

limit, and if you get 40 percent of either body refusing to increase the debt limit, unless you deal with this specific issue, now you have placed control of the Government in the hands of the few rather than in the hand of the majority.

This could happen on either side of the aisle. You could have some from the right-hand side of the political spectrum, those who believe that we have been spending far too little on national defense, those who believe that, in fact, the budget should be spending more on national defense; they could group together and get 40 percent of either body and say, "We will not agree to increase the debt limit of the United States unless we not only borrow what we have to borrow to cover last year's expenditures, we want to borrow more. We want another \$200 billion, and we want a \$200 billion supplemental appropriation today passed before we agree to increase the debt limit, in order to put \$200 billion more into national defense."

You could get 40 percent of the people from the left-hand side of the political spectrum who believe that we are not spending enough on job training and education and welfare benefits or retirement benefits who may come to the floor of this House or the other house and say, "Sorry, we have not spent enough on these programs. I am not going to vote to increase the national debt and prevent the country from going into technical bankruptcy and default unless we also borrow enough money, and you give me a supplemental appropriation right now to increase welfare payments or retirement benefits or health care," or any of the other benefits that they feel very strongly about.

You might also have some people who care more about getting a highway or a bridge built in their district who demand more appropriations for pork-barrel spending, for a clock tower in their State or some other type of spending which the rest of this body would not go along with but for the fact a gun is being held to the head of the country.

I say to my colleagues and suggest going back and reviewing the Federalist Papers wherein Madison, the draftsman of our Constitution, and Hamilton, and Jefferson, and Jay debated and discussed among themselves and others the wisdom of creating supermajority requirements to act in this or the other legislative body. They concluded, and I believe rightly so, that supermajorities should be used very, very limited, only to situations of overriding a veto or adopting a treaty or expelling Members from the body, instances wherein the Constitution requires supermajorities.

And so I submit that if, in fact, we include the language of supermajorities and specifically the language of a supermajority requirement to increase the debt ceiling, that, in fact, you are inviting a constitu-

tional crisis. You are inviting just the exact scenario that those supporters of a balanced budget amendment in this body have fought so hard against. You are inviting the types of calamity that we must avoid.

Now, I am going to be asking the Committee on Rules to make in order two specific amendments. First is the constitutional amendment which I have filed as a separate, freestanding amendment. It also has been filed, and I believe is identified in the RECORD, as an amendment to the balanced budget amendment in the form of a substitute. It is that amendment which I have outlined which does not create constitutional supermajorities but relies upon the current majority and the veto of the President in order to enforce the provisions of a balanced budget. It broadly allows waiver, but again with the Congress and the President agreeing to that waiver by law.

It does not create provisions for a supermajority to either increase spending or revenues or to increase the debt limit.

It is the simplest version which I know of which has been filed in as plain English as we could put it and the only version of the constitutional amendments filed, to my knowledge, which has in it a real enforcement mechanism in the body of the amendment itself. Others rely upon future legislation to enforce.

So I will be asking for that amendment to be made in order so that we can come here to the floor of the House and debate that amendment and the provisions in it.

I will also be asking to be made in order a substitute which in essence is the wording of the Stenholm-Schaefer amendment, but deleting two particular provisions, deleting from their section 6 the words that allow the Congress to rely upon estimates of outlays and receipts, and also deleting entirely section 2 of that particular amendment which creates the constitutional supermajority of three-fifths in order to increase the debt limit.

It is my hope that the Committee on Rules will allow these amendments in the nature of a substitute to be brought forward. I have agreed many times with my colleagues on the other side of the aisle over the last 4 years that I have been selected as a Member of this body wherein they came to the floor of this House and complained that the then Democratic Rules Committee was being unfair, was not allowing the system to work, was not allowing this body to work its will on legislation, was not allowing full, free and open debate on the issues, was not allowing us to draft the best legislation we could possibly draft, and they called for open rules. They said:

You put us in the majority, and when we bring legislation to the floor, it will come under an open rule, so that any Member of this body can come to the well of this floor and propose amendments to perfect the language of the legislation, to make it better, to use the brilliance and the genius of our

system, free and open debate, so that the will of the people can be determined in this body.

That was their pledge.

They are now in power. They have an opportunity to keep that pledge. And I would urge them to do so by providing an open rule of debate on this very critical and important constitutional amendment. I cannot conceive of a more critical piece of legislation to consider in this or any other Congress than amending the very words of the Constitution itself.

I cannot conceive of bringing that type of legislation to the floor of this body under a closed rule preventing free and open debate, preventing us to raise these questions.

□ 1530

I would ask anyone who would support a closed rule to come to the floor of this House and explain to the people how they are going to avoid the very constitutional crisis I have just outlined. It is necessary to bring these issues to the floor for full and open debate in order to work the will of the people, in order to get the best legislation we can possibly get.

So I thank my colleagues for their patience, their listening to these issues, and I thank them for their consideration of the balanced budget amendment, which I support, and I thank them for their consideration of the amendments which I hope to propose and encourage this body to proceed very cautiously as we contemplate and move toward amending the very language which is the foundation of our system, the Constitution of the United States.

TECHNICAL CORRECTION TO HOUSE CONCURRENT RESOLUTION 16, PROVIDING FOR STATE OF THE UNION ADDRESS

The SPEAKER pro tempore (Mr. COMBEST). Without objection, the reference of House Concurrent Resolution 16 to the date in 1995 shall be corrected to be a reference to January 24, 1995.

There was no objection.

The text of House Concurrent Resolution 16, as corrected, is as follows:

H. CON. RES. 16

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 24, 1995, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

A CRIME BILL WITH TEETH

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

Mr. BARR. Mr. Speaker, at the beginning of this session, I introduced with several of my colleagues The Taking Back Our Streets Act of 1995. Last

week, my colleagues and I on the Judiciary Committee's Crime Subcommittee completed 2 days of hearings on this bill.

These hearings, which featured law enforcement officials from across the country, revealed how desperately this legislation is needed. There is an overwhelming sense in this country that violent crime has robbed the citizens of a sense of safety and security that they have a right to enjoy. That is what my crime bill will help accomplish.

Not too long ago, a popular preventive crime ad campaign encouraged citizens to take "A Bite Out of Crime." After decades of one Democratic-controlled Congress after another jawboning the problem of crime with lots of taxpayer money but little to show in the way of results, we are finally on the way to passing a crime bill with real teeth.

BALANCED BUDGET AMENDMENT

(Miss COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss COLLINS of Michigan. Mr. Speaker, I rise in opposition to the balanced budget amendment House Journal Resolution 1. I support fiscal responsibility. However, I do not think an issue such as balancing the Federal budget should be handled too hastily. The current proposal for a balanced budget amendment as outlined in the Republican Contract With America is a knee-jerk approach to a complicated and multifaceted problem.

For instance, if Social Security is not specifically exempted, this measure would allow for drastic cuts in Social Security. We must not forget our responsibility to provide for our Nation. To make Social Security subject to this measure will result in devastating results that will be felt in the years to come.

During this year alone, Social Security will take in \$31 billion more than it pays out in benefits. Social Security is not the cause of our national debt. To cut Social Security because it is a significant portion of the national budget is an easy way out for those who simply want to achieve their political goals by any means necessary. We should not put ideology before people.

THE TRAGIC EARTHQUAKE IN JAPAN

The SPEAKER pro tempore (Mr. COMBEST). Under a previous order of the House, the gentlewoman from California [Ms. PELOSI] is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, my district in San Francisco, indeed the entire State of California, is blessed with a very large Japanese-American population. On behalf of my constituents, the Japanese-Americans, and indeed all of them, I rise today to extend my sympathies to the people of Japan now

that we are in day 7 of the tragedy that struck Kobe last week.

As you know, last Tuesday Japan was struck by the deadliest quake in more than 70 years. Today's AP wire has an update on some of the tragic statistics. The death toll is topping 5,000, with more than 100 people still listed as missing. More than 26,000 people were injured, 300,000 people were left homeless, and 56,000 buildings were damaged or destroyed. There are 1,000 relief centers trying to house the 300,000 people left homeless. Indeed 2 million survivors of the earthquake in that area have been impacted very negatively as well.

Mr. Speaker, today, Monday in Japan almost yesterday now, there have been strong aftershocks in buildings in Japan. They had three aftershocks at about 4.0, and I have been told aftershocks of up to 6 points on the Richter scale are possible.

In addition to that, there is the physical toll, in addition the personal toll. Japan has different construction standards for highways and for buildings. The huge pillars supporting raised roads consisted of concrete cores surrounded by vertical steel rods that are then wrapped with vertical steel hoops and surrounded by another coat of concrete.

Mr. Speaker, just as a sign of how fierce this earthquake was in Kobe, many of the structures ruptured and the reinforcing rods snapped like matchsticks.

The economic toll is great. Kobe is a major manufacturing center, the country's busiest container shipping port and an important transportation hub for moving component parts to factories throughout Japan and abroad. That is having a tremendous impact on the economy there.

Estimates of the economic impact vary widely. The Transport Ministry estimated it would cost \$4.12 billion to repair damaged railway lines and stations alone. The head of the Japanese Chamber of Commerce estimated the overall cost of the quake would amount to more than \$100 billion.

Of course, these are staggering statistics, but the worst of all is, of course, the personal toll. Today's AP wire carries a story about a father who lost his daughter in the earthquake. He says, "My daughter's voice, 'Dad, dad, please help me,' sticks in my ear." He lost his teenage daughter when their house collapsed. "It just doesn't go away," he said. "I just couldn't save her."

Mr. Speaker, that is just one of many, many similar stories. Another, of a young man whose house collapsed, his mother was in the house. The neighbors and others decided to help where they heard voices, and they were able to save the lives of some. But since they heard no sounds coming from his house, that did not become a priority, and his mother—he said, "I wanted to save my mother, but was not able to."

The list of these stories goes on and on.

So. Mr. Speaker, it is with great sorrow—of course, in our area, Mr. Speaker, we had the experience 5 years ago of the Loma Prieta earthquake in San Francisco, and just eerily, just 1 year before this earthquake, the Northridge earthquake shook Los Angeles. So we all have our own memories of personal devastation and personal loss from earthquakes. That is why we have so much sympathy for those in Japan.

It is with great sorrow I convey on behalf my constituents, both Japanese-Americans and others as well, to the Japanese ambassador the condolences of the people of San Francisco and wish for him to convey our condolences to the people of Japan, especially those affected by the earthquake, but to all the people of that area. They must be assured that they are in our prayers.

A BIPARTISAN BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the Chair recognizes the gentleman from Virginia [Mr. PAYNE] for 60 minutes.

Mr. PAYNE of Virginia. Mr. Speaker, on Friday of last week there was a press conference held. That press conference was to talk about an important event, important because for the first time in the history of our country we know there are enough people in the House of Representatives who are committed to vote for a balanced budget amendment to ensure that a balanced budget amendment can be passed.

This press conference was among the Democratic Caucus, and some 66 members of our Caucus signed a letter to our Speaker. The Speaker was notified that 66 Democrats were prepared to vote for a balanced budget amendment this week, and the 66 Democrats, along with the Republican Caucus, would give you enough votes for the required two-thirds' majority or the 290 votes to pass this balanced budget amendment.

□ 1540

I think this is good news in that we have a bipartisan agreement now so that Democrats and Republicans alike can do what is best for America. This comes at a time when our debt is now \$4.7 trillion, when our interest payments will equal \$300 billion as a nation; \$300 billion we paid last year alone as interest on our national debt. This is money that, had we not had debt and we balanced our budget for many years before this, we would have had that same \$300 billion to use to cut taxes. We could have used that money for other purposes such as fighting crime, such as improving education. But instead we do not have that, and in fact we are spending more money each year than we take in, and last year we spent \$300 billion in interest payments.

Now this balanced budget amendment, as my colleagues will hear from