

I strongly urge my colleagues to join me in voting in favor of this bipartisan resolution.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 466, further consideration of this motion is postponed.

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

Ms. FOXX, from the Committee on Rules (during consideration of H.J. Res. 2), submitted a privileged report (Rept. No. 112-291) on 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, which was referred to the House Calendar and ordered to be printed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

AUTHORIZATION OF CONTINUED PRODUCTION OF NAVAL PETROLEUM RESERVES BEYOND APRIL 5, 2012—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-73)

The SPEAKER pro tempore (Mr. FARENTHOLD) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services and ordered to be printed:

To The Congress of the United States:

Consistent with section 7422(c)(2) of title 10, United States Code, I am informing you of my decision to extend the period of production of the Naval Petroleum Reserves for a period of 3 years from April 5, 2012, the expiration date of the currently authorized period of production.

Attached is a copy of the report investigating continued production of the Reserves, consistent with section 7422(c)(2)(B) of title 10. In light of the findings contained in the report, I certify that continued production from the Naval Petroleum Reserves is in the national interest.

BARACK OBAMA.

THE WHITE HOUSE, November 17, 2011.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2112) "An Act making consolidated appropriations for the De-

partments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2012, and for other purposes."

□ 1920

PROGRESSIVE CAUCUS HOUR: THE BALANCED BUDGET AMENDMENT

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I am grateful for the opportunity to allow members of the Progressive Caucus to continue this discussion and as well to continue to educate the American public.

It is worth noting that part of the discussion that occurred on the floor of the House is that we have come to this point, if I might say, through a peculiar process. Some might call it hostage-taking, but certainly it is a process that has skewed, if you will, the regular order of this Congress.

This little book, the Constitution of the United States, that can fit into a document of this size, even though it is found in law books and many major large-sized books in the Library of Congress, hopefully convinces the American people of the wisdom of the Founding Fathers. It is noteworthy that they did not include a balanced budget amendment in the first group of amendments called the Bill of Rights. And even as they proceeded, they took the challenge of speaking to any number of issues, the freeing of the slaves in the 13th, 14th, and 15th Amendments, giving the right to vote finally in the 15th Amendment, suggesting that there should be no obstacles to voting. They went on to the 24th Amendment to indicate that there should be no poll tax, the 19th Amendment giving women the right to vote. But never did they feel the necessity to talk about a balanced budget amendment.

The reason, I believe, that they cast their lot on the responsible thinking of Members of Congress is because that is what we are supposed to do. We are supposed to be responsible Members of the United States Congress with no intervening body, no layered approach, no handcuffing of our deliberation. And that's what a balanced budget amendment is all about.

You've just listened to a portion of our debate. We will go on into tomorrow, mind you, taking up 5 hours of time that could be dedicated to coming together around job creation.

The underlying premise of this bill, Mr. Speaker, is that two-thirds of this body, two-thirds of the other body, and three-quarters of the States must consent to a balanced budget amendment. Thank goodness that our Founding Fa-

thers made amending the Constitution so difficult. And that is because they wanted us to be thoughtful. So when we think of the amendments that are in this book, this little book that starts off with "We, the people," a part of the Declaration of Independence, and then the beginning part of the Constitution says that we have come together "to form a more perfect union," they've made it that challenging so that we could be thoughtful in our moving amendments.

Maybe for those of us who are in certain types of church families, whether it be Baptist or the underlying over-riding general Protestant structure, we know that there are pastors, ministers, reverends, board of trustees, a board, or maybe a deacon board, there is some sort of policy board, and then there is a congregation. The reason why I mentioned the faith community is because we can get very sensitive about how our places of worship are run, how the business part of it is run. And you would wonder how many congregations would welcome the overlay of some outside entity—albeit formed by members—that was over the pastor, that was over the board of trustees, that was over the congregation. That's what we have done and forced ourselves to do with the intervening supercommittee that was put together by the concept of needing to raise the debt ceiling and then adding into it another hot pepper pot, and that is, of course, having to be forced to pass a balanced budget amendment.

I want to refer my colleagues again to a headline in a local paper, SHEILA JACKSON LEE can't slow down the Republican balanced-budget amendment freight train. It's not necessarily because it was my name, but that's just what we have experienced, a freight train.

I have no doubt that there will be a strong vote tomorrow. I am hoping that the debate will generate enough thought to cause many of my colleagues to reflect on whether or not we could, in the regular order, do some of the suggestions that have been made. Taxation of investment transactions, where many who are well vested and who have experienced the bounty of this land would be willing to contribute and to understand how we should move forward. The expiration of the Bush tax cuts, another revenue-generator that would, I believe, increase the opportunities for reducing the debt. Getting rid of the mighty, if you will, bungled opportunity to help seniors, becoming a gigantic handout budgetary fiasco. Medicare part D—ask every senior when you visit them at their senior centers, are they begging for the closing of the doughnut hole? But more importantly, are they trying to get relief from Medicare part D? Give them relief, close the doughnut hole, and you will find a huge amount of money going into the Treasury.

Going back to the Affordable Care Act and implementing the public option and allowing the United States to negotiate the cost of medications, prescription drugs under Medicare—just watch the debt go down, down, down. So I want to recite, as I did on the floor of the House, the words of Chairman Ben Bernanke, the chairman of the Federal Reserve, who indicated to the Committee on Financial Services, We really don't want to just cut, cut, cut. 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.

Nowhere did he say, Well, why don't you just do a balanced budget amendment with no thinking and not being able to deal with emergencies beyond another vote by the Congress, sometimes a majority, sometimes even longer.

Mr. Speaker, a balanced budget amendment was wrong when our Founding Fathers began to write the Constitution. It was wrong as the Founding Fathers wrote amendment after amendment. It was wrong to think about it in World War II, to think about it in the 1929 financial collapse, to think about it in the conflicts of the 1950s, the Vietnam war or wars thereafter, such as the Persian Gulf, the Iraq war, and, of course, the Afghan war, Kosovo, Bosnia, Albania, Libya, and places where we've been called to act on behalf of the American people in defending our honor and democracy and protecting the vulnerable around the world. It is wrong, wrong, wrong.

What the American people who voted for Members of the United States Congress are asking us to do is what the Progressive Caucus is doing: It is finding a way, first of all, to submit a reasoned budget that has seen a responsible approach to addressing the needs of revenue-raising and belt-tightening. What it is also asking is, as the Progressive Caucus is doing, drafting a major omnibus jobs bill that will incorporate a wide range of initiatives, many not costly initiatives, that will bring about jobs in America not only for those languishing 2 and 3 years unemployed but for our wonderful college graduates and others that are coming out of the institutions of higher learning.

But as Dr. Jeffrey Sachs said, We have even more challenges because, although we all point to college graduates and going to institutions of higher learning, maybe I should wake up America and let you know that we have some of the lowest numbers of college graduation rates probably in the history of America: white males at 34 percent, African Americans somewhere under 20, and Hispanics 11 percent.

So the balanced budget amendment is not going to invest in the human re-

sources of America. It's not going to answer the question in our competitive reach as we compete around the world. It's not going to respond to the numbers of Ph.D.s that India is now producing, probably in years to come more so than people in the United States, or the number of masters and Ph.D.s in China.

□ 1930

Our reach in competition is way beyond our borders. But everyone knows that America's marketability is our genius in invention and manufacturing, our genius as it relates to prescription drugs, our genius in medical science and medicine, our genius in Silicon Valley and the little Silicon Valleys that are springing up around America.

Our genius, for example, in the MD Anderson Cancer Center located in Houston, Texas, the fourth largest city in the Nation, magnificent research occurring in that institution, seeking a viable 21st-century, 22nd-century cure for this devastating disease, but also branching out for creative thinking in the next generation of research. That is the genius of America. We are not broke, and we're certainly not broke in our genius.

Let us be reminded as we debate the balanced budget amendment that our corporations are flush with cash. Our banks are flush with cash, and countries around the world are eager to have us hold their money in the framework of loans that are being made to us. If they wish to loan to anyone, they are eager to loan to the United States. Why? Because they believe their cash is safe.

So it is important that we are thoughtful in the idea of a balanced budget amendment and why now. Why are we doing a balanced budget amendment in the course of the need to do, as Dr. Sachs has said, long-term, systematic changes in how we do business in the United States of America?

So just take a fact sheet on the question of the balanced budget amendment. It came about because we went to the brink of raising the debt ceiling, something that had been done many times since President Eisenhower, going forward to Presidents thereafter, many times under Bush I, the 41st President of the United States; many times under the 42nd President of the United States, William Jefferson Clinton; many times under the 43rd President of the United States.

And lo and behold, an African American President ascends to the Presidency, voted on by the American people, and the debt ceiling becomes a crisis in the making. And, frankly, the pundits, economists around the world indicated it was not the question of raising the debt ceiling. It was the debacle shown around the world that the Members of Congress were not allowed to get their business in order. They were not allowed to debate this in a reasoned manner. They were strung and strangled by voices that are driven

by outside party politics, in this instance the Tea Party and those who adhere to pledges governed by Mr. Norquist.

So it is important that a constitutional debate be separated from the entrenched political views that would disallow a thoughtful discussion. We could have raised the debt ceiling with a thoughtful discussion; but it came with not strings but laden with heavy steel, bricks tied to our arms and body as we walked slowly and dragged down.

So we have a supercommittee. With great respect for those working, I have the greatest respect for our colleagues and wish them well. We have the requirement of a balanced budget amendment, a constitutional discussion dragged down by the requirement that you're not going to get the debt ceiling raised. You're not going to be able to pay the bills for our seniors and our soldiers on the battlefield if you didn't hang with all of this weight to carry forth an instruction that really is not done thoughtfully.

So here's what we get with the balanced budget amendment. We risk default by the United States by requiring a supermajority to raise the debt limit. It destroys 15 million jobs and doubles unemployment to 18 percent. If enacted in fiscal year 2012, nonpartisan economists with Macroeconomic Advisers, LLC, estimate that enactment of a balanced budget amendment would eliminate 15 million jobs, double the unemployment rate to 18 percent, and cause the economy to shrink by 17 percent.

Remember what I said, dragged down by steel anvils tied to our legs and arms, our ankles, around our necks. This is what we will be doing tomorrow. This is what the vote will entail tomorrow.

It harms seniors by cutting Medicare and Social Security and veterans by reducing their benefits, even though Social Security is solvent until 2035, requiring a thoughtful decision of how we go forward. And even though there are ways to eliminate waste, fraud, and abuse from Medicare without cutting providers, we want to go with a balanced budget amendment which could result in Medicare being cut by about \$750 billion, Social Security \$1.2 trillion, and veterans benefits \$85 million through 2021.

How many of us joined our neighbors in celebrating Veterans Day last Friday? I did. We went to the Veterans hospital and shook the hands of bedridden veterans and promised them, by giving them cards of cheer, that we would not in any way cut their benefits. These cuts will result in draconian cuts, worse than the Ryan GOP budget. It opens the doors for courts to intervene—and the gentleman from Illinois may want to comment on this—in Federal budget decisions by placing the balanced budget amendment into the Constitution. It will generate enormous—in fact, there will be a line to

the courthouse on constitutional challenges on cutting Pell Grants and cutting food stamps and cutting housing and cutting veterans benefits, as I said.

And then, of course, more than 270 organizations representing people that are the most vulnerable have begged us to unshackle the steel anvils from our legs and arms and do the people's business.

I would be happy to yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I wanted to ask the gentlelady a question because I think she touched upon a thoughtful comment in her remarks.

I can imagine since every Member of Congress and every candidate for Congress is running for office and they run to uphold the Constitution of the United States, they swear to uphold the Constitution and its various provisions within the context of the debate that we have here on the floor of the Congress. In my district, I run on a campaign to try and provide better housing for my constituents. I run a campaign trying to provide health care for the health care-less, those who don't have health care. I run trying to say that the Federal Government has an obligation to address issues of unemployment and provide jobs. And when the private sector won't invest its money in and on the south side of Chicago, that it should do more. I run my campaigns arguing that people should get involved in the political process because if they vote for me, I can provide them some hope. I will come to the floor of the Congress and have their grievances redressed by the Government of the United States.

Under the balanced budget amendment as proposed by the gentleman from Virginia, it seems to me that anyone running for Congress in the future isn't going to be running making promises or commitments to do anything about the social ills or the gaps that exist within our society. They will be running for office saying, What I guarantee is you cannot have better housing, that you cannot concern yourself about the Federal Government's role in health care, or that the Federal Government should have no role in addressing issues of unemployment. Let the private sector work its way to the south side of Chicago or to Houston, Texas.

The gentlelady's argument seems to suggest that the balanced budget amendment itself changes the framework and the structure of America; and instead of candidates running for office making the case for hope and making the case for change and encouraging the promise of America, it's just the opposite.

Would the gentlelady comment on that, please.

Ms. JACKSON LEE of Texas. The gentleman is eloquent in his analysis. And as an appropriator, the gentleman knows full well the value of regular order. That is that the voices of not only the appropriators, meaning those

on the Appropriations Committee, but other Members are able to, in essence, craft the ultimate appropriations, maybe working with a budget, maybe not, based upon the current needs of the American people.

□ 1940

The balanced budget amendment will stand not as a guard at the door of the United States Congress—the doors are to my left. We come in and out. It will literally be a lock and chain on the door because it will say to those who are running for office, in essence, you are powerless. You will either be as other litigants in the courthouse in the third branch of government seeking refuge for your constituents, or you will make at being a Member of Congress and spend most of your time fighting the balanced budget amendment in the courts.

The gentleman is absolutely correct, and I would add to this that, even though they make a way for disasters and wars, even if it is presumed to be under the jurisdiction of the President's executive powers to even expend any dollars, one would have to come to this body to receive a majority vote by this House and a majority vote by the other House.

That means that all branches of government will be under this lock. The President will not be able to act as a President. The Congress will have disagreement as to whether or not it's a war we support or conflict we support or an emergency we support, and, in essence, to the gentleman's very fine point, and as I indicated, we will be clogging the Federal courts on each iota of disagreement dealing with from vast issues of protecting the homeland to the necessity of defending the principles of democracy around the world. And I know there are some probably listening and they are probably applauding because they are saying, I don't want to help anyone anyhow. But some of that help falls back on the safety and security of the American people.

What is going on in Somalia, the frightening devastation of death that we are not acknowledging, might be a cause for the support of the American Government to help in the survival of those people. We will be in a stranglehold from doing that. The crisis in Syria, which I wanted to just make mention of and to ask Dr. Assad, as the Arab League has asked, and as I continue to ask and as my Syrian American neighbors have asked, to step down, which might warrant the United States joining with people of goodwill to help the Syrian people, we will find ourselves in court for each step of our responsibilities. The oath we take, that will be in conflict with the balanced budget amendment as it is presently written by the gentleman from Virginia.

By the way, if it is not passed as it is, a long-winded process will generate, and I assume that it is the same bal-

anced budget amendment on the other body, but this will be a long, protracted process while we continue to languish and not do the people's bidding. I would rather do the people's bidding than I would want to, again, yield to a process that by its very nature is fractured and does not adhere to the Constitution as relates to having control of the pursestrings, being able to raise armies, being able to provide for the general welfare of the American people.

What are we talking about here? Am I going to have to prosecute a case in the Federal courts on the question of the general welfare of the American people when we will be thwarted here on the floor of the House because of the balanced budget amendment?

I would be happy to yield to my friend.

Mr. JACKSON of Illinois. I thank the gentlelady for yielding, and I'm not so sure that many of the distinguished colleagues appreciate that the distinguished gentlelady from Texas was a jurist before she came to the Congress of the United States. And so we heard from the author of the amendment, the distinguished gentleman from Virginia, that a three-fifths requirement would be required by this House, I believe, to raise taxes.

Now, unlike the Senate, which has a staggered election process, every 6 years is usually the tenure of a Senator, here in the House, Members of Congress run every 2 years. Essentially they're elected a year, then they run a year, then they are elected a year, then they run a year. And I'm finding it nearly impossible to imagine that in the event that revenues are at a shortfall in the Congress of the United States that there will ever be a Congress under the three-fifths requirement as spoken of in this amendment that would ever be willing to raise taxes on wealthy Americans in order to help balance the Nation's budget or to pay for programs. The politics of the way in which Congress is elected, that we serve 2 years, that we essentially serve a year, run a year, serve a year, do politics a year, which is a fundamental tenet of our system and a Constitutional requirement for the House, it just seems to me that inherent in the idea that somehow this Congress is going to have enough political courage in an election year, which, by the way, is every year for Members of Congress, that they're going to be willing to raise taxes in order to help provide for necessary needs of the American people.

As a jurist, would the gentlelady please comment on this idea of a three-fifths requirement in order to move revenue through this building.

Ms. JACKSON LEE of Texas. I want to remind the gentleman, I'm looking at a statement that my office brought to my attention that I was on the floor of the House September 22, 2004. Let me say that I wasn't on the floor of the House. I was in a markup on a proposed balanced budget amendment. And I had

in the markup, Mr. JACKSON, an amendment called the "poor children's amendment." In achieving a balanced budget, outlays shall not be reduced in a manner that disproportionately affects outlays for education, nutrition and health programs for poor children. That was called the "poor children's amendment," dated November 22, 2004.

We were dealing with an amendment at that time. It seems like we've done it over and over again. But I want to raise that to say you are very right in your analysis. What that means is that those who would be on the side of saying that we have a crisis with poor children, with nutrition, with the SCHIP program, children's health insurance program which is now merged into our Affordable Care Act, any other programs that deal specifically with the poor—let me just cite this: 2008, 15.45 million impoverished children in the Nation, 20.7 percent of America's youth. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty. We have the most uninsured.

What it means is that Congresswoman JACKSON LEE would battle it out in the courts. I would leave the floor of the House. I couldn't get the amount increased, and I would challenge the constitutionality of the balanced budget amendment. That would be part of my remedy because I couldn't raise up a three-fifths in this body, which is a supermajority, in essence, a supermajority to do the constitutional right that we have for taxation.

The House has the pursestrings, and that's a constitutional task. We've now changed that simple majority that has been written by our Founding Fathers who were building a nation and said, when building a nation, we don't want to be reckless with spending, but let us have a majority that will allow us to tax ourselves and build a nation. We're now arguing that it will be three-fifths.

And as we have made it your point, a constitutional amendment, as you know that we've gone to courts on the Ninth Amendment, the right to privacy. We are presently in the throngs of the amendments dealing with due process; and out of that 13th, 14th, 15th Amendments came the Voting Rights Act of 1965, Civil Rights Act of 1964. That generates court action. To your point, we will be in court. But I will say this. We will be in court on defense matters as well.

Let me just indicate a point about defense. 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 these budgets will become.

This legislation would allow a military conflict or threat to national se-

curity 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 will need to pass legislation citing a specific amount. So the gentleman who was on the floor is very accurate in what the balanced budget amendment will do is kick us off budget if we have an emergency.

Might I just say, as my voice is coming to somewhat of a raspy end, that in addition to being off budget for this Congress, those of us—I see the good speaker, a dear friend from Texas. Those of us who are familiar with State budgets, we know that there is a capital budget, and we don't have one here in the Federal Government. And so we spend, if people would know, monies out of the Federal Government to ensure the infrastructure of America.

□ 1950

Just a few days ago, Texas had articles talking about our water level. Our water is a lifeline for our ranchers, and something has to be done. I expect the legislature will dig deep to address the diminishing water sources and the water shelf that we have to deal with in places where we have to keep our ranchers going.

By the way, ranchers of Texas, I love you; and I am proud to be from Texas where ranching still goes on. You hold on. We have to deal with it; it is a Federal proposition to deal with water all over America. So all of this would be kicked off budget. And I would hope maybe my Texas colleagues would be in the courts with me when they would be denied the right to secure Federal funding to help Texas that is now suffering from enormous deprivation of water because of the drought that we had and some problems that come about through Mother Nature.

May I pause for a moment and ask the Speaker how much time is remaining.

The SPEAKER pro tempore. The gentlewoman has 28 minutes remaining.

Ms. JACKSON LEE of Texas. Then let me just add a few more points to my commentary on this.

Let me just say that in my district in Texas, more than 190,000 people live below the poverty line. And I want to take Mr. JACKSON's comments—I will say that he took the words out of our collective mouths in the Congressional Progressive Caucus that this issue of poverty is really unspoken, but is in need of raising the ante. And it's the highest rate in 17 years.

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 lower, Federal spending averaged 22 percent of GDP. We don't have that low number that was offered in the Judiciary Com-

mittee, but it is unrealistic as this country grows.

My friends, the country has gotten larger. We can't have the same percentages that we had under President Eisenhower. Only 5 years in the last 50 has the Federal Government posted an annual budget surplus. All of the years the government has been in a deficit. We must contain it and restrain it. We must raise money. We can do that. We've just got to move the various ghosts of tax pledges and other third-party restraints away from the Halls of Congress and move the blocker of doing intelligent work, and that would be a balanced budget amendment.

So I believe it is crucial, as this debate goes forward, that we understand the Constitution and the American people understand that you pass a balanced budget amendment and you give up the vote that you cherish every 2 years, when you vote for a Member of Congress who is allowed to vote for or against, who will stand on the floor of the House and advocate, under the Constitution of the United States, the authority of this House of Representatives to institute taxes through the discourse of debate and the appropriate use of those taxes to raise up the general welfare of the American Government and people.

With that in mind, I would beseech of you, as I close, to be able to truly understand the Preamble to the Constitution of the United States. Allow me to read this into the RECORD:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

I beg of you, my colleagues who will vote tomorrow, have this Constitution in your hand. Posterity can come through the reasonable work. Posterity can come through the thanking of the supercommittee for its work and moving beyond the supercommittee into 2012. Begin to analyze the needs of the American people and vote for revenue and vote for belt-tightening.

Don't take the Constitution and shred it tomorrow, voting for a balanced budget amendment that no Founding Father saw fit to implement, and throwing America's children, veterans, returning soldiers, and seniors into the Federal courthouses of America and depending upon the Federal court system for justice. We can do justice tomorrow. We can join with the Congressional Progressive Caucus long range, but we can do justice tomorrow and reject the balanced budget amendment on behalf of the constitutional rights of the people, and on behalf of the people of the United States of America.

I am happy to yield control of the remaining time to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentlelady.

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

Mr. JACKSON of Illinois. May I inquire of the Speaker how much time remains in the Democratic hour.

The SPEAKER pro tempore. The gentleman will have 25 minutes.

Mr. JACKSON of Illinois. Thank you, Mr. Speaker.

Over the course of this session of Congress, I have given a number of Special Order speeches in order to get across to this body the basic needs of the American people and how the Constitution is the best means of meeting those needs.

In April, I came to the floor and denounced a balanced budget amendment as the end of progress in our society. It would appear that my colleagues on the other side of the aisle didn't pay close attention. Perhaps, as they often do, they blatantly ignored what I believe was the logic and the reason behind my arguments.

Either way, Mr. Speaker, here we are just a few months from my original statement against the BBA and the House leadership has brought a balanced budget amendment to the floor. This week, we will cast our vote on what Ezra Klein referred to in the Washington Post as "the worst idea in Washington."

In a New York Times editorial published on July 4, the dangers of the balanced budget amendment are laid out in plain English—no frills, none of the rhetoric that our constituents fall prey to. As simple as the BBA sounds, requiring the Federal Government to balance its books every year would be like "telling families they cannot take out a mortgage or a car loan or do any other kind of borrowing, no matter how sensible the purchase or how credit worthy they may be."

Worse than just balancing our budget, the amendments that we will see in the coming weeks will force the supermajority to approve any borrowing to finance spending and cap all spending at under 20 percent of GDP. Additionally, a two-thirds majority would be required to raise taxes, making that process effectively impossible.

Sometimes a meaningful investment leads to greater returns in the long run. The average American can't afford to purchase a car, a house, or an education outright. They need a loan or some arrangement in which they owe money. They might be expected to pay installments at a later date, but the product of that loan could get them to a job interview, in a house, or in a university. A car could get them home after a long night at the office. A car lets them purchase groceries and, in turn, contribute to the success of the car industry. A house provides safety and security for one's family. An education adds to the quality of a person's life and the betterment of society. A

loan may not always be the most desirable situation, but no one would deny its necessity.

The chief argument used to sway forlorn Americans to the misguided belief that a BBA would benefit our Nation is this: each and every home has to balance its checkbook every month, so why shouldn't our Federal Government do the same? First of all, let me be clear: you cannot compare the budget of the Government of the United States to the budget of a household. It's simply not realistic.

Aside from that critical flaw, the truth is that while each and every American home must balance its bank account, this doesn't include the mortgage, the car note, or the car loans that haven't been paid back yet. A true balanced budget is unrealistic in almost any scenario.

□ 2000

Lest my words again fall on deaf ears, Mr. Speaker, let's start at the beginning. For my colleagues who did not hear me the first time, this may be a little bit redundant, but I'd like to address the history of the balanced budget amendment. It's been a long road.

In fact, Mr. Speaker, if I weren't so appalled by the nature of this effort, I'd be apt to congratulate my friends across the aisle for never letting go of their dream. I can absolutely relate, as I have a few constitutional amendments myself. I guess the Disney phrase, "Anything can happen when you believe" really did stick with them.

They believed since 1936 when, in reaction to FDR's New Deal, Republican Congressman Harold Knutson of Minnesota introduced the first version of the amendment in 1936. Like many constitutional amendments, this resolution did not receive a hearing or a vote.

During President Dwight D. Eisenhower's first term, the Judiciary Committee of a barely Democratic Senate held its first hearing on this amendment. It, again, did not receive a vote.

After these partial defeats, the BBA supporters shifted their focus to the States. From 1975 to 1980, 30 State legislatures passed resolutions calling for a constitutional convention to propose this amendment directly to the States.

The election of President Ronald Reagan and a Republican Senate in 1980 renewed hopes for the balanced budget amendment passed by Congress. While the Senate did adopt the amendment in 1982, it failed to garner the necessary two-thirds majority in the House. This failure energized conservative groups such as the National Taxpayers Union and the National Tax Limitations Committee to refocus on State action.

In 1982 and 1983 the Alaska and Missouri legislatures passed resolutions supporting the BBA, bringing the total of number of these resolutions to 32, two short of the 34 needed for a convention. However, a growing concern about the scope of a constitutional

convention led some States to withdraw their resolutions, re-shifting focus to congressional action.

From 1990 to 1994 Congress would make three additional attempts to codify this amendment. All failed to garner the necessary two-thirds majority. However, the BBA made a comeback when it was included in former Speaker Newt Gingrich's Contract with America. Twenty-six days after taking office, the newly empowered Republican majority adopted the BBA, giving conservatives their first congressional win in a decade. Disappointment awaited in the Senate however, when two separate votes fell short of its adoption. This failure, along with the balanced budget and the balanced budget surplus at the decade's end, sapped any remaining congressional support for the BBA.

There was renewed Republican support for the amendment in 2000, as it was included in the party's platform. The Bush tax cuts, wars in Afghanistan and Iraq, the passage of Medicare Part D, all unpaid for, led to massive deficit spending by Republicans that eventually led them to sweep the balanced budget amendment back under the rug. In fact, by 2004 the Republican party had created such debt and was so embarrassed that they left any mention of a balanced budget amendment out of their platform.

Again, in recent years, with the advent of the Tea Party and the return of extreme fiscal conservatism in the Republican party, there are currently 12 balanced budget amendments in the House and three in the Senate.

Mr. Speaker, we have a troubling national debt and deficit, but the balanced budget amendment is not the solution. I've already addressed for you the chief argument that proponents of the BBA use to draw in more misinformed worshipers of flawed austerity, comparisons to everyday families.

In the same vein of bandwagon fallacies, my colleagues across the aisle have consistently pointed to another entity that is required to balance its books, the States.

Mr. Speaker, I, again, can't continue without pointing out a serious dilemma in comparing the governments of individual States to the Federal Government. Perhaps if our Founding Fathers had seen fit to stick with the Articles of Confederation, this argument might be more legitimate. But at the end of the day we, instead, find ourselves under the guidance of the Constitution of the United States, by which I'm able to stand here before you tonight as an elected official conveying the views of my constituents.

The requirements and expectations of our Federal Government, to the great and continuous dismay of some of my colleagues, are now and forever different from those of the States. The Federal Government is bound to protect, via military force, and provide for the collective security of our Nation; maintain the national currency; determine the scope of the Federal courts;

promote and encourage our Nation's scientific and technological advancements via patents; and even regulate trade between the States that make up this great Union. At the end of the day, the States rely on the Federal Government, much like the citizens of the United States.

Alas, Mr. Speaker, since this logic doesn't seem to carry with my conservative friends, I would like to point out a few technical problems with this impressively mature "the States do it" argument. On its face, I'm willing to say this may be true. Nearly every State in the union has some form of a balanced budget requirement. Unfortunately, however, this has not kept them out of debt.

Furthermore, their amendments have restricted their ability to care for their citizens in times of austerity or emergency. Quite frankly, I don't think that's an option for the Federal Government. And in the face of such an emergency, I think every constituent we represent would agree.

According to a Forbes analysis of the global debt crisis in January of 2010, every single State in the country is carrying some form of debt. These debts range from as little as \$17 per capita in Nebraska to \$4,490 in Connecticut.

In fiscal year 2012 approximately 44 States will face revenue shortfalls. Many are desperately looking for ways to declare their State bankrupt. Bankrupt. I say it again, Mr. Speaker, because this proposed amendment would place the Federal Government in an equally unacceptable predicament.

For instance, in Rhode Island, judges and court workers have cut pay and left 53 positions unfilled. This is still not enough to balance their budget. As a desperate last resort, the chief justice has begun to dispose of cases on backlog. Literally, the judge is tossing them out. Florida is in the same predicament.

This past week I spoke to the Federal courts in the Northern District of Illinois. Federal workers being laid off and furloughed, and men and women who have pensions and long investments in the system being told that the Federal courts in the Northern District of Illinois can no longer sustain themselves. I told them I would bring their message back to this Congress.

If this Congress can spend billions of dollars to fight a war in Afghanistan and Iraq, we can spend billions of dollars on scientific exploration, we can spend billions of dollars to put a man on the Moon, why can't we find the money in this Congress to put a man or a woman on their own two feet right here in America?

My colleagues across the aisle are so concerned about handing our children and grandchildren any amount of national debt that they fail to realize we are setting future generations up for failure. States are already cutting too many services that make the American workforce strong and competitive.

Should the Federal Government do the same, our legacy will be an America that is undereducated, ill-equipped to compete on a global level.

What happens to America when both State and Federal Governments can't make the investments in the education our youth need to compete at the global level? When our State and national capitals are both hiding behind balanced budget amendments? What happens to America?

The ones who will suffer won't be the conservatives pushing for this amendment. It will be our poor, our children, our veterans, our elderly, the disabled, the America that doesn't have an interest in corporate tax rates, subsidies for big oil companies, or whether the Federal Government or insurance company underwrites their flood insurance. Everyday America will suffer.

The balanced budget amendment is the wrong key to the doors of prosperity. It fits inside the keyhole, it seems like a perfect match, but it really doesn't open the door. We twist it, we shake it, we fiddle with it, but wind up stripping the lock, doing more harm than good. And at the end of the day, we've moved no further, made no progress from where we started.

A BBA is not going to solve America's deficit crisis. According to the Center for Budget and Policy Priorities, Citizens for Tax Justice, and others, a Federal balanced budget amendment would damage our economy by making recessions deeper and more frequent, heighten the risk of default, and jeopardize the full faith and credit of the U.S. government, lead to reductions in needed investments in 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. It would weaken the principle of majority rule, making balancing the budget more difficult.

And no one, to my satisfaction, not on the Democratic side and not on the Republican side, has explained to me yet what qualifies a Federal judge to intervene in this budget process and make a judgment about what programs to cut.

□ 2010

Do they have degrees in economics? Have they studied programs? Have they studied the needs of constituents around the country? Have they been to Appalachia? Have they been to the barrios, the ghettos, and the trailer parks of our Nation?

What qualifies a Federal judge to determine when someone's benefit or assistance should not be given to them? Nothing qualifies them, and yet this Congress votes tomorrow to change the Constitution of the United States as if their opinion should matter in this particular process.

Mr. Speaker, I want to go into a little bit more detail about these faults because I need my colleagues to understand the level of damage they'll cause

if they continue to sugar this bill and force it down the throats of the American people.

First, a balanced budget amendment would damage the economy and make recessions deeper and more frequent. Under a BBA, Congress would be forced to adopt a rigid fiscal policy requiring the budget to be balanced or in surplus every year regardless of the current economic situation or threat to the Nation's security. A sluggish economy with less revenue and more outgoing expenditures creates a deficit, as we've seen from recent events. A deficit necessitates economic stimulation in order to reverse negative growth.

This is why in the last session of Congress the American Recovery and Reinvestment Act invested in roads, bridges, mass transit, and other infrastructure. It provided 95 percent of working Americans with an immediate tax cut, extended unemployed insurance and COBRA for Americans hurt by the economic downturn through no fault of their own. If Congress were forced to function under a BBA, deficit reduction would be mandated, even more so during periods of slow or stalled economic growth, which is the opposite of what is needed in this situation.

My Republican colleagues have taken to finger-pointing about the stimulus package. Every day I see a commercial laughing about the embarrassing and painful ways it failed to push our economy out of recession. I find it funny that no one has talked about what would have happened without it.

Here in the Halls of Congress, we're expected to legislate on a vast number of issues; but we always try to take our advice from the experts. And the experts, the economists, told us we should have done more.

The BBA risks making the Nation's recessions more common and more catastrophic for middle class families, senior, veterans, the disabled, the poor. Under such an amendment, Congress is stripped of any power to adequately respond.

Secondly, a BBA would risk default and jeopardize the full faith and credit of the United States. We've already been down this road. We already know how dangerous that turn really is. In August, we teetered on the brink of default playing political games and pointing fingers. We couldn't pass a respectable debt ceiling increase, and we only needed a simple majority to do so.

A balanced budget amendment would bar the government from borrowing funds unless a three-fifths vote in both Houses of Congress permitted a raise in the debt limit. Under such a scenario, we wouldn't have been able to raise the debt limit in the last debate. A budget crisis in which a default becomes a threat is more likely and because of the limits placed on the fluidity of the debt ceiling, that default becomes more likely to occur.

After the chaos we just experienced a few short months ago after the downgrade of our Nation's credit rating, not because of our debt but because of our lack of ability to lead and govern, I would think, Mr. Speaker, that we would try to avoid an identical future situation. A BBA would exacerbate the same issues we saw in the August debt ceiling debacle.

Third, Mr. Speaker, a BBA would lead to reductions in needed investments for the future. Since the 1930s, our Nation has consistently made public investments that improve long-term productivity and growth in education, infrastructure, research and development. These efforts encourage increased private sector investment leading to budget surpluses and a thriving economy.

A balanced budget amendment which requires a balanced budget each and every year would limit the government's ability to make public investments, thereby hindering future growth.

For years, conservatives have abused the debt and the deficit as a springboard from which to argue for smaller government and cuts to programs that serve as social safety nets to the American families. Although we must consider the debt and deficit, the larger and more significant issue is the nature of the debt and what it created.

If you invest \$50,000 in a business, a house, or an education, you can expect future returns on your investment. If you invest the same \$50,000 in a gambling debt, what is the future return? Both expenditures result in a \$50,000 debt. But only one results in a return that can transform that debt into a long-term asset or gain.

Social investments provide the potential for greater returns in the long run in the same fashion as personal investments. Even small expenditures on social programs lay a foundation for great wealth in the long term. If the Nation chose to invest over a 5-year period \$1.5 trillion in building roads and bridges and airports and railroads, mass transit, schools, housing, health care, we would create a debt. But the increased ability of companies to interact and shift their goods over well-paved and planned roads, the new businesses that would sprout around freshly built or newly expanded airports, the high wages of a student who is well-educated and able to attend college resulting in more tax revenue, the improved productivity of employees at their healthiest would eventually result in greater returns for our country.

The extension of Bush-era tax cuts for corporations and the rich brought about some short-term stimulus for consumer spending; but similar to the Reagan tax cuts, which resulted in record government deficits and debt, the long-term damage outweighs the immediate effects. Reagan's tax cuts for the rich came at the expense of investing in our Nation's need for long-term, balanced economic growth.

The Reagan administration neglected and cut back our Nation's investment in infrastructure, education, health care, housing, job training, transportation, energy conservation, and more.

The inclination of most conservatives in both parties—I'm not picking on Republicans today—in both parties, is to cut the debt by cutting programs for the most vulnerable amongst us—our poor, our children, our elderly, our disabled, and minorities. This approach, however, has proven false too many times. A balanced budget amendment would take us back to this archaic and ineffective system permanently.

Fourth, Mr. Speaker, a balanced budget amendment favors wealthy Americans over middle- and low-income Americans by making it harder to raise revenue and easier to cut programs. Under current law, legislation can pass by a majority of those present and voting by a recorded vote.

The BBA requires that legislation raising taxes must be approved on a rollcall vote by a majority of the full membership of both Houses. Before I even finish this point, Mr. Speaker, I want to make this point: look at the supercommittee. Look at what they're wrestling with. We don't even have a balanced budget amendment. Look at who they're targeting. Look at the emphasis of their cuts.

So instead of a balanced budget amendment in the Constitution, we already see that Congress is ineffective in light of what we've already passed. Imagine if it were a constitutional requirement.

The point is so simple, Mr. Speaker. The BBA would make it harder to cut the deficit by curbing special interest tax breaks of the oil and gas industries and making it easier to reduce programs such as Medicare, Medicaid, Social Security, veterans benefits, education, environmental programs, and assistance to poor children.

Wealthy individuals and corporations receive most of their government benefits in the form of tax entitlements while low-income and middle-income Americans receive most of their government benefits through programs.

As evidenced by the cuts that both parties agreed upon recently, it's far easier to cut social welfare programs than to cut spending on our military or to increase taxes. As long as spending is a political issue, cuts to those programs that assist those with the smallest voice in Washington will always happen first.

Raising taxes, the only option to address a budget deficit aside from cutting programs, is already a burdensome issue. The additional requirements of a BBA further complicate the process of raising taxes. This means the richest Americans will likely keep the benefits they receive from our government via tax cuts.

Meanwhile, the poor, they lose their programs that provide them with housing, with food, with health care, and

the means to survive. This will further reinforce the growing gap between the rich, the rest of our society, middle class, working poor, and the destitute alike.

□ 2020

The BBA insists that the total government expenditures in any year, including those for Social Security benefits, not exceed total revenues collected in that same year, including revenues from Social Security payroll taxes. Thus, the benefits of the baby boomers would have to be financed in full by the taxes of those working and paying into the system then. This undercuts the central reforms of 1983.

Finally, Mr. Speaker, the BBA weakens the principle of majority rule and makes balancing the budget much more difficult. Most balanced budget amendments require that, unless three-fifths of the Members of Congress agree to raise the debt ceiling, the budget must be balanced at all times. They also require that legislation raising taxes must be approved on a roll call vote by a majority of the membership.

Mr. Speaker, in no way is this an exhaustive list. I know that my time is up, but this is my second attempt to bring my conservative friends to their senses. The only parties served by a balanced budget amendment are corporate interests and the wealthy, whom they seem to be serving instead of everyday working Americans.

My answer is "no," Mr. Speaker, to the balanced budget amendment tomorrow. My answer is "yes" if my colleagues agree there is no way that they can pass the balanced budget amendment unless we, ourselves, agree that we must invest, build, and grow this economy and work our way out of this problem as Americans.

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

GOP DOCTORS CAUCUS: THE EFFECTS OF THE AFFORDABLE CARE ACT ON AMERICA'S HOSPITALS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Ms. BUEKLE) is recognized for 60 minutes as the designee of the majority leader.

Ms. BUEKLE. Thank you, Mr. Speaker.

Here in Washington, we are divided on many issues, but whether we are a Republican or a Democrat, Members of Congress recognize the essential role that our hospitals play in our communities.

Hospitals provide care for the sick, and the clinics provide essential care to many. They are engaged in important medical research, and teaching hospitals are educating doctors and nurses to provide care for future generations. In many districts across the country, including mine, New York's 25th Congressional District, our hospitals are our major employers.