels:

(A) LNG GEMINI (United States official number 595752).

(B) LNG LEO (United States official number 595753).

(C) LNG VIRGO (United States official number 595755).

(2) LIMITATION ON OPERATION.—Coastwise trade authorized under paragraph (1) shall be limited to carriage of natural gas, as that term is defined in section 3(13) of the Deepwater Port Act of 1974 (33 U.S.C. 1502(13)).

(3) TERMINATION OF EFFECTIVENESS OF ENDORSEMENTS.—The coastwise endorsement issued under paragraph (1) for a vessel shall expire on the date of the sale of the vessel by the owner of the vessel on the date of enactment of this Act to a person who is not related by ownership or control to such owner.

(c) OPERATION OF A DRY DOCK.—A vessel transported in Dry Dock #2 (State of Alaska registration AIDEA FDD–2) is not merchandise for purposes of section 55102 of title 46, United States Code, if, during such transportation, Dry Dock #2 remains connected by a utility or other connecting line to pierside moorage.

Mr. LoBIONDO (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Without objection, the reading is dispensed with.

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New Jersey?

There was no objection.

A motion to reconsider was laid on the table.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Madam Speaker, as the largest manufacturing district in the country, and as part of a jobs plan that I think is important for our country, I'm focused on manufacturing throughout not only the country, but specifically Illinois' Tenth Congressional District. That's why I have been focused on science, technology, engineering and mathematics education, or STEM, so that those that are currently unemployed, or those students who will soon be entering the work force can learn new skills and go into a field with good, high-paying jobs.

In my district, I'm working with high schools and manufacturers on recruiting students to go into STEM fields. We're working on connecting students with manufacturers who are looking for employees.

I want to recognize the efforts of Medusa Consulting, Illinois Worknet and Manufacturing Careers, Incorporated for their leadership in bringing a manufacturing jobs fair to the District 214 Field House in Arlington Heights this upcoming December 5.

I want to encourage my colleagues to support STEM education and to work with their local businesses on hosting these important jobs fairs and manufacturing workshops. This is absolutely critical if we want to get America back to work.

□ 1410

NORTH FOREST INDEPENDENT SCHOOL DISTRICT

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, one of the reasons that I rose to the floor of the House to oppose the balanced budget amendment—and I hope the American people and our colleagues can see the value of the vigorous debate, and I applaud the Rules Committee for allowing us the time to deliberate on the issue of the balanced budget amendment—is for the very good reason that my good friend and colleague just spoke about: our young people and opportunities for jobs.

I join him in finding pathways for young people to be transitioned into jobs and others into jobs, along with a college education.

The North Forest Independent School District, a small school district in Texas designated to be closed by Governor Perry's Texas Education Agency, is trying to do just that, to have job training, to have partnerships with the Houston Community College, and I congratulate Mr. Ivory Mayhorn for getting some 7,000-plus signatures to oppose the closing of this school district, a high school that is on the verge of training individuals in the trades and the skills of manufacturing and then bridging them on to community college and then on to college.

We've got to recognize that we've got to build the human resource—and a balanced budget amendment ignores the need to protect Medicare, Social Security, and Medicaid—investing in our children, providing them with the opportunity and the bridge to move on.

So I look forward to working, Mr. Speaker, with the North Forest Independent School District and working with this Congress to invest in human resources.

WELD COUNTY, COLORADO

(Mr. GARDNER asked and was given permission to address the House for 1 minute.)

Mr. GARDNER. Mr. Speaker, I rise to honor the 150th anniversary of Weld County, Colorado. Weld County takes its name from Lewis Ledyard Weld. Weld was appointed by President Lincoln as Colorado's first territorial secretary.

On November 1, 1861, the Colorado Territory's General Assembly officially organized Weld County. This November marks the 150-year anniversary.

As with most Western settlements during the 1860s, Weld County had an extremely sparse population. Today it's got over 250,000 people. From a humble start as an area based predominantly on coal mining, Weld County has flourished with a thriving business sector and strong agricultural economy. In fact, Weld County is the eighth-leading agricultural county in the entire United States and the only county outside of California ranked in the top 10.

From small businesses, great land for farming, Weld County is also home to the University of Northern Colorado and the Pawnee National Grasslands. It's home to over 19 different towns, each one with a unique identity that makes this area of Colorado distinctive. And it's home to thriving energy interests and some of the Nation's leading water pioneers.

One of my favorite events every year is the Fourth of July Greeley Stampede and Parade. It reminds me of what it means to call Colorado home.

Weld County embodies everything that is great about heading West, and I am proud to recognize their 150th anniversary.

SERVING FELLOW AMERICANS ON THANKSGIVING

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, with Thanksgiving approaching, let us think about our fellow Americans and ask ourselves the question, what can we do to serve them this coming week and into the future?

Average incomes for Americans, for the average family, have gone down about 6.7 percent, and we know poverty rates have risen 15 percent. For all of those listening today as we look across our country, think about what you can do this week and every week to help our food banks that are short on supplies across our country. Every class, every religious organization, every person can do something extra to help this week to give every American a good Thanksgiving.

Think about how you can help a local feeding kitchen. Think about how you might challenge your sports team to go glean in the fields and to collect, if you live in a part of the country where agriculture exists, the extra cabbage, the extra apples that are there and will be plowed under if you don't pick them.

Across our country this is a year when Americans can say to one another, Happy Thanksgiving, we believe

in you, we want to help you through these difficult times. It reaches the true heart of the American people, the people full of goodness who know what's right to do. And let's give every American a happy Thanksgiving every day. God bless America.

AMERICAN ENERGY & INFRASTRUCTURE JOBS ACT

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, this week Speaker BOEHNER announced a bill that will be introduced soon to Congress to deal with our jobs issue. It's not one that raises taxes. It's not one which is going to add to the deficit. It is the American Energy & Infrastructure Jobs Act, which will be introduced soon.

It is an act that in part is related to a bill that I have presented in this Chamber for several years now in a bipartisan move to get America back to work.

Instead of importing $129 billion worth of oil every year and sending them our wealth, it uses our oil off our coasts to create jobs.

Our infrastructure in America has a $2 trillion pricetag to repair our roads, highways, and bridges. We also still have 14 million Americans out of work and another 10 million looking for work. It's time America got back to work, and we can do it with this bill. I urge all of my colleagues to make sure they're part of this bill when it comes out and get Americans back to work and rebuild America once again.

YUCCA MOUNTAIN

The SPEAKER pro tempore (Mr. LANDRY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHIMKUS. Mr. Speaker, I come down to the floor once a week to talk about the high level of nuclear waste in this country and the fact that this country still doesn't have a single repository to store high-level nuclear waste.

Throughout this last year, I've talked about Hanford, Washington, which has multiple gallons of high-level nuclear waste. I then went to Zion nuclear power plant right off Lake Michigan to talk about its nuclear waste right next to the lake. A couple of weeks ago, I went to Savannah, Georgia, to talk about the Savannah River and the nuclear power plant that sits right next to the river. Then I went to the Pacific Ocean between Los Angeles and San Diego, San Onofre, where there's a nuclear power plant right on the Pacific Ocean.

Today I take the Nation to Idaho, where Idaho National Laboratory is located, comparing this site, as I do weekly, to the fine location under Federal law in the 1982 Nuclear Waste Policy Act which is Yucca Mountain.

Look at what we have at Idaho National Laboratory. At the national labs we have 5,090 canisters of nuclear waste. Yucca Mountain, none. At Idaho, the waste is stored above ground and in pools. At Yucca Mountain, the waste would be stored 1,000 feet from the surface of the ground. At Idaho, the waste would be 500 feet above the water table. At Yucca Mountain, the waste would be 1,000 feet above the water table. Idaho National Laboratory, 50 miles from Yellowstone Park; Yucca Mountain, the waste would be 100 miles from the Colorado River.

Now, why is it important to address these different locations of high-level nuclear waste across the country? Because there's 104 nuclear reactors in this country, not including all of the high-level nuclear waste that we have at our defense labs, our DOE labs, and the like.

So what this country needs to understand is there's nuclear waste all over the place and next to major population centers and next to major water reserves.

What I've also done in coming down here has been to highlight how do the Senators from the States that surround the Idaho nuclear lab—what are their positions? And their positions are as follows.

Senator BARRASSO from Wyoming is a supporter of Yucca Mountain and has stated that the end result of this saga is a 5-mile long, 25-foot-wide hole in the Nevada desert. It was meant to store America's nuclear waste but instead, because of politics, it stands as a monument to bureaucratic waste of taxpayer dollars.

What does Senator ENZI say, who's also supported and voted for Yucca Mountain in 2002? ''In his campaign, President Obama promised change. He promised politics wouldn't interfere when sound science spoke. I'm disappointed that his Yucca Mountain policy ignores that campaign promise.''

MIKE CRAPO voted ''yes'' for Yucca Mountain, and he's disappointed in the administration.

And the new Senator from Idaho, Senator RISCH, says:

''The President's decision to kill the Nation's congressionally directed repository for high-level nuclear waste as a favor to one State is politics at its worst. The Administration's decision to knowingly undermine their commitments to Idaho and 33 other States with no clear alternative cannot stand. This has become a hallmark of this administration, first with the Guantanamo prison site and now Yucca Mountain—to jump without knowing where they are going to land.''

□ 1420

The other thing I've been doing has just been highlighting, as I've been taking the country through the high-level nuclear waste areas around this country: Where are the Senators based upon their past votes or current statements?

Right now, we have 17 Senators in support; we have three in opposition; and we have four who really have no defined positions as of yet. Senator FEINSTEIN, of course, has spoken in opposition to Yucca Mountain; but with Fukushima Daiichi and with the fact that she has nuclear power plants on the shore of the Pacific Ocean, I think she is reevaluating that position.

We need 60 votes in the Senate to move forward and to finish the science on Yucca Mountain so that, by Federal law, Yucca Mountain becomes the single repository for high-level nuclear waste in this country.

With that, Mr. Speaker, I yield back the balance of my time.

COMMERCE CLAUSE

The SPEAKER pro tempore. The Chair reallocates the balance of the majority leader's time to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. In Hosea 4:6, God says:

> My people are destroyed from lack of knowledge. Because you have rejected knowledge, I also reject you as My priests; because you have ignored the law of your God, I also will ignore your children.

This is a promise from a holy, righteous God who could do nothing else but fulfill that promise. We have to look at this and understand that, in this country, we have a tremendous lack of knowledge about our U.S. Constitution and that we have a tremendous lack of knowledge about the biblical foundations of our Nation and of how our Founding Fathers believed in liberty. We're losing that liberty tremendously because we have a tremendous lack of knowledge.

In Psalm 11, God says:

> If the foundations are destroyed, what are the righteous to do?

I believe it's a call to duty to rebuild the foundational principles that are behind liberty.

Sworn officers of the United States—in fact, all public servants—have taken an oath to uphold the Constitution against enemies both foreign and domestic; and for decades, sworn officers of the United States have been violating that oath to uphold and protect our Nation's most precious document, the U.S. Constitution. Domestically, there are many by their actions, either intentionally or unintentionally, who undermine our governing document.

Every day, officials, ranging from Federal judges to U.S. Senators to Members of the House to leadership, ignore the original intent of our Founders that was put in the Constitution of the United States. The distortion is so great now that there is little correlation between their words and our actions here in Washington, D.C. This has become the norm for today's body of government, but it was not what the great lawmakers of the past envisioned for America's future.

Today, I would like to focus in particular on one clause of the Constitution in which we have seen a dramatic and dangerous distortion of our Founding Fathers' original intent. The Commerce Clause has slowly been eroded by the selfishness of politicians and of the courts alike. Nowadays, it can be carelessly applied to almost any case that expands the size and scope of the Federal Government as it relates to our economy.

Today, I want to walk you through time, starting with our Founding Fathers' original intent for the clause and then moving through the years to point out specific cases that have led to the deterioration of the Commerce Clause. We'll end with a modern-day situation that I know everybody in this country is familiar with—that being the constitutionality of ObamaCare. I hope that all of our viewers will stay with me throughout the hour, because it is so important that you help me to educate the rest of your neighbors, your families, your friends on how the Federal Government has spiraled out of control.

It's up to the American people—we the people—to demand that Washington gets back to constitutionally limited government as our Founding Fathers intended. We've gotten away from their thoughts; we've gotten away from their intent of our government; and we see the problems that we have today because of that.

There are many aspects that have contributed to the overreach of today's government, but the single biggest offender has been the ever-expanding interpretation of the Commerce Clause in article I, section 8 of the Constitution. In fact, as an original intent constitutionalist, I say we should not interpret the Constitution; we must apply the Constitution as it was intended.

Article I, section 8 of the Commerce Clause states:

> To regulate commerce with foreign nations and among the several States and with the Indian tribes.

So what does it mean ''to regulate commerce''?

To understand what is meant by the word ''commerce,'' a great place to start is with the Constitution, itself.

Article I, section 9 of the document states:

> No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

What does that mean? ''Commerce'' is between States. Commerce is supposed to go across State lines. That's what ''commerce'' means. The word ''commerce'' was regularly understood by both the Framers of the Constitution and the general public at that time to mean ''trade between States.''

Now, what about the words ''to regulate''?

During that period of time, the term ''regulate'' meant ''to make regular,'' not ''to control'' as it is so often used today. It means to make regular, to make it work, to expand commerce—not to control it. To put it in plain words, the original intent of the Commerce Clause was to make that commerce and trade between the States ''normal,'' or ''regular.'' It was designed to promote trade and exchange, not to hinder it with crushing regulations. Moreover, the Framers of the Constitution wanted to make sure that commerce between the States was not limited by taxes or tariffs. Here are some examples of what James Madison and Alexander Hamilton envisioned.

In Federalist 45, James Madison wrote:

> The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite.

I encourage people to read the Constitution of the United States. The 10th Amendment says, if a power is not specifically given to the Federal Government by the Constitution, then the 18 things in article I, section 8—that begin here and end here in this little booklet, these 18 things—are all the Constitution gives Congress the authority to vote upon—18. That's it. National defense-national security should be the major function of the Federal Government. It's certainly not meant to expand beyond what the Constitution says, as James Madison wrote in Federalist 45.

□ 1430

Simply put, Madison was reinforcing the point that the powers of the Federal Government, under the proposed Constitution, should be very limited, while the powers within the States are broad in scope and are more individualized and are extremely broad in character.

Again, the commerce clause was not meant to be stretched as thin as it is today, where it can be applied to almost all forms of economic prosperity at both the State as well as the Federal levels. We'll get into more specific examples in just a few minutes.

Here is a quote from Alexander Hamilton, one of the Federalists who wanted a strong Federal Government. He wrote in Federalist 11, where he makes the case that the States should have unrestrained economic interaction with each other to, therefore, bolster U.S. productivity and make our exports more desirable to foreign markets:

> An unrestrained intercourse between the States themselves will advance the trade of each by an interchange of their respective productions, not only for the supply of reciprocal wants at home, but for exportation to foreign markets. The veins of commerce in every part will be replenished, and will acquire additional motion and vigor from a free circulation of the commodities of every part.

Hamilton felt as though enterprise would have a greater scope from the diversity in the goods of different States. He also felt as though when an industry suffered in one State, it should be able to ask for assistance from other States.

Hamilton went on to say:

> The variety, not less than the value, of products for exportation contributes to the activity of foreign commerce. It can be conducted upon much better terms with a large number of materials of a given value than with a small number of materials of the same value; arising from the competitions of trade and from the fluctuations of markets. Particular articles may be in great demand at certain periods, and unsalable at others; but if there be a variety of articles, it can scarcely happen that they should all be at one time in the latter predicament, and on this account the operations of the merchant would be less liable to any considerable obstruction or stagnation. The speculative trader will at once perceive the force of these observations, and will acknowledge that the aggregate balance of the commerce of the United States would bid fair to be much more favorable than that of the thirteen States without union or with partial unions.

He is saying this in an argument geared towards a strong union of Federal Government. But what's he saying there? That the commerce of the States in a whole should be considered. So to sum it up, it is without a doubt that the commerce clause was intended to ensure free trade between the States and to ultimately create the most balanced and desirable American products to sell to foreign buyers.

Let's take a look at some specific cases that led to the destruction of the commerce clause. In the first case, we are going to examine Gibbons v. Ogden. This was in 1824. It is the first case in which the commerce clause was broadened beyond its original meaning under the Constitution. Here's a little background on the case:

The State of New York had passed a law granting two operators, Robert R. Livingston and Robert Fulton, the exclusive right to operate steamboats within the waters of the State of New York. Operators from outside the State of New York wishing to navigate waters within New York were required to get a special permit in order to do so. Aaron Ogden filed suit, arguing that this State-sponsored monopoly was in opposition to Congress' constitutional authority to regulate interstate commerce.

In his opinion, Chief Justice John Marshall ruled that the word ''commerce,'' as found in the Constitution, includes in its definition the transport of goods between States. This ruling is inconsistent with the Framers' intent, as you can see in Federalist 42 when James Madison wrote:

> To those who do not view the question through the medium of passion or of interest, the desire of the commercial States to collect, in any form, an indirect revenue from their uncommercial neighbors, must appear not less impolitic than it is unfair; since it would stimulate the injured party, by resentment as well as interest, to resort to less convenient channels for their foreign trade.

''Foreign trade,'' commerce opening up between the States, not control

within the States, is what he's saying here.

Madison went on to equate commerce with what he described as ''intercourse'' between States and wrote that the definition of ''among the States,'' as stated in the Constitution, was quite broad. He wrote:

> The word ''among'' means intermingled with. A thing which is among others is intermingled with them. Commerce among the States cannot stop at the external boundary line of each State, but may be introduced into the interior. It may very properly be restricted to that commerce which concerns more States than one.

As a result, subsequent courts have ruled that Congress has the power to regulate commerce that not only is truly interstate in nature but also commerce which affects more than one State.

As Matthew Clemente of FreedomWorks pointed out in a recent series on how the commerce clause relates to the expansion of the Federal Government through health care, this broad interpretation of the commerce clause has resulted in justifications of a number of Federal laws that regulate purely intrastate activities.

In the end, the Marshall court struck down New York's law because of its view that Congress, not the States, has the power to control navigation within each State so long as it relates to interstate commerce. And this opened the door for even looser readings of the commerce clause in later cases.

So just to quickly recap, in this case the court ruled that Congress has both the power to regulate both commerce that is truly interstate in nature and actions related to commerce which affect more than one State, even if not through one common channel.

But the reality is that in the Federalist Papers, Alexander Hamilton repeatedly equates commerce with trade between nations, as we've already seen. He does not ever give it a broader meaning related to activities carried out within each State, which may also affect activities in other States.

Let's look at another case. In this one, it's Swift & Co. v. United States in 1905. The case revolved around a number of meat dealers in Chicago that had formed a meat trust in which they agreed not to bet against one another in an effort to control meat prices. At the same time, the members of the trust convinced the railroads to charge them below normal rates to transport their product. The U.S. Government stepped in, attempting to use the Sherman Antitrust Act to break up this trust.

Using the open door left by Marshall's expansion of the language of the commerce clause in Swift, the court went a step further and ruled that ''activities involved in the 'stream of commerce' were fair game for congressional regulation''—totally against the original intent. In his opinion, Justice Oliver Wendell Holmes wrote that the elements of the meat trust's scheme were such that it was clear that ''the participants meant to monopolize the meat trade within the State of Illinois.''

Holmes took this observation a step further by saying that while the trust's intention may only have been to create a monopoly within its own State, the trust's ''effect upon commerce among the States is not accidental, secondary, remote, or merely probable.'' He went on to differentiate this case from cases related to manufacturing, stating that ''here, the subject matter is sales, and the very point of the combination is to restrain and monopolize commerce among the States in respect of such sales,'' due to the fact that the meat at issue likely had roots in several different States, not just Illinois, and that its end destination could also have been within a different State, that, in effect, it was affecting the ''stream of commerce.''

□ 1440

Thus, the ruling in Swift had the effect of allowing congressional regulation of actions which could potentially affect commerce in other States—not what actually would affect commerce, but potentially affect commerce in other States—such as the sale of items which could be considered to be within the stream of commerce. Again, a further expansion of the original intent.

Again, to recap what this case has shown us, the court ruled that activities involved in the stream of commerce, or potentially could be involved in the stream of commerce, may be regulated by Congress. But in reality, this decision had the effect of allowing Congress to regulate not just actions which could affect more than one State, but also actions which are considered to be within the stream of commerce. As a result, it widens the breadth of issues over which Congress might assert authority under the commerce clause, totally against the original intent.

Next in Stafford v. Wallace in 1921, we see Congress passed the Packers and Stockyards Act in 1921 to create new regulations on meatpackers in response to charges that their practices were unfair, discriminatory, and encouraged the formation of monopolies.

In Stafford, the court reaffirmed its decision in Swift that we just talked about, finding that Congress could regulate activities within stockyards—seen as local in nature—because they are a part of a channel of commerce.

Writing the decision, Chief Justice William Howard Taft stated that ''the object to be secured by the act is the free and unburdened flow of livestock from the ranges and farms of the West and the Southwest through the great stockyards and slaughtering centers on the borders of that region, and thence in the form of meat products to the consuming cities of the country in the Middle West and East, or, still, as livestock, to the feeding places and fattening farms in the Middle West or East for further preparation for the market.''

And he went on to state that in his opinion any practice which ''unduly and directly'' affects the expenses incurred during the passage of livestock through stockyards is an ''unjust obstruction to that commerce,'' and as a result, Congress has the ability to step in and regulate it.

Here the court rules that the commerce clause allows Congress to act if it believes that a local entity is preventing the ''free and unburdened'' flow of a good which could have its roots in multiple States, such as cattle moving to stockyards and to packing plants. But in reality, this simply reaffirmed the Swift decision which allowed Congress to insert itself into any activity that affects more than one State.

Then in Wickard v. Filburn, this case threw open the doors, widely opened the doors to allow Congress to regulate any activity that might relate to interstate commerce. I'm sure the Founding Fathers would roll over in their graves if they knew what kind of power the court bestowed on the Federal Government with the decision in this particular case.

So let me give you a little background information on this case so you can grasp how ridiculous the court's decision was in this case. Roscoe Filburn was a farmer who was penalized by the U.S. Department of Agriculture for harvesting more wheat than he was allotted by a USDA regulation that set quotas for wheat crops. Filburn filed suit, claiming that he was not going to sell the extra wheat, that he was only going to be using it on his own farm for his own family; and, therefore, the Federal Government should not have any say in the matter. Justice Robert H. Jackson wrote in his opinion that ''the commerce power is not confined in its exercise to the regulation of commerce among the States. It extends to those activities interstate which so affect interstate commerce.''

He went on to write, as this poster shows:

> Even if an activity be local, and though it may not be regarded as commerce, it may still, whatever its nature, be reached by Congress if it exerts a substantial economic effect on interstate commerce.

In other words, anything could be considered under the commerce clause. Anything could be regulated by Congress. Anything. And that's what we see today.

Most recently, in 2005, the court reaffirmed the decision in Wickard v. Filburn in the ruling of Gonzales v. Raich, which shows the court's anti-original intent interpretation of the commerce clause to date. This, I remind you, was just a few years ago in 2005. This is the widest interpretation of the commerce clause, showing that Congress may not even need to show evidence that an action could affect interstate commerce before it is able to regulate it.

This case also established that Congress needs only to find that a ''rational basis'' exists for believing that an action could affect interstate commerce in order to regulate it. Again, in this case the court ruled that Congress may regulate any activity which might relate to interstate commerce. How inane. How unconstitutional. The reality is it's just absurd that Congress should have this power under the commerce clause to stop a farmer from using his own crops to feed his own livestock and his own family simply because his doing so may result in his not purchasing wheat from elsewhere within the marketplace.

The cases we just discussed show the court's willingness to use the commerce clause to justify congressional regulation on just about any activity which might affect commerce. However, the Rehnquist court broke from this trend and decided two key cases which limited the use of the commerce clause when the regulation was not firmly based on economic activity. I firmly believe that we need to move even more drastically in the direction that the Rehnquist court established.

In 1995, U.S. v. Lopez was the first case where a distinction was drawn between using the commerce clause to regulate economic activity and using it to regulate any activity which could potentially impact commerce.

Alfonzo Lopez was a high school student who was charged with possessing a firearm on school property under the Gun-Free School Zones Act of 1990. Lopez challenged the act, claiming that the commerce clause does not grant Congress the authority to say where someone may or may not carry a gun. Attorneys for the Federal Government argued that the possession of a gun—and this is just so far out and crazy, it's hard to believe, but this is exactly what they argued—the Federal Government attorneys argued that possession of a gun on school grounds could lead to violent crime—well, the gun doesn't make it lead to violent crime, but that's what they were claiming—and this would increase insurance costs. And it would also deter visitors from coming to the general area, thus dampening the local economy. They also argued that students who fear violence at their schools are more likely to be distracted in the classroom, resulting in a less-educated workforce and an overall weaker national economy. Boy, that's far reaching, but this is what your Federal Government attorneys argued in this case.

In his opinion, Chief Justice William Rehnquist wrote:

> The possession of a gun in a local school zone is in no sense an economic activity that might substantially affect any sort of interstate commerce. To uphold the government's contentions here, we would have to pile inference upon inference in a manner that would bid fair to convert congressional authority under the commerce clause to a general police power.

We have seen that over and over where Congress has generated a bigger and bigger Federal criminal justice system under the Commerce Clause when we have absolutely no constitutional authority to do that.

□ 1450

Rehnquist went on to say:

> Congress could regulate any activity that it found was related to the economic productivity of individual citizens: family law, including marriage, divorce and child custody, for example. Under theories, it is difficult to perceive any limitation on Federal power, even in areas such as criminal law enforcement or education where States historically have been sovereign. Thus, if we were to accept the government's arguments, we are hard pressed to posit any activity by an individual that Congress is without power to regulate.

And he is absolutely correct. He added:

> Admittedly, some of our prior cases have taken long steps down that road, giving great deference to congressional action, but we decline here to proceed further.

The quote on this poster shows Rehnquist admitting how in cases I have already talked to you about, the cases in the past, the Commerce Clause has been stretched very thin and often misapplied. In Lopez, Rehnquist ruled that Congress may not use the Commerce Clause to regulate noneconomic activity, even in cases where it could find a tangential connection between that activity and the health of the economy at large.

U.S. v. Morrison, in 2000, built on the findings of Lopez and reaffirmed the Court's opinion that Congress could not reach to the Commerce Clause to regulate activity which only tangentially touched interstate commerce.

In 1994, Christy Brzonkala was sexually assaulted by two of her college classmates. She filed suit against them under the Violence Against Women Act of 1994, which provided a Federal civil remedy for ''victims of gender-motivated violence.'' Her classmates argued that Congress had no authority to regulate violence against women under the Commerce Clause. Attorneys for the Federal Government argued that gender-motivated violence, and the fear of such violence, substantially affects interstate commerce.

Again writing the opinion of the Court, Chief Justice Rehnquist stated:

> The Violence Against Women Act is supported by numerous findings regarding the serious impact that gender-motivated violence has on victims and their families.

And it certainly does.

> But the existence of Congressional findings is not sufficient, by itself, to sustain the constitutionality of Commerce Clause legislation. As we stated in Lopez, ''simply because Congress may conclude that a particular activity substantially affects interstate commerce does not necessarily make it so.''

He added:

> Thus far in our Nation's history our cases have upheld Commerce Clause regulation of intrastate activity only where that activity is economic in nature.

In this case, the Court ruled that Congress is not able to use the Commerce Clause to regulate noneconomic behavior. At the same time, the Constitution delegates such regulation to the States as an exercise of the State's police powers, not the Federal Government's, but the police's, the State's police powers.

This particular case is just chock full of great quotes, and I'd like to just take a few minutes to read some of them, the first being on this poster.

> The Constitution requires a distinction between what is truly national and what is truly local.
>
> Given petitioners' arguments, the concern that we expressed in Lopez that Congress might use the Commerce Clause to completely obliterate the Constitution's distinction between national and local authority seems well founded.

The next quote out of that decision reads:

> If accepted, petitioners' reasoning would allow Congress to regulate any crime as long as the nationwide, aggregated impact of that crime has substantial effects on employment, production, transit, or consumption.

He went on to say:

> Indeed, we can think of no better example of the police power, which the Founding Fathers denied the Federal Government and reposed in the States, than the suppression of violent crime and vindication of its victims.

Lastly, Rehnquist closed this case by saying this:

> If the allegations here are true, no civilized system of justice could fail to provide her a remedy for the conduct, but under our Federal system that remedy must be provided by the State and not by the United States.

As you can see through Rehnquist's decisions in these two cases that we just talked about, the Commerce Clause cannot and should not be utilized to expand the police powers of the Federal Government. The crimes in these cases that were treated as Federal crimes should have been handled either by the State or locally. We do not have constitutional authority to create an ever larger Federal criminal justice system. In fact, initially, there were only three Federal felonies: treason, piracy, and counterfeiting. And that is counterfeiting against coinage, money.

Now let's come to an issue that is important right now. It's one of the biggest assaults on freedom to date, and one of the worst perversions of the Commerce Clause that I have ever seen. And I'm talking about the Patient Protection and Affordable Care Act, commonly known as ObamaCare.

Using the decisions in Lopez and Morrison, it is clear that Congress lacks the authority to institute the individual mandate set forth in ObamaCare, as well as all the State mandates that are in that law.

The individual mandate requires all citizens to have some form of health insurance, whether they want to have it or not. Chief Justice Rehnquist made it clear in Morrison that just because Congress has stated that it has an interest in regulating what kind of health care Americans purchase—or whether they purchase it at all, whether they purchase it or don't purchase it—does not make it so.

And it is not a stretch to infer from Rehnquist's decision that he would have also struck down the individual mandate, especially given the fact that he opposed the idea of the Commerce Clause allowing Congress to regulate anything that could have a substantial effect on employment, production, transit, or consumption.

In a series of articles written by Matthew Clemente of FreedomWorks, he argues that even in the wildest expansions of the Commerce Clause, the cases all involved an individual or company which was proactively trying to engage in commerce.

Here, we see the opposite. Individuals are being told that in order to go about their lives free from penalty, they must purchase a certain product.

Folks, this is socialism. This is not freedom and liberty. The argument has never been made that the Federal Government can mandate that all citizens must purchase a certain product. My Democrat colleagues mandated it through this bill, through this law, that the President has demanded, ObamaCare. If Congress wants to promote the purchase of health insurance in a constitutional way, it should pass legislation which is constitutional under the original intent of the Commerce Clause that would allow individuals to buy coverage across State lines. This would adhere to the original intent of the Constitution and would allow people to buy insurance, health insurance, at a much lower price than they can today and would get a whole lot better products.

Congresses, Presidents, court judges, every public official in this country swears an oath. I swore the oath when I was sworn into the United States Marine Corps in 1964.

□ 1500

I swore the same oath in 2007, when I came and stood behind this podium. In 2007, I swore to that oath, in 2009, and 2011. Every Member of this body swears to uphold and protect the Constitution against enemies both foreign and domestic.

We have a lot of domestic enemies of the Constitution. A lot of those domestic enemies of the Constitution are wearing black robes and they're sitting on benches in Federal courts all across this land. They have violated their oath of office. Every Member of this body swears to uphold the Constitution. There's violation after violation that occurs right here on this floor.

Think about it: if we don't have a solid foundation upon which to build all our laws, all of our society, then we have no foundation at all and the society is going to fall; it's going to fail. As we read in Proverbs, God says:

> There is a way that seems right in the eyes of man, but its path is the way of death.

It's going to be the death of this Nation.

I hear colleagues, particularly on the other side, say the Constitution is a living and breathing document; the Supreme Court is the final arbiter of what is constitutional. And that, my friends, is not factual. The only arbiter of what is constitutional or not is the Constitution and what our Founding Fathers said about it.

If we don't restore a constitutionally limited government, we're going to lose our freedom, we're going to lose our liberty. The bright and shining star of liberty that's been over this Nation for over 200 years is upheld by six pillars. The first of those is a constitutionally limited government as our Founding Fathers meant it. The second one is the free enterprise system, uninhibited by taxes and regulation. The third is the rule of law, where everybody, every entity in this country is treated equal under the law. And certainly we're not being treated equally under the law today.

The fourth is property rights, where people can own and control their property and government cannot interfere with that ownership. And if it does, if it takes it or devalues it, the Constitution says that they should be appropriately compensated for the loss or the devaluation of that private property.

The fifth pillar that holds up that bright and shining star of liberty is the pillar of personal responsibility and accountability. And the middle pillar that holds up the center of the star of liberty is the pillar of morality. In fact, John Adams said our Constitution is written for a moral and religious people. It is wholly inadequate for the governing of any other. I hear colleagues say, well, you can't legislate morality. They are so wrong. Every law, every piece of legislation, no matter what level of government, is somebody's idea of what's right and what's wrong.

Every law is legislating morality. Our Nation was founded on the premises of Biblical truths, on the Judeo-Christian principles that have made this country so great and have given us the liberty that we have as a Nation.

But, friends, we are standing right on a precipice. We are staring down into a deep, dark chasm of socialism. And the question is, are we going to be pushed off, are we going to leap off and fall into that deep, dark chasm of socialism, where we're going to lose our freedom and liberty? Or are we going to turn around and march up the hill of liberty and regain for this Nation what our Founding Fathers fought and died and sacrificed so nobly for, that liberty? It's up to us.

Right now, today, we are getting the kind of government that the American people have allowed or demanded. We cannot afford to do so anymore. We have to turn around and march up that hill of liberty and reclaim it and start rebuilding those six pillars of liberty that are being eroded. They're being eroded by Democrats and by Republicans, by conservatives and liberals alike.

Going back to that first poster I put up here where God talks in Hosea 4:6, He says, ''My people are destroyed for a lack of knowledge.'' We have a tremendous lack of knowledge of how we've gotten away from the intent of the Constitution. Even lawyers and justices and judges don't have a concept of the original intent of the Constitution. In fact, in most law schools in this country, even in the course of constitutional law they do not teach the Constitution, they do not teach the original intent. They do not teach the principles that have made this country so powerful, so rich, so successful as a political experiment, the greatest of all of human history.

What do they teach? They teach case law, where Justices in the Supreme Court have ruled on the constitutionality of a case and have ruled unconstitutionally. They should be removed from office because they're destroying our liberty, they're destroying our freedom. And it's up to the American people to say, no, we're not going to put up with this anymore; we're going to make a change.

You see, the most powerful political force in this Nation is embodied in the first three words of the U.S. Constitution: ''We the people.'' We the people can make a difference. I want to remind you of what one U.S. Senator, Everett Dirksen—former U.S. Senator—at one time said. He said when he feels the heat, he sees the light. What he means is if he's heading in one direction and enough of his constituents contact him and say, buster, you're heading in the wrong direction, if enough people contact him, because he's going to stand firm on the principle of his reelection, then he will begin to see the light.

There are Members of this body and the one across the way in the U.S. Senate, as well as Presidents and our Presidential candidates, that need to feel the heat. They need to feel the heat of liberty. They need to feel the heat of ''we the people'' that demands that different kind of governance, demands going back to the original intent of the Constitution. Because if we don't, our children and our grandchildren are going to live in a socialistic state such as we see in Cuba and Venezuela, we saw in Communist China and the Soviet Union.

We the people have to get up in arms and start building grass fires of grassroot support all over this country for candidates and for Members who are already elected and say we're not going to put up with this anymore.

The only arbiter of the constitutionality is the Constitution and what was meant in the Constitution by those who wrote it. Now, I'm asked all the time, Paul, you weren't around then, how do you know what they meant? Our Founding Fathers didn't have video games and TV and the Internet. They wrote. They read. I encourage American citizens all over this country to read, read what our Founding Fathers said about the Constitution. Read what they meant by it. Because if we

are destroyed by a lack of knowledge, if you turn that around, think about it, we're not destroyed with knowledge.

Then you go on in Hosea 4:6, God says He's going to ignore our children, He's going to reject our children. The future of this Nation depends upon we the people standing firm and saying we're not going to put up with this anymore. We're going to go back to the original intent. We're going to do the hard work of knowing what our Founding Fathers said. We're going to do the hard work of demanding of our elected representatives that they stand by the principles, the foundations that have made this country so great, so powerful, so successful.

□ 1510

There are many Members of this body that need to feel the heat. There are many of the people in this body that need to see the door because they don't stand on the Constitution, they don't uphold the oath of office, they don't do what they have promised their constituents and the American people that they're going to do.

There are judges all over this country, Federal judges, that need to be impeached and removed from office because they're not upholding the Constitution. They're not defending the Constitution. They're not doing what they promised that they would do. They're violating their oath of office.

It has to stop, and the only way we're going to stop it is for we the people to stand up and say, no more. We're not going to elect anybody who's not going to uphold the Constitution in its original intent. We've got to get the hard work done of restoring those six principles, the six principles that have upheld that bright shining star of liberty over this country for so long.

And I'm excited because we see grass roots all over this country beginning to rise up. We see a sleeping giant that's beginning to wake up and stretch its arms and legs and beginning to walk. The press calls it the Tea Party. Well, there's not a Tea Party. There are many tea parties. There's FreedomWorks, there's Americans for Prosperity. There are groups, grassroots groups like the NRA and Gun Owners of America and Right to Work and other groups that believe in the Constitution.

We're beginning to see the sleeping giant of we the people waking up. It's time to not only wake up and stretch our arms and legs and to walk, but we've got to run. We've got to do the hard work of re-establishing liberty in this country.

We're losing our liberty, friends, and we're going to lose it all. We're standing on that precipice staring down in that deep, dark chasm of socialism. Are we going to allow ourselves to be pushed off by courts, by Congresses, by Presidents, Democrats and Republicans alike?

Or are we going to turn around as a people and demand liberty and start marching up that hill of liberty? It's going to be a mountain climb, but we can do it.

I'm excited because I see that great sleeping giant, the most powerful political force in America, embodied in those first three words of the U.S. Constitution, We the People. Our Founding Fathers believed in we the people. That's the reason, when they wrote the document they put the letters in such large script, much, much larger, probably four or five times larger than the rest of the text in the document, because we the people is the key, that force of we the people.

So the question I have to ask today, Are we going to jump or be forced down into that deep, dark chasm of socialism, or are we going to be a free people? Are we going to demand the liberty?

It's up to each and every freedom-loving citizen in this country today to demand a different kind of governance. I believe we can do it, I believe we will do it because we the people love liberty in America. And I'm trusting in we the people to do the right thing and demand constitutional limited government at all levels.

God bless you, and God bless America.

I yield back the balance of my time.

THE CRITICAL ROLE OF THE FEDERAL GOVERNMENT IN SUPPORTING BIOMEDICAL RESEARCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Mrs. MALONEY) is recognized for 60 minutes as the designee of the minority leader.

Mrs. MALONEY. Mr. Speaker, last year, when I was chair of the Joint Economic Committee, we held a hearing on the pivotal role of government investment in basic research. We found that basic research spurs exactly the kind of innovations that business leaders, academics and policymakers have all identified as critical for our Nation's economic growth.

But we also found that the private sector tends to underfund basic research because it is undertaken with no specific commercial applications in mind. Businesses, understandably, concentrate their research and development spending on the development of products and processes that may have direct commercial value.

A report produced by the Joint Economic Committee showed that the Federal Government funds almost 60 percent of basic research in the U.S. and highlighted one study that estimated that actual R&D expenditures in the United States may be less than half of what the optimal levels would be.

We are now engaged in an important national debate about how much and where to cut Federal spending. And I wish to make the case for how reckless and shortsighted it would be to cut into the budget lines that fund the kind of vital, basic research that led to discovery, innovation, and economic growth, because doing so would be, as that bit of old folk wisdom goes, like cutting off our nose to spite our face.

Take the budget for the National Institutes of Health, for example. The NIH strongly supports the kind of basic scientific research that may not be directly useful in creating practical products yet, but it's precisely this kind of research that can lead to the future development of new and undreamed of biotech and pharmaceutical advances. It is work that can lead to the kind of advances that will allow the establishment of new products, grow new businesses, and produce private sector jobs.

Studies have shown that the money we spend supporting such scientific research is one of the best investments our country can make. For instance, out in Los Angeles, UCLA generates almost $15 in economic activity for every taxpayer dollar that it invests, resulting in a $9.33 billion, with a B, impact on the Los Angeles region.

In Houston, Texas, the estimated economic impact of Baylor is more than $358 million, generating more than 3,000 jobs.

In my own district in New York, Dr. Samie Jaffrey, a pharmacologist and faculty member at Weill Cornell Medical College, has just recently developed a promising new technology for studying RNA in cells and has just started a biotech company, all with NIH support.

Time and time again, basic research has been a game changer and an economic incubator. Take the biotechnology company Genentech as an example. It was founded on discoveries that were made within our universities, and those discoveries were made with financial support of grants from the National Institutes of Health. And those Federal funds proved to be a very good investment.

Genentech has created over 11,000 jobs, and the company created products that have had major effects on the health and economic well-being of our Nation. Genentech developed drugs that treat certain leukemias and arthritis and breast cancer.

NIH-funded research has also had a major impact on the lives of those suffering from multiple sclerosis. MS is a painful, painful disease that often strikes young women with children. Thanks to NIH research, drugs have been developed that are now in the marketplace that mean MS patients now live longer and have higher quality lives.

Since 1970, over 150 new FDA-approved drugs and vaccines or new indications for existing drugs have been discovered in university laboratories, most funded by NIH. And millions of Americans are hoping that somewhere, just over the horizon, there will be new discoveries and new breakthroughs leading to more effective treatments

for cancer, Alzheimer's, Parkinson's, AIDS, autism, bacteria, ADHA, schizophrenia, depression and much more.

□ 1520

But treating these and other diseases will depend on discoveries yet to be made. Discoveries of basic science. Discoveries that can only be made with Federal funding and the work of agencies like the NIH. I suspect that to some this might just sound like pie in the sky.

But just think back into our not too distant past. Think back to the polio of the 1950s, to the children who were crippled and to the patients in iron lungs. Think about 30 years ago, when almost all the children who were diagnosed with non-Hodgkins lymphoma were not expected to live more than 5 years. Think back to the time when AIDS was the equivalent of a death sentence. Polio is now eradicated. The 5-year survival rate for NHL is over 84 percent, and AIDS is treatable, survivable.

This is all because of basic research, much of which was funded by the NIH. Because of the basic research we have funded and made possible. Because of our past investments in our Nation's future. The Founding Fathers had the wisdom and the foresight to write into the Constitution a role for the Federal Government in promoting the progress of science and useful arts. If we are to remain competitive in the global economy, if we hope to remain a leader in biotechnology, if we hope to continue to advance the world's understanding and treatment of diseases such as cancer and Alzheimer's disease, we must continue to invest in the basic research and in the dedicated young scientists who make it all possible.

I yield back the balance of my time.

THANKSGIVING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

Even though this body is composed of a lot of people who have a lot of different political steadfast beliefs, it is still an honor and pleasure to serve with friends like CAROLYN MALONEY.

So it is an honor to serve, and even though we disagree sometimes on the way we get to the end, I know that, for example, Mrs. MALONEY's heart is always in the right place.

It is a pleasure to serve with her.

Mrs. MALONEY. Will the gentleman yield?

Mr. GOHMERT. Certainly.

Mrs. MALONEY. I would like to thank you for that very kind statement, and I look forward to finding common ground on things we can agree on and work to help the economy and growth of this great Nation, and I hope you can help and support the funding of NIH and basic research which has been so helpful to your great State and your great universities and scientists.

Mr. GOHMERT. Thank you. I certainly appreciate my friend from New York.

There are some areas of research that if the Federal Government doesn't do it, it's not going to get done, and I'm sure there are areas we can certainly agree on.

BALANCED BUDGET AMENDMENT

Mr. GOHMERT. I wish I were coming to the floor just full of excitement because we had a vote today on the balanced budget amendment. I came to Congress nearly 7 years ago believing we needed a balanced budget amendment, knowing that Thomas Jefferson regretted not having one, that Ronald Reagan wished there had been one. But since I have been in this body, it has become abundantly clear that this body is more likely to have the will to raise taxes than it is to cut spending.

I came here not believing that that was the case. But after we added over 80 fantastic freshmen coming up here with the right motivation, wanting to get our fiscal House in order, knowing that we went from 2006, when we were last in the majority before this year, when we spent $160 billion or so over what we took in, and then, because we didn't have our fiscal house in order as the Republican majority, it's my belief that's the reason, the biggest reason, actually, that the public turned over the reins to our Democratic friends. We haven't done a good job of avoiding overspending.

But also in 2006, November, when we lost the majority, I would never have believed that we would go from a time when we were spending $160 billion more than we were bringing into the Treasury in just a few short years to spending a trillion dollars more than we were bringing into the Treasury. That was just unfathomable. And it appeared very clear that after a year ago, when the majority—we were in the minority at the time—made a pledge, we were going to return to pre-bailout, pre-stimulus spending, and in the first year, we pledged we would cut $100 billion.

And here we are, we have just at the end of September finished the fiscal year of 2011, and we really didn't make any cuts. The jury's out. Initially we were told we may save $27 billion over the year before. It is just chicken feed when you're bringing in $2.2 trillion or $2.3 trillion and you're spending about $1.3 trillion more than that, $3.6 trillion, $3.7 trillion. And all we could find to cut was $27 billion?

Then we have had more recent word that we may not even save that much. Some have told me that actually we may have spent just a hair more than we did.

So it became abundantly clear to me, and I know that my friend, Chairman PAUL RYAN, voted against the balanced budget amendment because he knew it ought to have more restraint on spending in there, a spending cap. And Mr. AMASH, I haven't talked to him about his reasons for voting no, and Mr. DREIER, who doesn't believe we should have one at all.

It's really not fun not voting with the people that you serve with, that you're in the same party with. You share so much in the way of common experiences. Because I am a strong advocate for a balanced budget amendment.

But the bill on the floor today did not have a spending cap. This past year, we had just witnessed the largest wave election since the 1930s. And all of the over 80 new freshmen came forward with one central charge: stop the wasteful government spending.

Following a pledge to make massive cuts in spending, it really appears that Congress finds it easier to talk about ''new revenue'' which is just code for more taxes, than to cut spending.

It doesn't live up to the pledge that we made.

We made a pledge to the American people to restrain government and to get our fiscal house in order. And we should be doing it. Eleven months into this majority, we should have made more progress than we have.

President Obama has ramped up spending with the help of former Speaker PELOSI, Leader REID, both majorities in the Houses when they were Democrats, by over an additional trillion dollars. It's far more than the Democratic Congress increased the debt under President Bush in 2007 and 2008.

□ 1530

It just is mind-boggling that we could not find enough Members to return even to the liberal Democratic spending of 2007 or 2008. It's clear that, if we had passed a balanced budget amendment without at least having a spending cap, then future Congresses would use the requirement of a balanced budget to increase taxes in order to balance the budget.

We are already at a point at which almost 50 percent of the American public is not paying income tax. We are on the threshold of arriving at that point beyond which no representative societies have ever been able to come back to greatness. When one more than half who is voting is receiving more from the government than they're putting in, you're done. You're doomed. It's over. All that's left is the slow walking and the low talking, but you're virtually at the end.

And we are getting close.

On Wednesday, the national debt exceeded $15 trillion, which left the United States with one of the highest public debt-to-GDP ratios in the world. This $15 trillion mark further enhances the uncertainty that is thwarting our economy from moving ahead. It's apparent America is on a route headed for ruin, and if we continue to spend more money that we don't have, we will arrive at that destination.

Washington, this government, needs to stop the runaway train of spending. This President's policies have added $4.4 trillion to the national debt, all in a fraction of the time that that debt accumulated under President George W. Bush. If we'd at least had a spending cap as part of the balanced budget amendment, which wasn't even demanding the two-thirds supermajority in order to raise taxes—just a spending cap, make it a relevant spending cap—then what we voted out of committee in the regular order—which we promised that we wouldn't bring bills to the floor unless they went through the regular order—produced a balanced budget amendment that had a two-thirds requirement in the way of a vote before taxes could be raised. It had an 18 percent spending cap, where 18 percent of the GDP was the most we could spend. That was produced through the regular order, but that's not what we voted on here today.

I deeply regret having to vote ''no,'' but I've seen what we're capable of and what we're not; and we need it in the Constitution that the budget must be balanced and that a spending cap must be there.

Some have said, Well, States don't really have a spending cap. They can't print their own money. They can't go out and borrow money the way we do in the Federal Government. It's different, and it needed to be addressed differently.

We were told, Well, we had to vote for this as Republicans because it's the only one that had a chance to pass. Then, on further inquiry, we were told the people who were saying that didn't believe it was going to pass the Senate, that they knew it wouldn't pass in the Senate, and didn't think it had much chance of passing in the House. Then why weren't we pushing what came out of regular order?—which is what I think most of the Republicans believed was the best bill.

I don't know.

I also know, in going back through this country's history, that, even during some of its most difficult and darkest days, there was a day set aside, sometimes many days set aside, for thanksgiving.

Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman has 19 minutes remaining.

Mr. GOHMERT. I want to share a Proclamation of Thanksgiving from the year 1798, signed by President George Washington.

In 1798, it was toward the end of President Washington's time as President. It was a difficult time; we were not a strong Nation. We were struggling, and some thought we ought to run to the aid of France; but their convictions in France did not appear to be based on sound doctrine and a desire for liberty. There was too much envy and jealousy involved in that revolution, and we were not a strong Nation.

Despite all the difficulties in the United States in those early days, George Washington proclaimed the following:

Whereas it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor; and whereas both Houses of Congress have, by their joint committee, requested me to recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness.

Now, therefore, I do recommend and assign Thursday, the 26th day of November next, to be devoted by the people of these States to the service of that great and glorious Being who is the beneficent author of all the good that was, that is, or that will be; that we may then all unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation; for the signal and manifold mercies and the favor, able interpositions of His providence in the course and conclusion of the late war; for the great degree of tranquillity, union, and plenty which we have since enjoyed; for the peaceable and rational manner in which we have been enabled to establish constitutions of government for our safety and happiness, and particularly the national one now lately instituted; for the civil and religious liberty with which we are blessed, and the means we have of acquiring and diffusing useful knowledge; and, in general, for all the great and various favors which He has been pleased to confer upon us.

And also that we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations, and beseech Him to pardon our national and other transgressions; to enable us all, whether in public or private stations, to perform our several and relative duties properly and punctually; to render our National Government a blessing to all the people by constantly being a Government of wise, just, and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all sovereigns and nations (especially such as have shown kindness to us), and to bless them with good governments, peace, and concord; to promote the knowledge and practice of true religion and virtue, and the increase of science among them and us; and, generally, to grant unto all mankind such a degree of temporal prosperity as He alone knows to be best.

Signed by George Washington in 1798.

But in the darkest throes of this country, in 1863, during a war that saw the death of more Americans than in any war in our history—more than the Revolution, more than World War I, World War II, Vietnam, Korea, more than any of the wars—the Spanish-American War—there was this proclamation from President Abraham Lincoln simply entitled ''A Proclamation.''

Lincoln said this:

The year that is drawing towards its close, has been filled with the blessings of fruitful fields and healthful skies. To these bounties, which are so constantly enjoyed that we are prone to forget the source from which they come, others have been added, which are of so extraordinary a nature, that they cannot fail to penetrate and soften even the heart which is habitually insensible to the ever watchful providence of Almighty God.

In the midst of a civil war of unequaled magnitude and severity, which has sometimes seemed to foreign States to invite and to provoke their aggression, peace has been preserved with all nations, order has been maintained, the laws have been respected and obeyed, and harmony has prevailed everywhere except in the theatre of military conflict; while that theatre has been greatly contracted by the advancing armies and navies of the Union. Needful diversions of wealth and of strength from the fields of peaceful industry to the national defence, have not arrested the plough, the shuttle or the ship; the axe has enlarged the borders of our settlements, and the mines, as well of iron and coal as of the precious metals, have yielded even more abundantly than heretofore.

Population has steadily increased, notwithstanding the waste that has been made in the camp, the siege and the battlefield; and the country, rejoicing in the consciousness of augmented strength and vigor, is permitted to expect continuance of years with large increase of freedom. No human counsel hath devised nor hath any mortal hand worked out these great things. They are the gracious gifts of the Most High God, who, while dealing with us in anger for our sins, hath nevertheless remembered mercy.

It has seemed to me fit and proper that they should be solemnly, reverently and gratefully acknowledged as with one heart and one voice by the whole American People. I do therefore invite my fellow citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe the last Thursday of November next, as a day of Thanksgiving and Praise to our beneficent Father who dwelleth in the Heavens. And I recommend to them that while offering up the ascriptions justly due to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty Hand to heal the wounds of the nation and to restore it as soon as may be consistent with the Divine purposes to the full enjoyment of peace, harmony, tranquillity and Union.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done at the City of Washington, this Third day of October, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the Unites States the Eighty-eighth.

By the President: Abraham Lincoln.

□ 1540

We all know—or hopefully most know that John Hancock presided over the Continental Congress from which we got the Declaration of Independence. In 1791, he was Governor of the Commonwealth of Massachusetts and signed this proclamation, from John Hancock:

In consideration of the many undeserved Blessings conferred upon us by God, the Father of all Mercies; it becomes us not only in our private and usual devotion, to express our obligations to Him, as well as our dependence upon Him; but also specially to set a part a day to be employed for this great and important purpose: I have, therefore, thought fit to appoint, and by the advice and consent of the council, do hereby accordingly appoint, Thursday, the seventeenth of November next, to be observed as a Day of Public Thanksgiving and Praise, throughout this

Commonwealth: Hereby calling upon ministers and people of every denomination, to assemble on the said day—and in the name of the Great Mediator, devoutly and sincerely offer to Almighty God, the gratitude of our hearts, for all His goodness towards us; more especially in that He has been pleased to continue to us so a great a measure of health—to cause the Earth plentifully to yield her increase, so that we are supplied with the Necessaries, and the comforts of life—to prosper our merchandise and fishery—and above all, not only to continue to us the enjoyment of our civil rights and liberties; but the great and most important blessing, the Gospel of Jesus Christ: And together with our cordial acknowledgments, I do earnestly recommend, that we may join the penitent confession of our Sins, and implore the further continuance of the divine protection, and blessings of heaven upon this people; especially that He would be graciously pleased to direct, and prosper the administration of the Federal Government, and of this, and the other States in the Union—to afford Him further smiles on our agriculture and fisheries, commerce and manufactures—to prosper our university and all seminaries of learning—to bless the virtuously struggling for the rights of men—so that universal happiness may be allies of the United States, and to afford His almighty aid to all people, who are established in the world; that all may bow to the Scepter of our Lord Jesus Christ, and the whole Earth be filled with His glory.

And I do also earnestly recommend to the good people of this Commonwealth, to abstain from all servile labor and recreation, inconsistent with the solemnity of the said day. Given at the Council-Chamber, in Boston, the fifth day of October, in the year of our Lord, One Thousand Seven Hundred and Ninety-One, and in the sixteenth year of the Independence of the United States of America.

This is from James Madison, the fourth President, 1815. Many credit James Madison as being the most productive person in the writing of our United States Constitution. The greatest building block for any Nation in the history of man.

This is James Madison's proclamation:

No people ought to feel greater obligations to celebrate the goodness of the Great Disposer of Events of the Destiny of Nations than the people of the United States. His kind providence originally conducted them to one of the best portions of the dwelling place allotted for the great family of the human race. He protected and cherished them under all the difficulties and trials to which they were exposed in their early days. Under His fostering care their habits, their sentiments, and their pursuits prepared them for a transition in due time to a state of independence and self-government.

Signed James Madison, fourth President, March 4, 1850, Thanksgiving Day proclamation.

And then in conclusion:

Know that the Lord Himself is God; It is He who has made us, and not we ourselves; We are His people and the sheep of His pasture. Enter His gates with thanksgiving and His courts with praise. Give thanks to Him, bless His name. For the Lord is good; His loving kindness is everlasting and His faithfulness to all generations.

Mr. Speaker, it is the wish here that you and all those in this body and around the country have a wonderful day of Thanksgiving in the week ahead.

With that, I yield back the balance of my time.

THE FAIR TAX

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 30 minutes.

Mr. WOODALL. Mr. Speaker, this is my first time down here as a freshman during Special Orders, my first time trying to coordinate charts and talk the talk and walk the walk all at the same time.

But I'm excited about it because I'm down here to talk about the Fair Tax. And if folks don't know what the Fair Tax is, it's H.R. 25. You can find it at www.thomas.gov, that site that everybody should have bookmarked if you care about what goes on here on the House floor. Because if you don't know, everything that goes on here is available in realtime at www.thomas.gov. It's done through the Library of Congress. It's not a Republican thing or a Democrat thing. It's just the real deal, what's actually happening down here.

And if you go and you look up H.R. 25, it's the Fair Tax. What the Fair Tax is is a bill that repeals all income-based Federal taxes and replaces them with consumption-based taxes.

Now, my friend from Texas (Mr. GOHMERT) was just down here on the House floor, Mr. Speaker. He was talking about our Founding Fathers and those things that were happening between 1776 and 1787. And in that time, we funded all the Federal Government with consumption taxes—it was not income taxes; it was consumption taxes—under the theory that if you had enough resources to go out and buy that silver tea set from England, then you had enough resources to help fund the Republic. And if you spent all your time working on your farm, and you just barely had enough money to buy thread at the local five-and-dime, then we weren't going to tax you as heavily.

□ 1550

If you look at this poster, Mr. Speaker, in 1913, right before the income tax began, we had 400 pages of Tax Code in America. Just the last century, in the 1900s, 400 pages of Tax Code and regulations. By World War II, that 400 pages had grown to 8,000 pages, 20 times as much Tax Code by the end of World War II. By the time we were in Korea, 14,000 pages of code and regulation. By the 1970s, 19,000 pages of code and regulation. And in the 1980s, 26,300 pages of Tax Code and regulation.

Now, Mr. Speaker, I'm a reader. I love to sit down and educate myself through the written word; but I have to tell you, 26,000 pages of Tax Code and regulation is going to make a criminal out of all of us because you can't possibly understand all of the ramifications of the tax consequences of your decision.

Do you remember 1986? That was the last time we fundamentally overhauled the Tax Code. 1986. In fact, if you go to www.Thomas.gov, like I suggested, and you look at the laws and regulations, you'll see the Tax Code of 1986. It was the Tax Code of 1954, updated Tax Code to 1986. That was the last time we flattened rates and broadened the basis. Flattened the rates and broadened the base. And where did we end up? Between 1984 when we had 26,000 pages of Tax Code and regulation, we went through this process of simplifying the income tax, and 10 years later in 1995, we have 40,000 pages of Tax Code. By simplifying the income tax, we grew it from 26,000 pages to 40,000 pages.

Now, Mr. Speaker, if you're like me, you go out and you shop around. Are you going to use the H&R Block tax software? Are you going to use the Microsoft tax software? What kind of tax software are you going to use, because you hate paying accountants to do your taxes for you.

You know, I used to just sit down with a pen and paper and do it myself. I used to go through with my calculator and do it myself, but it has gotten too complicated. Why? Because since I have reached the age of majority in 1988, here we have 1995 when I'm coming out of college, between 1995 and 2004, we added another 20,000 pages to the Tax Code, from 40,000 pages to 60,000 pages. In 2007, to 67,000 pages; 2008 kept it to just a little over 67,000 pages. And in 2009, it jumped another 3,000 pages; 70,000 pages of tax legislation.

And to be clear, Mr. Speaker, when we talk about tax legislation, we're talking about the ways in which the government separates you and me and all of the American people from our paycheck. That's all there is in the Tax Code. All the Tax Code is, is how do we separate the American people from their productivity? It takes 70,000 pages in 2009 to sort that out. And 71,000 pages in 2010. And now, 72,000 pages of Tax Code in 2011.

Folks, what the FAIR Tax does, H.R. 25, it asks the question that if we could start from scratch—and by scratch I mean from the 72,000 pages that we do today, to just a blank sheet of paper—if you could start from scratch and draft the Tax Code that America ought to have instead of the one that has been forced upon us, what would you do? What would you do?

Well, there's a lot of difference of opinion on what to do, but simplification seems to be one of those things that we can all agree on.

You know, I didn't come to this House to try to be a good Republican. I came to this House to try to be a good American, and there are lots of opportunities to do that. I like to think those things occur simultaneously more often than not. But look at what folks are saying about the United States Tax Code.

I'll quote House minority leader NANCY PELOSI: Any tax reform and

closing of loopholes, which is really important for us to do as a sense of fairness, must also reduce the deficit.

Right, because if you close the loopholes, if you close all of the lobbyist-funded loopholes, close all of the special exemptions and exceptions and carve-outs, by definition it brings in more money.

Mr. Speaker, did you get the free golf cart in the 2009 tax bill? Does anyone want to admit to having gotten the free golf cart?

In 2009, in the name of a good energy bill, in the name of green energy, we in the wisdom here in the U.S. House and across the way in the United States Senate, of course I wasn't here at that time, but in our wisdom we created a tax credit, a $6,500 tax credit if you would go out and buy an electric vehicle.

Well, Americans are smart, and I love that about America. We are ingenious folks. And what folks figured out was that the $6,500 that folks were giving them if they'd go out and buy an electric vehicle, if you put brake lights, seat belts and side view mirrors on your golf cart, you could get yourself a free golf cart.

Well, it turns out, because we produce golf carts in the great State of Georgia, you couldn't actually get an American golf cart for $6,500. But our friends in China were willing to import a golf cart to America for $6,500, Mr. Speaker.

And so in the fall of 2009 and the spring of 2010, the IRS had to release guidance—hear this, Mr. Speaker—the IRS had to release guidance that said when we first crafted the free golf cart regulations, we said you actually had to have delivery of the cart by December 31. But so many Americans are trying to avail themselves of the free golf cart provision that we're going to change the rules here in late December and say really all you need is a VIN number from the manufacturer, and that'll give them several more months to fill all the orders.

Really, Mr. Speaker? Is that what we need in the Tax Code, a Tax Code that distributes free golf carts to folks who likely didn't even want a golf cart but it was free, and so they availed themselves of it?

NANCY PELOSI agrees with me that we need to get rid of those loopholes.

Senate majority leader HARRY REID: Our tax system is broken and needs to be fixed.

Let's take the poll, Mr. Speaker. Let's go to the most liberal Democrat in the House, to the most conservative Republican in the House, who doesn't agree with majority leader HARRY REID? Our tax system is broken and needs to be fixed.

And we have the ability to start with a blank sheet of paper and make it the way we want to make it. Listen to our President, Mr. Speaker.

This is President Barack Obama: You've got too many companies ending up making decisions based on what their tax director says instead of what their engineer designs or factories produce, and that puts our entire economy at a disadvantage.

That's true. Talk to any small business owner, find anybody who's at a CFO or CEO level in a business close to you and ask that question: Are you making business decisions, or are you making tax decisions?

And every single time they make a tax decision instead of a business decision, America loses. Their shareholders may win in the short term. Profits may gain in the short term. But when we in America decide we're going to do something to comply with these ridiculous 75,000 pages of Tax Code, instead of doing what's best for business, instead of what's best for customers, instead of what makes sense, America loses. And in these challenging economic times, we cannot lose that productivity.

Let me go back to President Barack Obama. He says this: We need to make America the best place on Earth to do business. The Tax Code is a barrier government can remove, a burdensome corporate Tax Code with one of the highest rates in the world.

Hear that. We talk so much about Republicans and Democrats. Here, common sense coming from the President of the United States: We need to make America the best place on Earth to do business. A barrier government can remove is a burdensome corporate Tax Code with one of the highest corporate tax rates in the world.

Folks, that's agreement. I will tell you, if I had to characterize him, Mr. Speaker, I would tell you that the President sits a little further to the left than I do. If I had to characterize my own voting record, I'd say I sit a little further to the right than most folks here in this House. But this is common is ground that we can all agree on.

Let me just show you what that tax rate is.

□ 1600

I hope the colors are showing up, Mr. Speaker, for folks back in their offices watching on TV because the red line here is the U.S. corporate tax rate. The blue line is the OECD average excluding the U.S. Now the OECD is that group of developed nations around the world, those folks that we would say have free economies and growing economies.

This chart goes back to 1981. It goes back to the beginning of the Reagan era. You see America's corporate tax rate higher than the average tax rate in the rest of the world. This is that tax reform that I talked about in 1986 where you see the tax rate dramatically drop—dramatically drop—and for a short period of time, Mr. Speaker, we became, on the red line, more productive and more competitive with the rest of the world as the rest of the world was on the blue line.

And look at those years. Do you remember those years—1988, 1989, 1990? Do you remember those productive years? I think that's when the yuppie label came around and folks were buying all their fancy automobiles and the first of the big houses. I was just coming of age in that time, but I remember the conspicuous consumption. And why? Because America was creating wealth. And then what happened? Here's the tax increase of the Clinton years, bumps right up there, and you see a flat line of American corporate taxation at about 39 percent, that flat red line of corporate taxation. Fair enough. I prefer predictability. I think we ought to know the direction things are going, and I think we ought to be able to plan to make business decisions.

Here is a very predictable line of corporate taxation. But what's the rest of the world doing? While America has a very predictable 39 percent tax rate, what's the rest of the world doing? Getting lower and lower and lower. Lower and lower and lower and lower. Folks, do you know who can't leave America? The American worker. Folks in my district. They can't leave. Capital can leave. A click of a mouse and you can take a billion dollars and move it overseas. If you have a business in America, you can pack up your bags and go. I talk to CEOs every day who do exactly that. They say, Rob, it's just not worth it doing business in America.

Why? Because we're not competitive. Do you want to talk about growing jobs? Mr. Speaker, let's talk about keeping the jobs that we've already got.

I see in the Chamber my friend from Iowa, Mr. STEVE KING, who has struggled with these issues firsthand and who I know understands as a small businessman before he came to this House what it means to be out there trying to make payroll and trying to stay competitive.

And if the gentleman would indulge me, what do you think it would mean for jobs in America if we got this U.S. corporate tax rate line below that world average, if we, once again, made it competitive to build jobs in America?

Mr. KING of Iowa. If the gentleman would yield.

Mr. WOODALL. I would be happy to yield.

Mr. KING of Iowa. I'd pose a question back. What do you think about taking it to zero?

Mr. WOODALL. Taking it to zero?

Mr. KING of Iowa. Yes.

Mr. WOODALL. Why not take it to zero? Well, I'll tell you what I might hear back home, I say to my friend. And what do you want to do? Do you want to give business a free pass? Because my understanding is there are only two places we can get taxes. We can either take them from me or we can take them from McDonald's. And wouldn't I rather tax McDonald's than tax me?

Mr. KING of Iowa. Of course we know if the gentlemen would yield——

Mr. WOODALL. I'd be happy to yield.

Mr. KING of Iowa. The folks that are buying food in McDonald's are going to pay the tax if we try to get it from McDonald's. So we know corporations don't pay taxes; they are aggregators of taxes that are paid by individuals, by consumers on the last stop. And so they're efficient aggregators of those taxes. They are actually the tax collectors on behalf of the Federal Government. The corporations that collect taxes don't pay them; they transfer it through them by the way they charge us for the $152 billion a year that it costs to comply with the Federal Tax Code.

And so I find it an act of frustration to seek to try to collect taxes from corporations when what I'm really doing is adding to the administrative costs for corporations so they add the taxes and the administrative costs on to the cost of the goods that have to be competitive in this marketplace, and that makes it that individuals pay taxes. But it also means that jobs go overseas because corporations that are taxed in America are at a disadvantage to the corporations that are overseas who aren't very good aggregators of America's tax dollars, and so they have to raise the taxes here more.

That's kind of the vision that I see that I would lay out here for the gentleman from Georgia. And we've got a long ways to go before America embraces the concept that I think will solve this problem.

Mr. WOODALL. But you ask the all important question, I say to my friend. Why not take the rate to zero? Why are we arguing about whether it ought to be 25 or 23? I just quoted the President of the United States. He said, let's make America the most competitive place in the world to do business. Well, if we were to lower it to 10, maybe somebody else is going to lower it to 9. If we lower it to 8, maybe somebody else lowers it to 7. What if we take it to zero? And I have voiced my concern that, well, if you take it to zero, that means I, as the American consumer, have to pay all the taxes because corporations won't be paying taxes anymore.

And what my friend, who has years and years, decades and decades of experience in the private sector says is, there's no secret drawer where American businesses get the money to pay taxes. I go out and I buy a Coca-Cola. Where does Coca-Cola get the money to pay taxes? They charge it to me in the price of the product.

My friend is saying that the only taxpayer in America today is the American consumer. There is no other taxpayer. Businesses don't pay taxes—people pay taxes, whether it's the CEO of that business who has a high salary and he pays taxes on his salary, whether it's the consumer of that business who pays in a higher price, or whether it's the shareholder of that business who pays through lower dividends and lower rates of return.

Why not take the corporate tax rate to zero so we will be the most competitive economy in the world?

I yield to my friend.

Mr. KING of Iowa. Just to explore that a little further and that would be, looking at the corporate tax structure, there's corporate income tax, and then there are all of the wages that are paid out in payroll taxes to the employees. And of course one of the most regressive taxes we've is the payroll tax. And so one might argue that, well, those taxes are paid by the corporation, that half of the payroll, that .0765 that I have multiplied so many times with my employees that I've had over the decades. And of course that .0765 which is half of the 15.3 percent in payroll tax, half comes out of the employer, half comes out of the employee.

However, the half that comes out of the employer would be wages for the employee because it is a cost of doing business, it's a cost of competitiveness. And so when we add into the price of the goods and services provided by corporations, and I don't mean just corporations, they can be LLCs, they can be partnerships, sole proprietorships, you name it, a business entity that hires employees and/or provides goods and services for retail market or supplies to those who do, all of that structure of their taxes is built into the price.

And a fair amount of research brings us to a number that is generally considered to be about 22 percent of the retail price of goods and services sold in the United States as the tax component paid by the suppliers that get it into the marketplace and in the end paid by the consumer.

So those corporations that move overseas have a different tax structure, but those products that come in from overseas have a 28 percent marketing advantage over the products produced here in the United States because they don't have the burden of U.S. corporate taxes, and that includes the payroll taxes that are part of that taxing structure.

So I'd say that if we can remove the taxes from productivity in America, we end up with a 28 percent marketing advantage for U.S.-made products over those made in foreign countries.

And by the way, one more thing: I would not have picked up a nice Georgia company like Coca-Cola to use them as an example, but then that's just me.

Mr. WOODALL. As Coca-Cola is spread out all over the world, where they happen to have their corporate headquarters in Atlanta, but for how long? But for how long? We talk so much about trying to grow jobs in America. What about just trying to keep the jobs that we've got? What about just trying to make it a joy to do business in America instead of making it a hassle to do business in America?

You might not believe this, Mr. Speaker, but this is a $10 haircut I just got over the weekend. You probably think I paid a lot more than that for this haircut. But as you think about what the gentleman from Iowa said about where costs are hidden, where taxes are hidden, I paid $10 for this haircut. But Derek, my barber, he had to pay 15.3 percent in self-employment taxes. So $1.50 of that $10 went straight to the Federal Government in self-employment taxes. Now he's a good barber, so I suspect he is in higher than the 15 percent tax bracket, but let's just say for the sake of argument, he's in the 15 percent income tax bracket. So out of my $10 haircut, he had to take a $1.50 right off the bat and send it to the government in self-employment taxes, then take another $1.50 right off the bat and send it to the Federal Government in income taxes. So for the $10 haircut he charged me, he's only taking home $7 to feed his wife and kids. So is it a $10 hair cut, or is it a $7 haircut?

What we tell Americans is, oh, we're going to lower your tax burden. But what we've done is to hide that tax burden in the cost of everything we buy because if Derek didn't have to pay those $3, he'd be charging me $7 for a haircut, and he would still take $7 home to feed his kids.

□ 1610

To have an honest discussion about what kind of spending we ought to do in this place, I think we have to bring all of those hidden taxes out of price. Not only does it make us more competitive, as you suggested, but it makes it possible for us as Americans to have an honest discussion about is government doing too little or is government doing too much.

And I think, as you suggested the studies suggest, it's about 22 percent of the cost of everything that we buy, on average, that is hidden taxes that we think we're getting away with, but that we are actually paying at the checkout counter.

Mr. KING of Iowa. If the gentleman would yield, I'd slip another anecdote into this that comes from just last weekend. I was over in eastern Iowa doing an event, and I happened to get reacquainted with a young gentleman by the name of Michael Dicks. Now, he is 13 years old; soon he'll be 14. But when he was 8 years old—I've told this story in the CONGRESSIONAL RECORD in the past—he saved up his money to go buy a little box of Skittles. So he had his change counted out just right in his pocket—89 cents for a box of Skittles—and had to reach up to the counter, I presume, and got his Skittles off the shelf and put them up on the counter. And he counted out his 89 cents and the checker rang it up and said, that will be 96 cents. And he said, but the price says 89 cents. And the checker said, but you have to pay the tax—that's the sales taxes in Iowa—so that's 96 cents, young man.

And he turned to his dad and he said, Dad, I have to pay taxes on Skittles? What a painful experience for an 8-

year-old young man. But think of what that means if our taxes are transparent. That young man is going to grow up to be a conservative. He's going to put fewer demands on government. He's going to demand one thing—less taxes, less services. We're going to want to have more personal and individual responsibility, and we're going to let people provide for their own security in a lot of ways and achieve on their own. That is a cultural transformation that comes if you have a transparent tax and if you take the tax and stop punishing productivity and put it on consumption.

Mr. WOODALL. Well, I would say to my friend, you talk about cultural transformation, I would tell you that transformation is actually taking us back to that entrepreneurial, self-reliant experience that America began as a Nation. This business of hiding taxes and trying to make people think they're getting something for nothing, that's a relatively new experience in American culture, and it has transformed this country.

I'm big on saying you've got to have skin in the game. To make good decisions you have to have skin in the game. Right now, 50 percent of the American population isn't paying any income taxes. They don't think they have skin in the game. Now, they do because they're paying tax in all of these hidden consumption opportunities that you and I are talking about, but they vote as if they're getting something for free.

And as a Nation, if we're going to make responsible decisions—particularly as it comes to borrowing from our children and our grandchildren—we have to let Americans know what they are really paying for the size and scope of government. And that's not to say they can't say, I understand how much I'm paying and I'm willing to pay even more, or I hate how much I'm paying and I'm going to pay less. But it will absolutely bring us away from a culture that believes there is a free lunch and back to a culture that understands that decisions have consequences and that there is no taxpayer in America except for we, the American consumers.

Mr. KING of Iowa. Will the gentleman yield?

Mr. WOODALL. I'm happy to yield.

Mr. KING of Iowa. History is replete with the Founding Fathers, literary giants of the time, philosophers of the time, who looked at the Greek democracy and they were appalled at what it had produced. They produced for us a republic instead. But many of them spoke eloquently about what happens when the public would realize that a majority of them could vote themselves benefits from the public treasury. Some of them said democracy ceases to exist; some of them said that will destroy our republic. But I want to guess that most of the people that were providing the wisdom at the time commented on their fear that this country would move towards a majority voting themselves benefits from the public treasury.

So that is one of the reasons that we have a Republic instead of a democracy is because those of us who are elected as representatives of the citizens of the Republic are to have a higher responsibility than to listen to, let's say, people who want the fruits of someone else's labor and don't want to labor themselves.

And so we're at this situation now where, in the early part of this country, there was a policy that you had to be a land-owning male of age and other qualifications in order to vote because they wanted the public policy to be established by people that had skin in the game. And today we saw a constitutional amendment requiring a balanced budget fail here on the floor of the House of Representatives. I'd like to have seen a stronger one, but it failed here on the floor of the House. And that was a constitutional amendment with a cap at 18 percent of GDP and a supermajority to raise taxes.

Put some of that philosophy back in where it requires a supermajority to raise taxes, there is a restraint there that brings back some of that philosophy that helps offset the disadvantage that the working American has today who's paying those taxes. Your barber is at a disadvantage because some of the hair that he cuts is of people that aren't working. I'd say at least one out of every three heads of hair that your barber cuts is somebody that is in that role of 100 million Americans of working age who are not in the workforce, many of them are voting, they are voting themselves benefits from the public trough.

And I'd suggest that we take the tax off of productivity in America, stop punishing production, put it over on consumption. And I'm just looking around for a bill number that I could attach myself to because I'm drawing a blank.

Mr. WOODALL. I thank my friend.

You're absolutely right. When I talk to young people—I try to get out to the middle schools and high schools in my district every week when we have time back home—I say, I've got a $10-an-hour job in my congressional office. Who wants to come to work for me? Who wants to come to work for me? And I just gave a powerful presentation about how you can come here and return America to its foundational roots. All the hands go up. And I say, now, just to be clear, though, we're going to have to put a $9 income tax on that $10 an hour, so you're only going to be able to take home $1 at the end of the day. Now, who wants to come work 80 hours a week for me? And all of the hands go down.

The power to tax is the power to destroy, and we use that power here. With all due respect to our colleagues on both sides of the aisle, the Fair Tax that I supported—that you were such a strong supporter of—it has detractors on both sides of the aisle, because what the Fair Tax says is we're not going to manipulate your behavior through the Tax Code anymore. Because the Tax Code allows us to say, if you buy wool sweaters, we're going to give you a tax credit; if you buy polyester sweaters, we're going to take taxes away from you. If you go out and buy Levi's jeans, we're going to give you a tax credit; if you go out and buy Lee jeans, we're going to take taxes away from you.

Over and over and over again we decide who's supposed to win and who's supposed to lose, and we punish or reward the American people and the American small business environment through the Tax Code. And what you and I have said in the Fair Tax is, I don't want that power in Washington. I give that power back to the American people. You choose what kind of jeans you want to wear. You choose what kind of sweater you want to buy. You choose whether you want a golf cart or not.

We are not in the business of picking winners and losers. We're in the business of raising as little revenue as is necessary to run this Federal Government. And that takes power away from this body right here. And it is only those folks who believe that the American people are still smarter than you and I are who want to return that power. And I thank you for being my partner in that.

Mr. KING of Iowa. And I appreciate the opportunity to be your partner in this.

And I would say to the folks on either side of the argument that disagree, they're both wrong, whether they're from the left or from the right. And the bottom line is this: the Fair Tax does everything good that anybody's tax proposal does that is good; it does them all and it does them all better. And I'm happy to take that debate anywhere in this land and have folks that will try that on and we'll finish second in that debate.

I quickly yield back because the gavel is in the air.

Mr. WOODALL. If the gavel is in the air, I'll just say to the Speaker, if you needed more information, Mr. Speaker, you could find it at www.fairtax.org, or you could visit my Web page at Woodall.house.gov. This really does speak to the challenges of America.

I thank the Speaker for the time, and I thank my friend from Iowa.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 99. An act to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes; to the Committee on Energy and Commerce; in addition to the Committee on Science, Space and Technology and the Committee on the Budget for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1637. An act to clarify appeal time limits in civil actions to which United States officers or employees are parties.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on November 17, 2011, she presented to the President of the United States, for his approval, the following bill:

H.R. 2112. Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until Tuesday, November 22, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3930. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Bromeliad Plants in Growing Media From Belgium, Denmark, and the Netherlands [Docket No.: APHIS-2010-0005] (RIN: 0579-AD36) received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3931. A letter from the Regulatory Officer, Department of Commerce, transmitting the Department's final rule — Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2011 Tariff-Rate Quota Year received October 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3932. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3933. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Access Authorization Program For Nuclear Power Plants, Regulatory Guide 5.66, Revision 2, received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3934. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Standard Format and Content of License Applications for Mixed Oxide Fuel Fabrication Facilities, Regulatory Guide 3.39, Revision 1, received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3935. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability of Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-510, Revision 2, ''Revision to Steam Generator Program Inspection Frequencies and Tube Sample Selection'' Project No. 753 received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3936. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Assuring the Availability of Funds for Decommissioning Nuclear Reactors, Regulatory Guide 1.159, Revision 2, received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3937. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-31, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3938. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-42, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3939. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-37, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3940. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States [Docket No.: 100804325-0351-01] (RIN: 0694-AE97) received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3941. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Libya and UNSCR 2009 (RIN: 1400-AC97) received November 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3942. A letter from the Chief Counsel — Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule — Offering of United States Savings Bonds, Series EE; Regulations Governing Definitive United States Savings Bonds, Series EE and HH; Offering of United States Savings Bonds, Series I received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3943. A letter from the Chief, Trade and Commercial Regulations Branch, Department of the Treasury, transmitting the Department's final rule — United States — Peru Trade Promotion Agreement (RIN: 1515-AD79) received November 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3012. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, with an amendment (Rept. 112–292). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. H.R. 10. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with an amendment (Rept. 112–278, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RAHALL (for himself and Mr. PETRI):

H.R. 3473. A bill to provide employment opportunities for veterans in transportation construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STEARNS:

H.R. 3474. A bill to amend titles XI and XVIII of the Social Security Act to prevent fraud and abuse under the Medicare program and to require National Provider Identifiers for reimbursement of prescriptions under part D of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BERG, Mr. BRADY of Texas, Mr. HERGER, Ms. JENKINS, Mr. MARCHANT, Mr. SCHOCK, and Mr. TIBERI):

H.R. 3475. A bill to protect information received by the Commissioner of Social Security related to deceased individuals; to the Committee on Ways and Means.

By Mr. HANNA (for himself and Mr. KEATING):

H.R. 3476. A bill to provide incentives for economic growth, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. PAUL, Mr. CARTER, Mr. MCCAUL, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. HINOJOSA, Ms. GRANGER, Ms. JACKSON LEE of Texas, Mr. SMITH of Texas, Mr. FLORES, Mr. CONAWAY, Mr. CULBERSON, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. FARENTHOLD, Mr. THORNBERRY, Mr. CANSECO, Mr. HALL, Mr. GOHMERT, Mr. SESSIONS, Mr. BARTON of Texas, Mr. CUELLAR, Mr. REYES, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. HENSARLING, Mr. BURGESS, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DUNCAN of South Carolina, Mr. BOUSTANY, Mr. CHAFFETZ, Ms. HAYWORTH, Mr. BACA, and Mr. PENCE):

H.R. 3477. A bill to designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building; to the Committee on Oversight and Government Reform.

By Mr. GONZALEZ:

H.R. 3478. A bill to amend the Internal Revenue Code of 1986 to extend bond authority for those empowerment and enterprise zones with unused bond limitation at the end of 2011; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. NEUGEBAUER, Mr. SMITH of Texas, Mr. HALL, and Mr. PALAZZO):

H.R. 3479. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas:

H.R. 3480. A bill to amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas:

H.R. 3481. A bill to prohibit universal service support of commercial mobile service through the Lifeline program; to the Committee on Energy and Commerce.

By Ms. CASTOR of Florida:

H.R. 3482. A bill to prevent identity theft and tax crimes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUTTERFIELD (for himself, Mr. MCINTYRE, Mr. CARDOZA, and Mr. JONES):

H.R. 3483. A bill to amend title 38, United States Code, to provide equity for tuition and fees for individuals entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs who are pursuing programs of education at institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARR (for himself, Ms. BERKLEY, Mrs. CHRISTENSEN, Ms. HIRONO, Mr. CICILLINE, Mr. RAHALL, Mr. ENGEL, Mr. FATTAH, Mr. OLVER, Mr. DICKS, and Mr. REYES):

H.R. 3484. A bill to direct the Secretary of Commerce to establish a competitive grant program to promote domestic regional tourism; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Ms. ROS-LEHTINEN, Mr. CICILLINE, Mr. POLIS, Mr. FRANK of Massachusetts, Mr. SERRANO, Ms. SPEIER, Mr. HINCHEY, Mr. HOLT, Mr. CLAY, Mr. JACKSON of Illinois, Ms. LEE of California, Mrs. MALONEY, Mr. SMITH of Washington, Mr. GRIJALVA, Mr. GUTIERREZ, Mrs. DAVIS of California, Mr. LANGEVIN, Ms. TSONGAS, Ms. PINGREE of Maine, Mrs. CAPPS, Mr. HONDA, Mr. STARK, Mr. NADLER, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Ms. MOORE, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. CROWLEY, Mr. GEORGE MILLER of California, Mr. ACKERMAN, Mr. MORAN, Mr. DOGGETT, Ms. ROYBAL-ALLARD, Mr. QUIGLEY, Mr. SARBANES, Mr. BERMAN, Mr. CUMMINGS, Mr. CAPUANO, Ms. WOOLSEY, Mr. DINGELL, Mr. YARMUTH, Ms. ZOE LOFGREN of California, Mr. FILNER, Ms. DEGETTE, Mr. MICHAUD, Ms. MCCOLLUM, Mr. COHEN, Mr. FARR, Ms. SCHAKOWSKY, Mr. ELLISON, Mr. WELCH, and Mr. MCGOVERN):

H.R. 3485. A bill to provide certain benefits to domestic partners of Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and the Workforce, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS of California (for herself, Mr. SCHILLING, Mr. MCDERMOTT, Mr. FORTENBERRY, Mr. CARNAHAN, Mr. TOWNS, Ms. WILSON of Florida, Mr. LOEBSACK, Ms. CLARKE of New York, and Ms. RICHARDSON):

H.R. 3486. A bill to amend the Child Abuse Prevention and Treatment Act to require States receiving funds under section 106 of such Act to have in effect a State law providing for a criminal penalty on an individual who fails to report witnessing another individual engaging in sexual abuse of a child; to the Committee on Education and the Workforce.

By Mr. BUCHANAN:

H.R. 3487. A bill to encourage job creation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, the Judiciary, Energy and Commerce, Science, Space, and Technology, Education and the Workforce, Small Business, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself and Mr. LANDRY):

H.R. 3488. A bill to prohibit foreign assistance to countries with a gross domestic product of $1,500,000,000,000 or more; to the Committee on Foreign Affairs.

By Mr. BURTON of Indiana (for himself, Mrs. MALONEY, Mr. KING of New York, and Mr. SMITH of New Jersey):

H.R. 3489. A bill to require the President to call a White House Conference on Autism; to the Committee on Energy and Commerce.

By Mr. CHANDLER (for himself and Mr. LOEBSACK):

H.R. 3490. A bill to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CICILLINE:

H.R. 3491. A bill to amend title 18, United States Code, to prohibit former Members of Congress from engaging in lobbying contacts; to the Committee on the Judiciary.

By Ms. HAHN:

H.R. 3492. A bill to amend section 70107 of title 46, United States Code, to authorize appropriations for the port security grant program through 2015; to the Committee on Homeland Security.

By Mr. HASTINGS of Florida:

H.R. 3493. A bill to establish a commission to study employment and economic insecurity in the United States workforce; to the Committee on Education and the Workforce.

By Mr. HECK:

H.R. 3494. A bill to restore faith and trust in the United States economy and financial system by reducing Federal spending, reducing the size of the Federal workforce, liquidating certain property and assets of the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Appropriations, the Budget, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. GRIJALVA, Ms. LEE of California, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mr. CICILLINE, Mr. DAVIS of Illinois, Mr. CONYERS, Ms. CLARKE of New York, and Mr. JACKSON of Illinois):

H.R. 3495. A bill to amend the Internal Revenue Code of 1986 to provide market-based manufacturing incentives, and for other purposes; to the Committee on Ways and Means.

By Mr. KIND (for himself and Mr. REICHERT):

H.R. 3496. A bill to sustain fish, plants, and wildlife on America's public lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 3497. A bill to promote the development of meaningful treatments for patients; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON (for himself, Mr. ANDREWS, and Mr. HUNTER):

H.R. 3498. A bill to provide for high-quality academic tutoring for low-income students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PRICE of North Carolina:

H.R. 3499. A bill to require the Secretary of Agriculture to use section 32 of the Act of August 24, 1935, to provide compensation to certain poultry producers whose poultry production contracts were terminated or not renewed because of the closure of poultry processing plants and other cost cutting measures undertaken by a poultry processing company in bankruptcy protection; to the Committee on Agriculture.

By Mr. REHBERG (for himself and Mr. MILLER of Florida):

H.R. 3500. A bill to provide for the conveyance of a small parcel of National Forest System land in the Flathead National Forest in the State of Montana containing a World War II memorial to the Whitefish Mountain Resort; to the Committee on Natural Resources.

By Mr. STUTZMAN:

H.R. 3501. A bill to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hartge Post Office''; to the Committee on Oversight and Government Reform.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. ACKERMAN, Mr. CLAY, Mr. MILLER of North Carolina, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. CARSON of Indiana, Mr. PETERS, Ms. NORTON, Ms. RICHARDSON, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Ms. JACKSON LEE of

Texas, Mr. KILDEE, and Mr. CARNAHAN):

H.R. 3502. A bill to create jobs and reinvest in communities through the rehabilitation of abandoned and foreclosed residential and commercial properties, and for other purposes; to the Committee on Financial Services.

By Mr. WESTMORELAND:

H.R. 3503. A bill to amend the Sarbanes-Oxley Act of 2002 to make Public Company Accounting Oversight Board disciplinary proceedings open to the public; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 3504. A bill to provide for a website to receive gifts to reduce the public debt; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.J. Res. 90. A joint resolution proposing an amendment to the Constitution of the United States to expressly exclude for-profit corporations from the rights given to natural persons by the Constitution of the United States, prohibit corporate spending in all elections, and affirm the authority of Congress and the States to regulate corporations and to regulate and set limits on all election contributions and expenditures; to the Committee on the Judiciary.

By Mr. HALL (for himself and Mr. DINGELL):

H. Con. Res. 89. Concurrent resolution expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER:

H. Con. Res. 90. Concurrent resolution authorizing the printing of the 25th edition of the pocket version of the United States Constitution; to the Committee on House Administration.

By Mr. DREIER (for himself and Mr. MEEKS):

H. Res. 472. A resolution expressing the sense of the House of Representatives that the United States should initiate negotiations to enter into a free trade agreement with Egypt; to the Committee on Ways and Means.

By Ms. RICHARDSON (for herself, Mr. LANGEVIN, Mr. MEEKS, Ms. JACKSON LEE of Texas, and Ms. NORTON):

H. Res. 473. A resolution expressing support for the goals and ideals of National Family Caregivers Month; to the Committee on Education and the Workforce.

By Mr. BOSWELL:

H. Res. 474. A resolution recognizing the valuable contributions of community colleges and encouraging local partnerships with such institutions to train and revitalize the United States workforce, inspire entrepreneurship, educate skilled workers, and invest in local communities; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. MYRICK introduced a bill (H.R. 3505) for the relief of Bruce William Stewart, Dianne Stewart, Sarah Jane Caitlin Stewart, and Michael Bruce Albert Stewart; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RAHALL:

H.R. 3473.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3

By Mr. STEARNS:

H.R. 3474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. SAM JOHNSON of Texas:

H.R. 3475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. HANNA:

H.R. 3476.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article 1 of the United States Constitution, including Clause 1 and Clause 4.

By Mr. POE of Texas:

H.R. 3477.

Congress has the power to enact this legislation pursuant to the following:

Clause 6, Section 8 of Article 1.

By Mr. GONZÁLEZ:

H.R. 3478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section, 8, Clause 18

16th Amendment

By Mrs. BIGGERT:

H.R. 3479.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. GRIFFIN of Arkansas:

H.R. 3480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1, of the U.S. Constitution: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

By Mr. GRIFFIN of Arkansas:

H.R. 3481.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Ms. CASTOR of Florida:

H.R. 3482.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution

By Mr. BUTTERFIELD:

H.R. 3483.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 1 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Under Article I, Section 8, Clause 18 of Section 8 of the Constitution, Congress may make all laws which shall be necessary and proper for carrying into execution its powers and all powers vested by the Constitution in the government of United States.

By Mr. FARR:

H.R. 3484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. BALDWIN:

H.R. 3485.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. BASS of California:

H.R. 3486.

Congress has the power to enact this legislation pursuant to the following:

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BUCHANAN:

H.R. 3487.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as enumerated in Article I Section 7 and 8, Article III Section 1 and 2, and Article V of the United States Constitution.

By Mr. BUCSHON:

H.R. 3488.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article 1, Section 8, Clauses 1 and 2.

By Mr. BURTON of Indiana:

H.R. 3489.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, of Article 1, which gives Congress the power to provide for the general welfare.

By Mr. CHANDLER:

H.R. 3490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3: ''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. CICILLINE:

H.R. 3491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. HAHN:

H.R. 3492.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HASTINGS of Florida:

H.R. 3493.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const., Art. I, §8, cl. 3: Congress shall have the power to regulate commerce with foreign nations and among the various states.

By Mr. HECK:

H.R. 3494.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HONDA:

H.R. 3495.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. KIND:
H.R. 3496.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8
By Mr. LANCE:
H.R. 3497.
Congress has the power to enact this legislation pursuant to the following:
Article I of the Constitution of the United States.
By Mr. MCKEON:
H.R. 3498.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States.
By Mr. PRICE of North Carolina:
H.R. 3499.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. REHBERG:
H.R. 3500.
Congress has the power to enact this legislation pursuant to the following:
Article I, §8, clause 3
By Mr. STUTZMAN:
H.R. 3501.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.
By Ms. WATERS:
H.R. 3502.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I of the Constitution of the United States
By Mr. WESTMORELAND:
H.R. 3503.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. YOUNG of Alaska:
H.R. 3504.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 2
By Mr. DEUTCH:
H.J. Res. 90.
Congress has the power to enact this legislation pursuant to the following:
Article 5 of the Constitution
Mrs. MYRICK:
H.R. 3505.
Congress has the power to enact this legislation pursuant to the following:
Clause 4 of Section 8 of Article I of the United States Constitution, which gives Congress the power to establish a uniform Rule of Naturalization.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. MACK.
H.R. 49: Mr. POSEY.
H.R. 132: Mr. HINCHEY.
H.R. 154: Mr. MCCAUL.
H.R. 157: Mr. LANCE and Mr. SCHILLING.
H.R. 178: Mr. SMITH of Texas.
H.R. 181: Mr. HOLT.
H.R. 308: Mr. LEVIN.
H.R. 321: Mr. STARK.
H.R. 361: Mr. SCHILLING.
H.R. 420: Mr. CUELLAR, Mr. CASSIDY, and Ms. HAYWORTH.
H.R. 451: Mr. QUAYLE.
H.R. 466: Mr. COHEN.
H.R. 539: Ms. WOOLSEY.
H.R. 589: Mr. PIERLUISI.
H.R. 645: Mr. AMODEI.
H.R. 668: Mr. DUNCAN of South Carolina.
H.R. 721: Mr. JOHNSON of Illinois, Mr. MACK, Mr. DAVIS of Kentucky, Mr. SMITH of Texas, and Mr. SCOTT of South Carolina.
H.R 733: Mr. CASSIDY.
H.R. 749: Mr. DAVIS of Kentucky.
H.R. 763: Ms. DEGETTE and Mr. SESSIONS.
H.R. 835: Mr. DICKS, Mr. PERLMUTTER, and Mr. BRALEY of Iowa.
H.R. 862: Mrs. LOWEY.
H.R. 886: Mr. MCINTYRE.
H.R. 920: Mr. MCKINLEY.
H.R. 942: Ms. BALDWIN.
H.R. 953: Mr. JOHNSON of Illinois.
H.R. 1005: Mr. ALTMIRE.
H.R. 1148: Mrs. MILLER of Michigan, Mr. MURPHY of Pennsylvania, Ms. LEE of California, Ms. KAPTUR, Mr. HOLT, Ms. EDWARDS, Mr. CLEAVER, Mr. LIPINSKI, Mr. BOSWELL, Mr. MCDERMOTT, Mr. KILDEE, Ms. NORTON, Mr. BUCHANAN, Mr. JOHNSON of Illinois, Mr. AUSTIN SCOTT of Georgia, Ms. WOOLSEY, Mrs. NOEM, Mr. THOMPSON of California, Mr. REICHERT, Ms. ESHOO, Mr. BOREN, Mr. PASTOR of Arizona, Mr. MATHESON, Mr. LANGEVIN, Ms. HIRONO, Mr. MILLER of North Carolina, and Mrs. DAVIS of California.
H.R. 1179: Mr. GRIFFIN of Arkansas.
H.R. 1236: Mrs. SCHMIDT and Mr. BUTTERFIELD.
H.R. 1265: Mr. ROSS of Florida.
H.R. 1366: Mr. SCHIFF.
H.R. 1370: Mr. PAULSEN.
H.R. 1416: Mr. PASTOR of Arizona.
H.R. 1418: Ms. WATERS.
H.R. 1426: Ms. HERRERA BEUTLER.
H.R. 1454: Mr. RIBBLE.
H.R. 1499: Mr. GRAVES of Missouri and Mrs. EMERSON.
H.R. 1513: Mr. WALBERG, Mr. FARR, and Mr. RAHALL.
H.R. 1515: Mr. GUTIERREZ.
H.R. 1533: Mr. LARSEN of Washington and Mr. KUCINICH.
H.R. 1546: Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, and Mr. CARNAHAN.
H.R. 1550: Mr. FALEOMAVAEGA and Mrs. CHRISTENSEN.
H.R. 1580: Mr. PAULSEN, Mr. CASSIDY, and Mr. GIBBS.
H.R. 1581: Mr. GRIFFIN of Arkansas.
H.R. 1614: Mr. BENISHEK.
H.R. 1633: Mr. THORNBERRY.
H.R. 1639: Mr. GIBSON.
H.R. 1653: Mrs. MYRICK, Mrs. BONO MACK, and Mr. ISRAEL.
H.R. 1697: Mr. LOEBSACK.
H.R. 1704: Mr. DOGGETT.
H.R. 1716: Ms. HOCHUL.
H.R. 1737: Mr. BARTLETT.
H.R. 1738: Mr. GONZALEZ and Mr. MILLER of North Carolina.
H.R. 1744: Mr. TURNER of Ohio.
H.R. 1815: Mr. GINGREY of Georgia, Mr. MURPHY of Connecticut, Mr. WOODALL, Mr. BASS of New Hampshire, and Mr. MACK.
H.R. 1834: Mr. FRELINGHUYSEN and Mr. MCINTYRE.
H.R. 1842: Mr. MURPHY of Connecticut.
H.R. 1897: Mr. DEUTCH, Mr. GALLEGLY, and Mr. DENT.
H.R. 1940: Mr. MCCOTTER, Ms. MOORE, and Mr. SMITH of Washington.
H.R. 1956: Mr. DUNCAN of South Carolina and Mrs. HARTZLER.
H.R. 1964: Mr. NADLER and Mr. ACKERMAN.
H.R. 1978: Ms. WILSON of Florida.
H.R. 1988: Mr. CICILLINE.
H.R. 2016: Mrs. CAPPS.
H.R. 2028: Mr. MILLER of North Carolina.
H.R. 2051: Mr. WESTMORELAND.
H.R. 2086: Mr. JONES and Mr. GARY G. MILLER of California.
H.R. 2092: Mr. ROSKAM.
H.R. 2139: Mrs. BLACK, Mr. FILNER, Mr. DUNCAN of South Carolina, Mr. MCCAUL, Mr. MURPHY of Connecticut, Mr. GONZALEZ, Mr. MARCHANT, and Mr. CARDOZA.
H.R. 2140: Mr. COURTNEY, Mr. BARTLETT, Mr. PASTOR of Arizona, and Mr. YOUNG of Florida.
H.R. 2229: Mr. MICHAUD.
H.R. 2233: Ms. JACKSON LEE of Texas.
H.R. 2277: Mrs. MALONEY.
H.R. 2284: Ms. ZOE LOFGREN of California.
H.R. 2288: Mr. CONYERS.
H.R. 2299: Mr. BURGESS.
H.R. 2305: Mr. MCGOVERN.
H.R. 2335: Mr. BOREN.
H.R. 2394: Mr. DAVIS of Illinois and Ms. WATERS.
H.R. 2397: Mr. PAUL.
H.R. 2412: Mr. GUTIERREZ and Mrs. NAPOLITANO.
H.R. 2461: Ms. JENKINS.
H.R. 2492: Mr. SCHILLING and Ms. HANABUSA.
H.R. 2499: Mr. MCGOVERN.
H.R. 2500: Mr. MCCAUL.
H.R. 2505: Mr. PAYNE and Mr. MCGOVERN.
H.R. 2514: Mr. KINZINGER of Illinois.
H.R. 2528: Mr. FINCHER.
H.R. 2538: Mr. LONG.
H.R. 2557: Mr. LATHAM.
H.R. 2568: Ms. ROS-LEHTINEN.
H.R. 2569: Mr. ALTMIRE, Mr. FINCHER, Mr. RIBBLE, Mr. BRADY of Texas, Mr. TIBERI, and Mr. TOWNS.
H.R. 2579: Mr. CARNAHAN.
H.R. 2580: Mr. TONKO.
H.R. 2595: Ms. HOCHUL.
H.R. 2655: Mr. GONZALEZ, Mr. SCHIFF, and Mr. PRICE of North Carolina.
H.R. 2672: Mr. HOLDEN and Mr. BURGESS.
H.R. 2697: Mr. FLAKE and Mr. POMPEO.
H.R. 2717: Mr. CUMMINGS and Mr. HOLT.
H.R. 2722: Mr. MICHAUD.
H.R. 2729: Mr. LATHAM and Mr. MICHAUD.
H.R. 2738: Ms. CHU.
H.R. 2750: Ms. MCCOLLUM.
H.R. 2780: Mr. ROSKAM.
H.R. 2827: Mrs. EMERSON and Mr. GIBSON.
H.R. 2834: Mr. ROKITA and Mr. MARCHANT.
H.R. 2866: Mr. HONDA, Mr. COBLE, and Mr. TOWNS.
H.R. 2874: Mr. NEUGEBAUER, Mr. MARCHANT, and Mr. SHIMKUS.
H.R. 2875: Mr. RUSH.
H.R. 2886: Mr. MEEHAN.
H.R. 2888: Mr. GALLEGLY.
H.R. 2902: Ms. BORDALLO, Ms. LINDA T. SÁNCHEZ OF CALIFORNIA, MR. DAVIS of Illinois, Ms. LEE of California and Ms. BROWN of Florida.
H.R. 2910: Mr. AKIN.
H.R. 2925: Mr. LIPINSKI.
H.R. 2948: Mr. ISRAEL, Mr. COURTNEY, and Mr. MURPHY of Connecticut.
H.R. 2964: Mr. WALSH of Illinois.
H.R. 2966: Mr. DICKS and Mr. ELLISON.
H.R. 2969: Mr. FITZPATRICK, Mr. CARNAHAN, Mr. MILLER of North Carolina, Mr. PLATTS, and Mrs. EMERSON.
H.R. 2970: Mr. COHEN.
H.R. 2980: Mr. GENE GREEN of Texas.
H.R. 2982: Mrs. MILLER of Michigan and Mr. HULTGREN.
H.R. 2985: Mr. RAHALL.
H.R. 2989: Ms. JENKINS.
H.R. 2992: Mr. ROYCE.
H.R. 2997: Mr. FRANKS of Arizona, Mr. GOSAR, Mr. JORDAN, Mrs. LUMMIS, Mr. PENCE, Mr. POMPEO, Mr. QUAYLE, Mrs. SCHMIDT, Mr. TURNER of New York, Mr. YOUNG of Indiana, Mr. WITTMAN, Mrs. ELLMERS, Mr. GRAVES of Georgia, Mr. CARNAHAN, Mrs. NOEM, Mr. MANZULLO, Mr. COFFMAN of Colorado, and Mr. BUCSHON.
H.R. 3010: Mr. WILSON of South Carolina, Mr. AUSTIN SCOTT of Georgia, Mr. FLAKE, Ms. JENKINS, and Mr. SHULER.
H.R. 3012: Mr. MORAN, Mr. FLAKE, and Mrs. MALONEY.
H.R. 3017: Mr. THOMPSON of California.

H.R. 3050: Mr. JOHNSON of Ohio.
H.R. 3057: Mr. PITTS.
H.R. 3059: Mr. POSEY, and Mr. MURPHY of Pennsylvania.
H.R. 3065: Mr. WELCH.
H.R. 3067: Mr. HANNA, Mr. PAULSEN, Mr. ACKERMAN, Mr. MCGOVERN, Mr. RANGEL, Ms. LEE of California, Mr. LOBIONDO, Mr. MARKEY, Mr. GUINTA, Mr. ROTHMAN of New Jersey, Mr. BISHOP of Georgia, Mr. ENGEL and Mr. LANCE.
H.R. 3068: Mrs. BLACKBURN, Mr. GARRETT, Mr. ROE of Tennessee, Mr. HUIZENGA of Michigan, Mr. WALBERG, Mr. GUINTA, Mr. BILBRAY, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. FLORES, Mr. BARTLETT, and Mr. ROKITA.
H.R. 3074: Mr. PAULSEN, Mr. ROSS of Arkansas, and Mr. MILLER of Florida.
H.R. 3077: Mr. HINCHEY, Mrs. CHRISTENSEN, Ms. JACKSON LEE of Texas, Ms. NORTON, Mrs. DAVIS of California, Mr. HONDA, Mr. LUJÁN, and Mr. FILNER.
H.R. 3090: Mr. WESTMORELAND.
H.R. 3091: Mr. HASTINGS of Washington and Mr. TIBERI.
H.R. 3123: Ms. JENKINS.
H.R. 3130: Mr. KLINE and Mr. CHABOT.
H.R. 3134: Ms. JACKSON LEE of Texas.
H.R. 3138: Ms. SUTTON.
H.R. 3159: Mr. DUNCAN of South Carolina.
H.R. 3176: Mr. CAMPBELL.
H.R. 3186: Mr. KING of New York.
H.R. 3192: Mr. WOLF.
H.R. 3207: Mr. COBLE.
H.R. 3210: Mr. MCCLINTOCK.
H.R. 3216: Mr. PASTOR of Arizona, Mr. GUTHRIE and Mr. GRIMM.
H.R. 3243: Mr. JONES, Mr. LONG and Mr. PRICE of Georgia.
H.R. 3260: Mr. ELLISON.
H.R. 3264: Mr. SCHWEIKERT.
H.R. 3266: Ms. RICHARDSON.
H.R. 3269: Mr. ALTMIRE, Mr. GOWDY, Mrs. NOEM, Ms. SUTTON, Mr. ROGERS of Alabama, Mr. LARSON of Connecticut, Mr. MARKEY, and Mr. BASS of New Hampshire.
H.R. 3271: Ms. HAHN.
H.R. 3308: Mr. HUELSKAMP, Mr. SCHWEIKERT, Mr. MCCLINTOCK, Mr. ROYCE, Mr. RYAN of Wisconsin, and Mr. DUFFY.
H.R. 3313: Ms. NORTON.
H.R. 3316: Mr. FARR and Ms. LEE of California.
H.R. 3317: Mr. FARR and Ms. LEE of California.
H.R. 3318: Mr. WALSH of Illinois, Mr. KING of Iowa, Mr. HALL, Mr. GINGREY of Georgia, Mr. COBLE, Mr. WEST, Mrs. BACHMANN, Mr. KELLY, and Mr. AMODEI.
H.R. 3323: Mr. JOHNSON of Illinois.
H.R. 3324: Mr. MORAN.
H.R. 3334: Ms. DEGETTE.
H.R. 3337: Mr. WITTMAN, Mr. BENISHEK, Mr. CARNAHAN, Ms. CHU, and Mr. COURTNEY.
H.R. 3341: Ms. BERKLEY.
H.R. 3346: Mr. ROTHMAN of New Jersey, Ms. TSONGAS, Ms. CASTOR of Florida, Ms. CHU, Mr. BISHOP of New York, and Mrs. CAPPS.
H.R. 3362: Mr. LONG.
H.R. 3364: Mr. GUTHRIE and Mr. CLARKE of Michigan.
H.R. 3366: Mr. MARCHANT and Mr. CROWLEY.
H.R. 3393: Mr. MILLER of Florida, Mr. ROONEY, and Mr. WEST.
H.R. 3395: Mr. HANNA.
H.R. 3400: Mr. WILSON of South Carolina, Mr. KLINE, Mr. WESTMORELAND, Mr. ROKITA, Mr. FLORES, Mr. GINGREY of Georgia, Mr. HARRIS, and Mrs. MYRICK.
H.R. 3410: Mrs. MILLER of Michigan.
H.R. 3418: Mr CONNOLLY of Virginia.
H.R. 3422: Mr. MARCHANT.
H.R. 3423: Mr. YOUNG of Alaska, Mr. WITTMAN, Mr. PAULSEN, Mr. MURPHY of Connecticut, Mr. BLUMENAUER, Ms. TSONGAS, Mr. LARSON of Connecticut, Mr. BERG, Mr. LIPINSKI, Mr. COURTNEY, and Mr. RYAN of Ohio.
H.R. 3424: Mr. ROTHMAN of New Jersey.
H.R. 3425: Mr. LEWIS of Georgia.
H.R. 3427: Mr. LEVIN and Mr. PALLONE.
H.R. 3435: Ms. CHU, Mr. LARSON of Connecticut, Mr. PALLONE, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. CAPUANO, Mr. MCGOVERN, Mr. WELCH, and Mr. CARNAHAN.
H.R. 3440: Mr. KLINE and Mr. BARTLETT.
H.R. 3453: Mr. SENSENBRENNER.
H.R. 3466: Mr. BISHOP of New York.
H.J. Res. 20: Mr. GRIFFIN of Arkansas.
H.J. Res. 72: Mr. COHEN.
H.J. Res. 80: Mrs. MALONEY.
H.J. Res. 85: Mr. FLORES, Mr. DUNCAN of South Carolina, and Mr. POSEY.
H.J. Res. 88: Ms. SLAUGHTER, Mr. JONES, and Mr. COHEN.
H. Con. Res. 78: Mr. LEWIS of Georgia.
H. Res. 134: Mr. RIGELL and Mr. LAMBORN.
Res. 253: Mr. TURNER of Ohio, Mr. AUSTIN SCOTT of Georgia, and Mr. PEARCE.
H. Res. 306: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 341: Mr. MORAN, Mrs. NAPOLITANO, Mr. LEVIN, Mr. STARK, Mr. MCCOTTER, Mr. PRICE of North Carolina, and Ms. ZOE LOFGREN of California.
H. Res. 367: Mr. NADLER.
H. Res. 376: Mr. KEATING.
H. Res. 429: Mr. FORBES, Mr. GALLEGLY, Mr. GRIFFIN of Arkansas, and Mrs. MILLER of Michigan.
H. Res. 452: Ms. PINGREE of Maine.
H. Res. 454: Ms. MCCOLLUM, Ms. RICHARDSON, Mr. HASTINGS of Florida, Mr. MEEKS, and Ms. PINGREE of Maine.
H. Res. 460: Mr. LEVIN, Ms. BASS of California, Mr. FRELINGHUYSEN, Mr. CARNAHAN, Mr. COHEN, and Mr. MCGOVERN.
H. Res. 468: Mr. CICILLINE, Mr. WEST, Ms. HERRERA BEUTLER, and Mr. TOWNS.