

Mendiola, and Melchor S. Mendiola; and in Tinian, Joaquin C. Aldan, Freddy V. Hofschneider, Sr., and Henry V. Hofschneider.

Former Trust Territory High Court judges and justices: Edward P. Furber, Chief Justice and Temporary Judge; Robert K. Shoecraft, Chief Justice; Harold W. Burnett, Chief Justice and Associate Judge; Alex R. Munson, Chief Justice; James R. Nichols, Associate Judge; Pleaz William Mobley, Associate Judge; Philip R. Toomin, Associate Judge; Arthur J. McCormick, Associate Judge; Paul F. Kinnare, Associate Judge; Joseph W. Goss, Associate Judge and Temporary Judge; D. Kelley Turner, Associate Judge; Arvin H. Brown, Jr., Associate Judge; Robert A. Hefner, Associate Judge; Donald C. Williams, Associate Judge; Mamoru Nakamura, Associate Judge; Ernest F. Gianotti, Associate Judge; and Richard I. Miyamoto, Associate Judge.

Former Trust Territory High Court temporary judges: Richard H. Benson, Robert Clifton, E. Avery Crary, P. Drucker, Christobal C. Duenas, Eugene R. Gilmartin, Anthony M. Kennedy, Alex Kozinski, Alfred Laureta, Jose C. Manibusan, Carl A. Muecke, Joaquin C. Perez, Paul D. Shriver, J.M. Spivey, and Dickran M. Tevrizian.

Current and former U.S. District Court for the Northern Mariana Islands judges: Ramona Villagomez Manglona, Chief Judge; Alex R. Munson, former Chief Judge; Alfred Laureta, former Chief Judge.

#### BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, I would also like to take this moment to just thank God that GABBY GIFFORDS has returned to this floor. You know, it so happens that just a few feet from here was the last time I had seen GABBY, when she left the floor prior to this tragic attack on her.

It just occurs to me that once in a while in this life we find an example where tragedy is transcended by the human spirit and triumph and the grace of God, and this is one of those days. I just congratulate her with everything in me that she has come back. She has the prayers of the entire delegation, and I know the entire Congress, as she goes forward to complete recovery.

We are all very, very grateful today. This is a wonderful celebration for every Member of this Congress. It is a celebration for just the cause of this Republic, because we believe that everyone has the right to have the freedom of speech and to peaceably assemble, and this is what she was doing when she was attacked. For her to come back this way as she has is a triumph of the first magnitude, and we are all so very, very proud of her, and welcome her back with all of our hearts.

Now, Mr. Speaker, I have another subject tonight that I want to talk about, and that is the recent chal-

lenges that we have faced over the debt limit raising and the effort on the part of many of us to place a balanced budget into the bill that went across to the Senate that would have required a balanced budget to be in our Constitution, because, Mr. Speaker, some of us believe that it is the only way that we are going to finally, in this country, deal with the challenges of deficit spending and with the burgeoning debt that threatens to crush this country in a way that no military power has ever been able to do.

□ 1940

Mr. Speaker, some of us have talked about this difficult problem for a very long time, and it seems that over and over again history repeats itself, and we never really deal with it like we should.

But this time, Mr. Speaker, we have placed something before the American people that I think they are going to hang on to, and I believe that there is great hope in the coming months that we will continue to strive for this balanced budget amendment, and I hope that the people of America are paying attention because we cannot repeal the laws of mathematics. This challenge will damage this country in the most profound way if we don't deal with it while we can.

Mr. Speaker, let me just say this: That all financial budgets will eventually balance, that's a fact. No individual, no family, no business, and no government can indefinitely continue to spend more money than they take in without someone having to make up the difference, Mr. Speaker, and that includes the budget of the United States Government.

Neither Mr. Obama nor congressional Democrats can repeal this law of mathematics. The Federal budget of the United States Government will eventually balance, as all of them do, whether it's a person or a government or a business, when they continue to spend money that they don't have, someone, sooner or later, has to make up the difference. The question with our Federal budget is whether the White House and those of us in this body will balance this budget ourselves by wise policy or national bankruptcy and financial ruin will do it for us.

From the day Barack Obama has walked into the White House he has, with breathtaking arrogance, Mr. Speaker, absolutely ignored economic and financial reality. It took America the first 216 years of its existence to accumulate the debt that Barack Obama has accumulated in the short 2½-year span of his presidency.

During this short time in office he has increased our Federal debt by nearly \$4 trillion, Mr. Speaker. And just to put that nearly \$4 trillion in new debt in perspective, let me just put it this way. If all of a sudden a wave of responsibility swept through this Chamber and we stopped all deficit spending and began to pay installments of \$1

million per day to pay down the nearly \$4 trillion debt that Barack Obama has created in just 2½ years, it would take us more than 10,000 years to pay off just Mr. Obama's accumulated debt in 2½ years. It would take us more than 10,000 years, Mr. Speaker, to do that if we paid it off in a million dollars a day, and that's if we don't have to pay one dime in interest in the process.

But you see, Mr. Speaker, we are not paying Mr. Obama's debt down at \$1 million per day; we are going deeper into debt, more than 4,000 times that much every day, and that's under Mr. Obama's own projected deficit and deficit projections. And then when speaking of the effort to reduce the deficit, the President has the hubris to tell conservative Republicans to take a balanced approach and to eat our peas.

Well, Mr. Speaker, if there's anything more catastrophically out of balance in our Federal budget it is the arrogance to competency ratio of this White House. We have watched as President Obama ran up a trillion-dollar deficit for the first time in history and then broke that record the very next year, and then say that we would have, according to his own projections, a trillion dollar-plus deficit for "years to come."

We have watched as the Obama administration promised that if we would just allow them to spend \$800 million on their stimulus package, the economy would rebound and unemployment would never reach 8 percent. Well, of course, that didn't happen, and then we watched this administration bring us ObamaCare, or the health care takeover by government.

And, Mr. Speaker, let me just suggest to you that at the time of that debate there was a lot of discussion over what private employers would do to their own insurance plans in the face of this government takeover of health care. Some people thought well, 5 percent, maybe 10 percent of the health care plans in the private sector would be dropped by corporations, would be dropped by employers.

But, Mr. Speaker, that projection is a little bit further off than we thought. The polled people that have answered the question of whether or not they would drop their health care plans, being employers, they have said that as many as half of them would do that now. Mr. Speaker, the reason I mention that is because if that's true, the cost of doing that, the cost of absorbing that to the Federal Government will be another \$2 trillion on top of the trillion dollars that was already in the bill. So ObamaCare itself could cost us \$3 trillion and, Mr. Speaker, that's just in the next 10 years.

So I would just say to you, Mr. Speaker, this administration has really done for deficits and debt what Stonehenge did for rocks. There is no one that has pressed this deficit spending more than the Obama administration. Mr. Speaker, the people have awakened, and they are tired of Mr. Obama telling them that 2 plus 2 equals 13.

So as we now find ourselves raising this debt ceiling yet again, in the process, some of us as conservative Republicans wanted so badly to give the American people and the States of this Nation the historic opportunity to adopt a balanced budget amendment to our Constitution to put this country back on the track of fiscal sanity once again.

So we placed a balanced budget amendment requirement in two separate pieces of legislation and passed them through this body and sent them over to the Senate only to have Mr. Obama and Senate Democrats refuse to even allow them to come up for a vote, either one of them. They simply refused to vote on it.

In both instances, Mr. Speaker, President Obama's contributions to the process were threats to veto both plans sight unseen.

Mr. Speaker, I wish I could just get this one question answered, if nothing else that they would answer, I just wish the administration would answer this one question: What is it, what is it that the President and Democrats find so radical about a balanced budget amendment?

This is something that 49 States have and every family in America has to have sooner or later, a simple balanced budget amendment that says we cannot go into debt in an infinite way that threatens not only our children's future—you know, we used to talk about how this threatened our children's future, Mr. Speaker, and I will tell you, being the father of two little twins that are going to have their third birthday before long, that has great pull in my soul, that I don't want to see this crushing debt placed on their shoulders.

But I would say to you, Mr. Speaker, that now we are starting to face a challenge that is going to come in this generation and this time, and it may not be so far off. Greece has set an example for the world as to what can happen when people simply don't pay attention to their fiscal challenges.

But the failure of both, and the failure of cooperation and the failure of leadership from Democrats on this issue, has been baffling to me, Mr. Speaker. Unbelievably, it has been 822 days since Senate Democrats proposed, not passed, but merely even proposed a budget. An individual practicing such irresponsibility, living without a budget while paying for everything with borrowed money, would meet certain financial ruin. Why do we believe our Nation will fare any better under the same preposterous policy?

Now Mr. Obama and the Democrats have falsely said that the balanced budget amendment is a Republican plan to destroy Social Security and Medicare. What a false, terrible, despicable thing to say. The truth is the balanced budget amendment is the only honest chance of reforming and saving those programs and our country from bankruptcy and economic failure in the future, Mr. Speaker.

And throughout this process, Mr. Obama and the liberal media have sought to force tax increases upon the people and the job creators of this Nation by suggesting that Republicans were not willing to address the revenue side of this equation. That isn't true either, Mr. Speaker.

□ 1950

Just because Republicans are not willing to increase job-killing tax rates in this country doesn't mean we don't understand the revenue side of this equation. We just know that increasing the rate of taxes will decrease the productivity of this Nation and we will ultimately decrease the revenue that comes into this government.

It is the economic equivalent of putting dirt in ice cream. It is a disastrous recipe to embrace in the name of balance. But I hear it over and over again—balance, balance. There is nothing more balanced, Mr. Speaker, than a balanced budget amendment to our Constitution.

History and experience has demonstrated time and again that the best way to increase the amount of revenue coming in to this government is to get out of the way and let the people and the private sector increase the number of quality jobs for the American people. This has always resulted in the increased productivity and the broadening of the tax base in this amazing Nation.

Mr. Speaker, we don't need higher taxes, we need more jobs and more taxpayers. Mr. Obama and the Democrats have constantly said that we need to take, again, this "balanced" approach, which is a code for increased taxes. But, Mr. Speaker, again, the truly balanced approach to this problem is a balanced budget to the Constitution, and by passing a balanced budget amendment we can restore hope and confidence in capital markets inside the United States and all over the world because they will see that in the long run America is going to make it.

It may take the States 6 or 7 years to fully ratify this Constitutional amendment to balance the budget. But we owe it to the States and to the people to give them this chance to save their Nation. In the meantime, we can work here to expand the economy and balance this budget so when the amendment finally is ratified, we will all be ready to go forward as a nation to embrace greater days than we have ever seen. And we have a rare opportunity, Mr. Speaker, that may never come again of doing something truly historic that will save this Nation and its people from economic ruin.

This battle is not over. The American people are beginning to realize that they are already paying a very high price for electing Barack Obama to the presidency. If they make the profound error of reelecting him in the next election, our families and all Americans will face an economic, a constitutional and a national security crisis

that will dwarf the challenges that we face in these moments. If Democrats and the President are not willing to give the people this chance by helping Republicans pass a balanced budget amendment in the Congress, the resulting consequences will be theirs alone, Mr. Speaker, and I believe the people will hold them accountable for whatever financial disaster may follow.

Now long ago, Mr. Speaker, Thomas Jefferson said, "I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government; I mean an additional article taking from the Federal Government the power of borrowing."

He said that right after the Constitution itself had been finished. He just wanted one more amendment. And, unfortunately, as you know, he turned out to be right. But his contemporaries failed to listen to him about the balanced budget amendment.

I will just say to you, Mr. Speaker, it is not too late for those of us in these moments to listen to his words. I believe the American people are listening today, and I believe that they call upon their leaders now to do something truly historic and pass a balanced budget amendment to the United States Constitution in the days ahead. And God help us to do it, Mr. Speaker.

Let me just say, Mr. Speaker, that I know that this has been a challenging week, and I believe our leadership on the Republican side of this House has done everything possible to try to work with the President and to work with the majority leader of the U.S. Senate. And they have had an extremely significant challenge. We sent twice to the other body bills that would have raised the debt limit but in the process also have required a balanced budget amendment to be inserted into the Constitution, or at least sent to the people so that they could decide. But this is the one thing that they took from us in the process. And, Mr. Speaker, I truly believe that we had a golden opportunity to truly change the way that America goes forward, and we failed that opportunity. But I would also say that I think there is still hope to do it in the next few months. Part of the equation that we have under this legislation is to require a balanced budget amendment vote in both this Chamber, in the House of Representatives, and in the U.S. Senate. And I hope so much that we do that while we can and that the people of this country will let their Representatives and Senators know that they are tired of this deficit spending and tired of this fiscal irresponsibility and saying, in our lifetime, we will have a balanced budget amendment to the Constitution, and we will make sure that our children can walk in the light of freedom and economic hope as we have. I hope that happens, Mr. Speaker.

With that, I would yield to the gentleman from Georgia.

Mr. PRICE of Georgia. I thank my good friend for yielding and for taking time on this truly historic day, an opportunity for this Nation to begin—just begin—to move things in the right direction from a fiscal standpoint here in our great country.

The debate over the last, oh, 3 to 4 months has been very loud, sometimes it has been acrimonious. There are many people across this great country who just are confounded by the laborious nature with which it takes to make any changes here in Washington at all, and I share that frustration and share that anger and share that concern because we've been moving in the wrong direction for a long, long time as it relates to spending at the Federal level.

And so, as the gentleman from Arizona so appropriately said, what we need to do is decrease spending in the short term, we need to put some controls on spending in the mid term, but in the long term, as we have discovered and as the American people know so well, it's going to take structural, fundamental change of the way that Washington does business in order to get our fiscal house in order and get us on that path to a balanced budget and pay off our debt.

And the best way that I believe that that can occur is through a balanced budget amendment to the Constitution of the United States. And I don't say that lightly, understanding that there have been really very few times in which the Constitution has been amended. But I believe now in my fourth term that having recognized early on in my Congressional career that all of the inertia here in Washington is to spend money, everything, it all points towards spending money. The budget process that we go through, the folks through the Congressional Budget Office that try their best to do the work but the rules under which they determine whether or not something costs the Federal Government and this Nation something or whether it saves are so distorted that you can't get to the right answer. One cannot get to the right answer without structural change. And that's where the balanced budget amendment comes in.

Today, what we did in the Budget Control Act is not all that any of us would have liked. In fact, the numbers are relatively paltry when you look at them compared to how much money this government spends. But what is true about this act is that it will allow us in this House of Representatives and in the Senate right down the hallway to say to the American people, we hear you, we want this government to be held accountable, and the best way to do that is by passing a balanced budget amendment to the Constitution of the United States.

And so my friend from Arizona comes down this evening to highlight that wonderful change that we have the prospect for making in this Congress. This isn't 4 years down the road, 5

years down the road, this is in this Congress right now. And I know that if he could, he would urge the folks listening to this and Members of Congress to encourage all of their constituents and all the people across this land who so firmly believe, as I do, and as I know Mr. FRANKS does, that we need to put some controls, significant controls on how Washington spends money and that the balanced budget amendment is the best way to do that.

I know that what you would do, what he would do, is to urge all Members to communicate to their constituents and to every single American to call their Representatives, to call their United States Senators and say, some time, because of the bill that we just passed, some time between October 1 of this year and December 31 of this year, every single American will have the opportunity to communicate to their Representative and their United States State Senator the urging that they would to encourage them to support a balanced budget amendment.

□ 2000

That's when this vote is going to occur. It's not going to occur tomorrow or in the month of August or September. But what the bill provides is for the wonderful enthusiasm and the heartfelt patriotism and concern that the American people feel about this great country.

Now is the time to communicate to their Representatives, to support a balanced budget amendment to the Constitution of the United States. If we are able to get this to happen, if we are able to make this become an amendment to the Constitution, frankly, the problem itself will begin to take care of itself because the rules will begin to say we cannot spend more than we take in. Just like every family in this country does and every business in this country must do, and that is to say we cannot spend more than we take in.

I just had to come down and commend my good friend from Arizona, in a time when there is a lot of calamity around this town, to take the time to say this must be highlighted on this day because this is the beginning of the next 61 days that the American people must act to let their Representatives know, support a balanced budget amendment to the Constitution.

Mr. FRANKS of Arizona. I thank the gentleman so much. Mr. PRICE is the chairman of our Policy Committee, and no one has written more cogently and with more commitment on the balanced budget amendment than this man. I am so grateful that he is here and has been such a voice on this.

I ask the gentleman, do you think the American people know that we passed two pieces of legislation over to the Senate with requirements for a balanced budget amendment, and the first thing they did, the Democrat leader there, just took those out or simply refused to vote on them? Do you think they know that?

Mr. PRICE of Georgia. I don't believe so, because I think if the American people knew that, they would be loudly protesting the lack of leadership and responsibility that the Senate has taken its job. That's the importance of this vote today, because the majority leader in the United States Senate cannot turn this vote away. This vote will happen. It will happen sometime between October 1 and December 31 of this year. Not next year or 2013 or 2014—this year.

We have the opportunity to be able to send to the States a balanced budget amendment to the Constitution in this calendar year, and I'm so proud of the work that the gentleman from Arizona has done, and our colleagues have done, to highlight this issue and ensure that it was included in this piece of legislation. And I look forward to a very positive vote come October, November, or December of this year. But it won't happen without the engagement of the American people.

Mr. FRANKS of Arizona. I thank the gentleman so much.

Let me yield to the gentleman from South Carolina. I am glad that you came to the floor, sir.

Mr. DUNCAN of South Carolina. I want to thank my colleague from Arizona for taking on this very important issue. What a great evening to talk about America living within its means. We are \$14.3 trillion in debt, and we're spending \$1.5 trillion more than we are bringing in as a Nation. The piece of legislation that we passed this evening and is now residing over in the Senate includes what I think is the most important language within that legislation, and that is a vote on a balanced budget amendment.

I was a small business owner for 16 years. When I did my budget every year, I had to think about what my revenues were for the past year and what my revenues were going to be for the coming year, and I had to set a budget based on that. I couldn't just hope that there was a money tree out in the backyard and continue spending money that I didn't have.

Americans have been engaged in this process of the debt ceiling debate, and we are urging them to get involved in this process of a balanced budget amendment. Once that requirement and that amendment does pass both the House of Representatives and the United States Senate, it will be sent to the States to be ratified. At that point in time, Americans from all across the land will be able to rally their State legislatures, their general assemblies, to take up and ratify this important amendment to the United States Constitution.

Many of my constituents—the gentleman from Arizona doesn't know this. Many of my constituents know that I carry a United States Constitution with me in my pocket. In fact, I read from that very podium in the well. On the second day as a Member of this 112th Congress, I read from the United

States Constitution, something I don't take lightly. But in order for this government to survive, and survive fiscally, is to get our fiscal house in order. And the secret to doing that is really to pass a balanced budget amendment, to require Washington to live within its means the way families and small businesses and large businesses have to do all across this great land.

You know, when I was a small business owner, occasionally I had to go borrow money. But I had to put a plan together for that banker on how I was going to pay that back. Hopefully, we have begun to do that through this week of debate. But a balanced budget amendment, a requirement for the United States Government to balance its checkbook. The most, I guess, simplest thing that American families and small businesses do is sit down with that checkbook register and make sure that they haven't spent too much money, to make sure that they live within their means.

So we have got that opportunity. I am proud that this was included. I am proud that I stand with 87 members of our freshman class that really helped, I think, leadership see that this was a vital component to this piece of legislation. I commend the House leadership for including it. I commend the House leadership for making sure that its inclusion in this bill that we sent over to the Senate this evening was there.

So I want to urge the American people to get behind this, to contact your Senators, contact your House Members. As we heard recently from the gentleman from the Atlanta area of Georgia say, this vote will take place sometime between October and the end of the year. So during that process and leading up to that process, contact your Senators and contact your House Members and say: Government should have to live the way I operate my household, the way my wife and I have to sit down at our kitchen table and balance our budget. Balance Washington's budget. Let's get our spending under control. The time is now.

I brought my little boy, Parker Duncan, who is 10 years old. He is sitting on the House floor with me today because I teach them, my children, the value of not spending more than you bring in. And they say: Dad, can we have that baseball? Can we have that item? I say: Son, we don't have the money in our budget this week or this month to purchase that. But let me make plans so that we can purchase that in the future.

We live within our means. Am I perfect? No. I have debt, but we have a plan to pay back that debt.

The future of our children and our grandchildren is at stake. America knows. America got engaged in this, they got engaged in the last election cycle, and they know that Washington cannot keep spending more than it has.

So I commend my colleague from Arizona for taking on this very, very im-

portant issue to make Washington live within its means, to live within its means, not to spend money that it doesn't have. Let's rein in our fiscal house. Let's get our house in order, and let's create a way to start paying back that enormous debt. We can do that with a balanced budget amendment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and to not refer to guests on the floor of the House.

Mr. FRANKS of Arizona. I thank the Speaker, and I understand that the gentleman from Illinois would like me to yield to him for a question.

Mr. JACKSON of Illinois. I thank the gentleman for yielding to me for a question, but first, I just want to indicate to Mr. DUNCAN's son that we're going to do everything we can to get him a baseball even if his dad is a little slow this month.

My question is about the balanced budget amendment, if the gentleman from Arizona would share with us how that would work. I have heard a number of Members come down and talk about the idea that we are going to vote on it, that it needs to happen. But at least as I understand it, the interpreter of the Constitution, obviously, would be the Federal courts in that if Congress were unable to achieve a balanced budget in any fiscal year, a lawsuit could be brought under the balanced budget amendment that would throw the process into the Federal judiciary, allowing Federal judges then to determine what constitutes balance or imbalance.

If the gentleman would take some time to share with us how, from his perspective, that would work.

□ 2010

Mr. FRANKS of Arizona. I thank the gentleman, and I'll take a shot at that.

First of all, as the gentleman knows, there are many different kinds of balanced budget amendments that have been proposed. One of the commonalities of most of those is that they require that our projected spending meet our projected revenues, what we believe is going to be our receipts for the coming year. Now, it is true, as in all areas of the Constitution, that the Federal courts have exhibited great arrogance in coming into the area of legislation and trying to legislate from the bench by dealing with these issues under the pretense of considering the constitutionality of these issues. The good news with a balanced budget amendment is that there would be obvious language there that the courts would have before them that simply says that the Congress is required by the Constitution to balance our budget so that we don't deficit-spend.

It is true that we are required in this body to have equal protection, for instance. We can't say that this one group deserves one protection and that this one group doesn't. Every once in a while, the Supreme Court injects them-

selves into that debate like they did in *Roe vs. Wade*, let's say. They simply said, when it comes to protecting the unborn, that they weren't persons under the Constitution and that we not only didn't have to protect them but that we couldn't protect them. That was arrogance beyond words. This is every time across the history of humanity. When the German High Tribunal injected itself even into the tragedy of the German system, they said that the German was "untermenschen," subhuman, and they took away their personhood; and the tragedy that followed is still one of the darkest stains that I know of on the human soul.

So, yes, it is possible that the courts could try to intervene in this process and try to distort it, but ultimately, the "balanced budget amendment" concept is very simple. It would say, like Thomas Jefferson said, that the Federal Government simply would take from them the power of borrowing.

Now, there was a balanced budget amendment that came before this floor about 15 years ago, and it received over 300 votes on the floor, many of them Democrat votes. I don't know how the gentleman from Illinois voted on that. That's not a question. I don't know. Yet that particular balanced budget amendment simply said that you could not deficit-spend without a super majority of votes that declared that there was either an emergency in dealing with our national security or that there was an act of war on the table to where we were having to do things to make sure that we protected the national security of this country, which is priority one.

I'll let the gentleman ask me one more question, and then I'm going to yield to these other folks. I would just say this: Oftentimes, my friends on the Democrat side of the aisle say that a balanced budget amendment will require us to cut Medicare and cut Social Security and all of these things, and that presupposes that a balanced budget amendment will bring in less revenue to this government because of its constraints. First of all, when we deficit-spend, we're really just throwing the log up the trail. We're really not doing anyone any good in the long run because these programs become unsustainable over time.

Here's the thing that I wish I could express and wish that my Democrat friends would do their own research on and ascertain whether they think it's true empirically in history, which is: When we have a balanced budget amendment, when people believe that they can project forward and know that this government is going to be secure, when they believe that we're not going to deficit-spend and take a lot of the capital out of the private markets and that we're not going to put burdens on the interest rates, one thing happens very clearly—it drags more people off the sidelines; it drags more entrepreneurs into the system; it causes

more people to put their capital at risk; it causes more people to put their lives and endeavors into an enterprise that results in productivity.

The fundamentals of all economy is productivity, productivity, productivity, productivity. When we produce as a Nation, we raise the number of taxpayers, not the rate of taxes. We raise the number of taxpayers, and money from all corners comes into the coffers. That has happened many times. Even when we decrease taxes, that happens.

So I am convinced that a balanced budget amendment is the surest way, not only to have the additional moneys necessary to make sure that we have all of the constitutional mandated and allowed activities of this Federal Government to do, including that it gives us more money for things like Medicare and that it gives us more money for things like Social Security, but to also put us on a fiscal path to security so that those programs won't eventually come into question and even bankruptcy.

With that, I'd let the gentleman ask one more question.

Mr. JACKSON of Illinois. I thank the gentleman for yielding and for allowing me to ask him one final question.

Is there any concern that a balanced budget amendment would be legalizing the legislative process and politicizing the judiciary?

What I mean by that is all Federal judges are, obviously, appointed by the President of the United States, and they go through a process in the Senate. Is there any concern that those Federal judges could be queried over what programs they support and what programs they don't support, and therefore, it would stand as a basis for their own, if you will, politicizing of the judicial process, which presently is not involved in the political process? Then, if you don't mind sharing with us, what are the ramifications?

Mr. FRANKS of Arizona. I thank the gentleman.

There are always these times when Democrats and Republicans can find common ground, and I think this is one of those moments when I take the gentleman's point and believe that he has a very good point.

The truth is, as of late, in the last several decades, the courts have politicized, and they have brought into sort of the legalization process a lot of the activities that belong in this Chamber. I am convinced that, yes, there is every possibility that they may try to do that with a balanced budget amendment of the Constitution or with any other element of the Constitution because that's where things are headed.

The answer to that is not to say, well then, we're just going to give up the Constitution to the judges. The answer is for us to fight back and say that they are not going to politicize our Constitution, that they are there to apply the Constitution as written, not to have a Constitutional Convention

every time they sit down to a case where they rewrite the Constitution like they did with *Roe vs. Wade*, like they did with the *Kelo* case. The judges simply should interpret the law as written and not try to do our job as legislators.

It is a serious problem, I would say to the gentleman, that concerns me greatly, but I will say this: We are seeing judges do these things anyway in States. Apart from a balanced budget amendment, they're saying, You're not equally applying your appropriations in a particular area, and we hereby order you to appropriate funds to this or that particular issue or cause or department. So I say to the gentleman that there is nothing that frightens me more than turning this entire Constitution, this entire Republic, over to an unelected judicial oligarchy. It's the most dangerous thing that we face because it abrogates the Constitution. I would say this President has put people in the courts who have no fealty or no respect for the Constitution whatsoever.

I just had a case that I've been fighting for 14 years, and it went before the courts. It should have been a 9-0 case, but it was 5-4 because these four justices were willing to say that every dollar in your pocket before you filled out a tax return was public money. Now, there was nothing constitutionally accurate about that, but they were willing to do it.

So the gentleman is correct in being afraid of judicial activism and of the judiciary injecting itself into the Constitution, but they've done that with all amendments. At least with a constitutionally balanced budget amendment, we'll have the words clearly that we have at least the ability to fight back and to say to the judges that they have no right to abrogate these words. I hope that that makes a difference.

With that, I thank the gentleman for his questions, and I would yield to the gentleman from Oklahoma such time as he may consume.

Mr. LANKFORD. Thank you. I'm honored to get a chance to join in this conversation, which is really a conversation about a topic that's a very big deal to a lot of people.

I was 18 years old, and I remember sitting down with my mom, working through how to be able to fill out the register on a checkbook and how to be able to balance it because I'm getting ready to leave for college, and it becomes an essential characteristic of people to be able to handle their finances when they walk away to school. I can remember well sitting there and walking through money in/money out, all of that process.

It's such a simple process for us, so simple that, when I talk to people back home in my district in Oklahoma—Republicans or Democrats—and I say, "What is your opinion on a balanced budget amendment?" it's that this is not at partisan issue. Just flat out, when we get away from programs,

when we get away from all the ideas and say, "Should we balance our budget every year? Should we live in balance?" I run into people who say, "Yes, we need to balance our budget." When we get into conversations about the language, about exclusions, about all those things, those are legitimate conversations that I think we should have with the American people; but in reality, they come back to the same thing, that we should balance our budget.

Now, I've seen statistics. As high as 80 percent of the American people are interested in having a balanced budget amendment to the Constitution, and I think there are multiple reasons for that. Some of them are fiscal. If I went to the American people and I said, "I could provide to the American people in our budget for social programs, for tasks, for agencies, for all of our entitlement programs \$220 billion more a year immediately into our Federal budget," everyone would say, "Great. How do we do that?"

□ 2020

I would say, we catch up on our budget and stop paying interest. Currently, we're paying \$220 billion a year just in interest payments. Can you imagine what we could do with \$220 billion more in our budget if we didn't have such a large debt that we're having to maintain with so much interest?

The other side of that is, this debt is not forever. I interact with people all the time, and they will say words like sustainable, the debt is not sustainable, the debt is not sustainable. When I ask people, what does that mean to you to say the debt is not sustainable, very often they will just hesitate, and they will say, I think it just means we can't do this forever. And I would smile and say, I completely agree, we can't just keep borrowing this forever.

But let me tell you what it means to me in this. At any given time in the world, there is only so much money at that exact moment—now, we know that wealth shrinks and grows over time as investment happens, but at any one instant in the world there is only so much money. And of that money that's there, there is only so much that is actually invested, whether that be in business or in bonds or in whatever it may be. You take that investment pie worldwide, and you've got a portion of it that's going to growing businesses, starting new businesses, investing in markets, and then you've got another group of sovereign debt that is actually paying for countries and their debt. There is only so much money that can be invested in a moment. And at some point we start, as a country, taking on more and more money, which we're pulling out of the markets, and we're actually slowing down our economy by requiring more and more money to come to us to pay for our debt. So at some point we've got to stand up as a Nation and say, if we continue taking on this debt, we are purposefully killing the worldwide economy because

we're taking money out of circulation, investment and pulling it into us. Forty-nine States have some sort of structure for a balanced budget. We should do that as a Federal Government. It is a commonsense thing.

Now, again, we can come back and talk about what the language is. I'm a firm believer that no party owns the United States Constitution; that is by the American people. So it should be Republicans and Democrats together, sitting down in a commonsense way, both the House and the Senate, and saying we agree, we need to get around this, this is out of hand. So let's start working on the language on it together.

So that becomes a key issue, but it sets up a couple of things that I think are really important. Number one is, it actually sets up deadlines. I have noticed as a freshman in this town that there are very few deadlines that ever occur here. Even when there is a budget requirement that the House and the Senate both have to do a budget each year, we just reject that and don't do it, and we'll do continuing resolutions and things. We don't like doing deadlines because it requires difficult decisions. A balanced budget amendment to the Constitution creates a moment that we have to actually focus in on the fiscal house and force us into those tough decisions.

It also creates a parameter that protects future generations. I am a firm believer that the reason we still have the freedom of religion in the United States is because it is in the United States Constitution. The reason we still have freedom of speech is because it is in the United States Constitution. And we all know that so many people in politics do not like what's written about them in the press, and many times in politics they push back on the press and try to limit the press. But we still have a free press because that is guaranteed in the United States Constitution. If we added in a balanced budget requirement for the Federal Government, it would give to our posterity, for centuries to come, the gift of a parent in the legislative room to say we are going to have a balanced budget, we are going to honor this. And that \$220 billion a year that we've been throwing around and wasting on our interest would actually come back to reinvest into our economy. It's the right thing for us to do. It will require difficult decisions, I'm very aware, but it is absolutely the right thing to do.

I am so grateful for the gentleman from Arizona for leading a conversation on the House floor on this very important topic, because in the months to come we're encouraging all of America, around kitchen tables, around the workplace, playing around and watching football—which I'm very grateful is coming in the next couple of weeks to finally start football season again—around these gatherings of people to start having the conversation, do you think our Nation should have a bal-

anced budget amendment to the Constitution? Let's initiate a conversation—I think I know where the American people already are, but let's give it a shot and find out for sure where their legislators are and so we can get that back out to the States and say, where are you, and where are we as a Nation?

And so I appreciate so much the gentleman from Arizona.

Mr. FRANKS of Arizona. And I thank the gentleman.

Mr. Speaker, I would just say, in listening to the gentleman from Oklahoma's comments, that he is one great encouragement to many of us because he is living proof that the cavalry has arrived, and he is an example of why this debate has changed. I am very grateful for his presence in the United States Congress, and I hope he is here a very long time.

With that, I would seek to yield to the gentleman from Iowa for such time as he might consume, and I might ask the Speaker what the time remaining is at this point.

The SPEAKER pro tempore. The gentleman has 13 minutes remaining.

Mr. FRANKS of Arizona. So I'm hoping I can yield to the gentleman 8 minutes, or something along those lines.

Mr. KING of Iowa. I thank the gentleman from Arizona for leading on this Special Order, and all my colleagues that have come to the floor to raise the issue of the balanced budget amendment.

I wanted to just point a few things out as to where this sits. Now, the chairman of the Constitution Committee standing before me, Mr. FRANKS, has presided over the shaping of a constitutional amendment requiring a balanced budget. And I certainly favor the one that was authored by BOB GOODLATTE and marked up in our full Judiciary Committee. It took three full days, and those days spanned over a couple weeks' period of time trying to find the time to get this to work out.

And I want to express, Mr. Speaker, that a balanced budget amendment that is written by someone who doesn't believe in a balanced budget amendment probably isn't going to yield the result that we all want from that amendment. And the worst case scenario would be the drafting and the passage of a balanced budget amendment that would be the constitutional equivalent of PAYGO. You could draft a balanced budget amendment that would say, Thou shalt balance the budget, and not put provisions in there, such as a cap on GDP, or a supermajority required to raise taxes, or a supermajority required to raise the debt limit, or of course the cap, as I said. And if it were just the barest of bones, the bare minimum of a definition of a balanced budget amendment, then that could be a balanced budget amendment that would allow a majority vote of the House of Representatives and a majority vote of the Senate

to waive the balanced budget amendment. That would be the amendment equivalent of PAYGO, pay-as-you-go, waive it or raise taxes in order to calculate that you balanced it. So I would caution that we need to do a prudent job of promoting a balanced budget amendment, continually defining that balanced budget amendment to be something that gives us fiscal responsibility.

I will go more deeply into this perhaps in a half hour or so, but I wanted to also add that this legislation that has passed through the House of Representatives today—and I'm as joyous and delighted that GABBY GIFFORDS was able to cast a vote on this bill today, as perhaps almost anybody in this place, save the folks that are closer friends and relations of hers, but what a day, what a day for this Congress to feel that emotion of her coming in this room and putting that vote up on the board and to hear that cheer go up when that light turned green. We are on opposite sides of the issue, but as I said, it is a deep feeling of just great pleasure and gratitude and thanks that she can come into this place and do that.

But here's the point I wanted to make, Mr. Speaker, and that is that, if we do nothing, if we had not addressed this debt ceiling and dialed this spending curve down, in 10 years from now—this is what the lack of a balanced budget amendment will do: In 10 years from now, our national debt, our debt that we addressed today that's about \$14.3 trillion, would be \$28 trillion in 10 years if we just go along business as usual and the projections of the March baseline are projected out for a decade as we do; \$28 trillion in debt. If we accept the—I'll call it the Boehner proposal that passed the House here today, because the numbers in it actually reflect the first Boehner bill of last Friday. Then this bill that passed the House today, our national debt is still, if this bill effectively turns this spending increase down in the way it's supposed to, and the deficit down, we're going to be looking at \$26 trillion in our debt anyway in 10 years by 2021, \$26 trillion.

So we've gone from, when we got up this morning, projections of \$28 trillion in debt in 2021, in 10 years from now, dialed it down to \$26 trillion. If we just held the line on the Ryan budget, we would have dialed it down to \$23 trillion, and I'm not satisfied with that. When I see a budget that came out that balances in 26 years—now we've backed up some on that—I think we need to be stronger, not weaker. I think we need to step up and advocate and take these next few months and do all we can to sell America on the idea, selling the people that don't believe we should ever live under a balanced budget that we must do so.

And as I sat for those 3 days in the Judiciary Committee while we debated and marked up this balanced budget amendment that does these things that



I said—a three-fifths supermajority to waive the balance, or three-fifths to raise the debt ceiling, or two-thirds to exceed the 18 percent GDP cap, or two-thirds to increase taxes, all of those things—and it requires the President also to offer a balanced budget and allows a balanced budget requirement to be waived if we declare war or a national emergency that is significant—those things, if we don't do those things, then we end up with perpetual debt.

□ 2030

And the people on the other side of the aisle that debated against a balanced budget amendment completely convinced me that they never want to live under a balanced budget amendment unless it is a confiscation of all of the wealth of this land and put it back through the money machine here in Washington. It would suppress the economy, it would starve and eventually kill the goose that lays the golden egg.

So \$28 trillion is projected. That's the projected national debt in 10 years. The bill that passed today takes it down to \$26 trillion. Ryan took it to 23, so we lost a little bit of leverage here today.

But the people on the other side, and the President has convinced me also, he never wants to live under a balanced budget and certainly doesn't want to have a Constitution that would order that that be so.

So what do the American people have to say about people who are committed to deficit spending in perpetuity, what do they think happens, where do they think America goes if we take our hands off of the “whoa back” on the reins and the spending goes on and we borrow the money to fill all of the wants of the American people for now. And what happens to our children and grandchildren when they have to service that debt or when the roof caves in when no one will loan us money anymore and we became mega Greece?

This has been an intense debate here all around this country. It came to a certain head today. It is a long ways from over. This is a start. It's not the end. It is just a start.

I thank the gentleman from Arizona for yielding.

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman from Iowa. He happens to be one of my most beloved friends in this institution, and he is a true statesman. Mr. Speaker, sometimes I think it's important for us to examine that word “statesman.” It's often said that a politician looks to the next election whereas a statesman looks to the next generation. I so believe that that's important in this place.

We need to realize that, as the older men around here, as it were, that we need to plant shade trees under whose shade we will never sit ourselves. We need to do those things for the next generations that will really make the difference.

I want to, if I could, relate the timeless words of one of our Founding Fathers Samuel Adams. He said, “Let us contemplate our forefathers and our posterity, and resolve to maintain the rights bequeathed to us from the former for the sake of the latter. The necessity of these times, more than ever, calls for our utmost circumspection, deliberation, fortitude and perseverance.”

I think so much that those words are true, Mr. Speaker, because I truly believe that right now we are about planting trees under whose shade we will never sit ourselves.

But I truly believe that if we work hard in these next few months to pass this balanced budget amendment, that we will do great things for this country and for its people because oftentimes I find people see the balanced budget amendment as a way to constrain our ability to meet the needs of government.

Well, the fact is, Mr. Speaker, a balanced budget amendment will do several things. First of all, it will not only help government meet certain needs, it will help a lot of people no longer need government because it will expand this economy, it will help people gain jobs, it will help people become taxpayers, and as I said in my earlier comments, we don't need more tax increases, we need more taxpayers, and nothing will help this government in terms of the revenue it needs more than that.

But ultimately, a balanced budget amendment will also cause a debate in this country as to what is government's role and what is the private sector's role because oftentimes the difference between this country and many other countries is that our Constitution changed down government, and our Constitution tries to magnify the individual. And, Mr. Speaker, I just think sometimes we forget what it's all about.

I know there is a lot of sincere people on both sides of the issue. But I would just say tonight that we have a chance to move forward from this debate and realize that our eyes are open now, that we see the problem. And sometimes there is a moment in the life of every problem, Mr. Speaker, when it is big enough to be seen and still small enough to be solved. And I'm afraid that that window is closing upon all of us right now and that we have an opportunity to sow the seeds of ultimate success by putting a balanced budget amendment in our Constitution by putting it out to the States.

We can't pass a balanced budget amendment ourselves. What we can do is we can put it out to the States and say you decide. Let the people of this country decide whether we need a balanced budget amendment or not. If we will do our part, they will do theirs.

You know Fred Bastiat said many, many years ago, government is that great fiction through which everyone endeavors to live at the expense of everyone else. And it sounds real good,

you know, this idea of deficit spending, this idea of socialized government sounds real good. But the truth is that while maybe free enterprise and market-driven freedom is sometimes the unequal distribution of wealth, socialism has proven time and time again across the centuries to be the equal distribution of poverty.

Nothing has dragged more poor people out of poverty for longer periods of time than freedom and free enterprise, and the balanced budget amendment will reinvigorate that in this country, and it's time that we had it, and by the grace of God I hope that we proceed.

I join with my friends on both sides of the aisle to say it's time to put this country back on track to the greatness that the Founding Fathers dreamed of so long ago and to understand on our parts that if we do what we can, that America's best days are still ahead.

With that, Mr. Speaker, I yield back the balance of my time.

#### I HAVE A DREAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. JACKSON of Illinois. Mr. Speaker, tonight or in the very near future, I want everyone within the sound of my voice to read or reread Dr. Martin Luther King, Jr.'s, “I Have a Dream” speech, a speech that I usually refer to as his “insufficient funds or bounced check” speech.

I've often thought: I wonder what Dr. King's speech would sound like if he were here today to give it. Well, I'm not presumptuous enough to pretend that I know exactly what Dr. King would say. I really don't. But I thought it would be challenging and interesting to go through his speech, change it as little as possible, but insert today's circumstances and my own thoughts on how I think Dr. King's speech might have sounded if it were given today. So that's what I propose to do tonight. After all, on August 27, we will dedicate the King Memorial here in Washington, D.C., the day before his historic anniversary of the “I Have a Dream” speech on August 28.

As my colleagues have now departed this institution for the August recess to return to their homes far and near, I thought it would be especially appropriate that the final speech delivered after this very tumultuous debate would give reference and reverence to the extraordinary insight of Martin Luther King, Jr.

I also thought in light of the budget cutting deal and the bounced check and insufficient funds deal that was passed today in the Congress that it would also be appropriate.

So tonight I want to try and give what some might call an updated version of Dr. King's “I Have a Dream” speech and what it might have sounded like today.