and that was through the SCHIP program. And we were not able to do that, even after one, two, three attempts to get that SCHIP bill past the President's desk without the veto that he actually carried out and without a continued threat of a veto if we were to send it.

We did reauthorize the bill for another year, but that is not addressing many of the issues that are facing Americans right now, and I think as we start to look at this issue, Mr. Speaker and Members, we have to look at it from the standpoint of we have to start somewhere. What better place to start than dealing with our children? I think that it's important that we move in that direction.

Fiscal discipline and the economy. We talked about that, and some of that will be placed in this State of the Union, I am sure. I don't think the President can come in here in another 12 days or so and not talk about the economy. I mean it's almost like an elephant standing 3 feet in front of me, and I'm saying, I don't see the elephant. I don't see what you're talking about. That is the situation right now in dealing with the economy.

Another slogan issue, not really a plan, but a plan that's released nine times out of 10 in the budget or a piece of legislation, the President says, together we can balance the budget.

Well, let's look at that statement. ''Together we can balance the budget.'' Well, over the last 6 years President Bush has not put forth one balanced budget plan. First you have got to start with that. You have got to put on the table the work product that will actually balance the budget.

I think that when you look at historic numbers, where we are now, we turned a $5.6 trillion surplus into more than a $3 trillion deficit. The fastest growing item in the budget is interest payments to foreign countries that I have put up on this chart. It may not be the most exciting thing in the world, but I can tell you, once we start to really start moving down and paying down this debt, the goalpost continues to move further and further away because of the fact that we are not working together to make sure that we can balance this budget. The President said, Together we can balance the budget. Well, just because he says it doesn't necessarily mean that it's going to happen.

So when we start to move down the track, Mr. Speaker, in closing, looking at the economy; looking at the fact that the American people expect for us to work together, which we should; looking at the fact that this is not the centerpiece or peak of the political season, but there's a lot being said on both sides, Democrat and Republican, and I think it's important for us to look at the past, learn from the past, hopefully for a brighter future, looking at the past, what has happened and what has not happened, and looking at a brighter future.

The first session of the 110th Congress was a good session and a lot was done in the first session. I think it's important too, when we look at the past and start looking towards the future, in the first session of the 110th Congress, the 9/11 Commission recommendations to protect America from terrorism, passed, signed into law; the largest college student aid expansion since 1944; the GI Bill, that saved average students $4,400, that is in their pockets, passed, signed into law; the first minimum wage increase in a decade, there's a pay raise for 33 million Americans, that comes in handy now, passed, signed into law; Innovation agenda promoting 21st century jobs, passed, put into law. That is coming back towards making sure we are able to stay competitive with other nations.

The tough lobbying and ethics reform bill that was just held by independent reform groups, passed, signed into law; reconstruction and assistance of the Gulf Coast devastated hurricane areas, passed, signed into law. That was a long fought effort that was something where the people in the gulf coast asked for fairness, equity, and attention from this government. We were able to bring that to fruition through the first session of the 110th Congress, which is a Democratic Congress.

I can tell you there are a number of issues that have not been resolved, that were attempted to get resolved, but I think that some of those issues, we look at the expansion of research of stem cells, passed, was not signed by the President. Also, health care for 10 million children of working families, passed, not signed into law. Vetoed.

We also look at the other major, major pieces of legislation that were even threatened by veto that were stalled in the legislative process because the President issued a veto threat.

I think that as we look at the past success that we have had in a bipartisan way, and as we look at the future of what the American people are going through now and what they will be going through in the coming months, I think now more than ever in any other time since I have been in Congress, and it's now my third term, that the American people need us. The American people need us to work together like no other time in recent history.

Some forecasters have said this is going to be a pretty bad economic downturn. A lot of folks are using the R word, the recession word. We have to work together so that the American people don't suffer, and we will work together, especially on the majority side, in hopefully a bipartisan spirit to allow that to happen. But there has to be the will and the desire on behalf of the minority party, which is the Republican Party here in this Congress, and the spirit and desire on behalf of the administration to get something done.

I think the President should be more motivated than any other time in his Presidency to make this right and to be what he said he was in his first campaign, that he is a uniter and not a divider, a uniter and not a divider. I think the American people need to see that played out in this last year that he will be serving as President of the United States.

Once again, the majority in the House and Senate, the only way we can achieve bipartisanship is if the majority allows it. We know that the majority has the will and the desire to allow that to happen. The question is, the President and the administration, do they have the will and desire to allow bipartisanship to work between the legislative branch and between the executive branch?

I hope and I pray, especially on behalf of those that are punching in and punching out every day, on behalf of those that their only income is a Social Security check and what their family assists them with to keep the lights on, keep food in the refrigerator, I hope on behalf of those that are in harm's way, fighting on behalf of our country in Afghanistan and also in Iraq, and those that are deployed in military installations throughout the world, that their mother or their family members are able to survive here under this economy and the direction that it's headed in.

It's going to take bipartisanship. That means we need to rise up above Democrat and Republican, rise up over our differences, and stand on behalf of the American people who are counting on us.

With that, Mr. Speaker, it's always an honor to come to the floor and address the Members. The 30-Something Working Group will continue to work hard on behalf of the common good, and also bipartisanship in the House and in the Senate, and hopefully with the administration. But we ask for the Members, if they have any questions or anyone has any questions or would like to share a story, that they can contact us at 30-Somethingdems@mail.House.gov, or just visit www.speaker.gov/30something, and we would love to have a conversation with you. Also if you wish to share your stories about what is actually happening in your hometown or happening with your business and what it will mean to you for us to work in a bipartisan way.

I think that is the spirit we want to pick up and the spirit that we want to have so that we can get something done on behalf of the American people.

CONSTITUTIONAL CAUCUS ON THE BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. GARRETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARRETT of New Jersey. Mr. Speaker, I appreciate the opportunity

to come back from our break, come here to these hallowed halls to speak on an important subject, and before the gentleman from the other side of the aisle leaves, and I know he is involved in a discussion right now, but before I repeat my remarks, I will reference his closing remarks, which was an outreach for bipartisanship to address the economic situations that the country finds itself in. The gentleman can rest assured that, at least from this gentleman from this side of the aisle, he can find that bipartisanship, because I think when we all go back home to our districts, regardless of the States that we are in, we are hearing the same complaint, outcry, what have you. It may be different in different portions of the country. Certain States are certainly harder hit than others. But I think there is a general perception out there that no matter where you are, the economy is in, let's say something of the doldrums.

So this side of the aisle is glad to reach out to the other side of the aisle. I also know that the White House is more than willing to work to address the economic situation that we find ourselves in. That being said, I think that the American public wants to be sure, wants to be sure that whatever solution that we come up with out of this House, the House and the Senate, and the President eventually signs onto, will do something that will create more good than harm, and that will be long lasting and not just short-lived or a flash in the pan.

A flash-in-the-pan might be something like we have seen in my very own State. I come from the great State of New Jersey. We do something in our State which is called homestead rebates. Every year around election time, whichever party is in power at that time sends out a homestead rebate check of around $300, $400 or $500. I guess that is supposed to be good for the economy and that sort of thing, but at the end of the day of course that has just de minimis effect on the overall economy, and if you look at the State of New Jersey economy right now, you will know it is not doing well at all. That, coupled with the fact that the State legislature has raised taxes on the people, but corporate taxes, income taxes, sales taxes and the like, we have seen 72,000 flee our State.

□ 1815

So we know that we do not want a flash-in-the-pan approach, but instead something that will improve the economy in a better way. That would most likely be something that would allow a permanent return of people's money to their pocketbooks, such as lowering the tax rates, allowing the creation of more jobs and the like. But I digress, because I was just referring to the closing comments to the gentleman on the other side the aisle.

Now I would like to turn the attention to what we are here for the next hour to speak about, and that is during the Constitution Hour. As I do that, let me just take an introductory moment to thank the gentleman from Utah who will be speaking shortly. I thank him not only for his usual diligent work as he works earnestly in his capacity as a Member representing his great State as a Member of Congress and all the responsibilities that that takes, I thank him not only for his work that he does in addition to that to try to come up with methodologies to improve the performance of this House, which we are all eager to look forward to and take part and see the work there as well, but in addition to all those responsibilities, he has also taken on the chore and responsibility, and I don't think he looks at it as a chore, to come to the floor once a month as part of the Congressional Constitutional Caucus to address the important philosophical and fundamental issues of the day.

So before I begin, I want to thank the gentleman from Utah, Mr. BISHOP, for all of his work to his constituents and also to the members of this conference as well.

As I say, we are here tonight as we begin another year of our monthly Constitutional Hour. During this second session of the 110th Congress, the members of this caucus will use this opportunity to emphasize for our colleagues and also for the Nation the necessity of ensuring that our government is operating according to the intent of our Founding Fathers and the original intent in the Constitution.

As the tenth amendment affirms, as I often speak of on this floor, the authority over most domestic issues belongs to the States, either directly or through their political subdivisions and the people themselves, and not here for this House to be haranguing about.

As the one who helped begin this caucus, I have discovered that for many Americans, including unfortunately some of my fellow colleagues, I guess, the Constitution is nothing more than a historical document, not germane to the current hour. Too many citizens do not know what the Constitution says about the governance of this Nation, let alone how to help discern its meaning and therefore apply it to what we do in this conference.

Therefore, one of the goals of this caucus is to help educate both the Members of this Congress and also the public as well about the original intent of the Founding Fathers and how some portions of that document got here, and tonight we will be talking about the Bill of Rights.

Last month, on that point, we celebrated the 216th anniversary of the ratification of that Bill of Rights. It was on December 15, 1791, our Founding Fathers decided to attach the first 10 amendments to the Constitution. After months of deliberation, they succeeded, I believe, in securing liberties and freedoms that were unimaginable, truly unimaginable, to previous civilizations.

Just as an aside, some scholars would perhaps disagree and say that this was seen in other documents such as the Magna Carta and the like, but nothing to the poignancy and the directness as we have in the Bill of Rights was ever seen prior to this documentation.

Tonight I join, as I say, with Mr. BISHOP and others in focusing on the ratification of this Bill of Rights, and I would like then to begin a discussion of how this document continues then to affect us today.

According to Thomas Jefferson, the Bill of Rights was largely the brainchild of one man, George Mason. In fact, Jefferson wrote, ''The fact is unquestionable that the Bill of Rights in the constitution of Virginia,'' which is where he was from, ''were drawn originally by George Mason, one of our greatest men.'' Yet, unfortunately, not many people today have even heard of him. It is for this reason that many have called him the forgotten founder.

But most Americans recognize the name from the movie and Cinderella story of 2006, the NCAA tournament, in which the George Mason University Patriots made its way to the final four. But it was George Mason's tremendous contributions and accomplishments himself that have largely gone unrecognized.

Mr. Mason established himself as one of the richest planters in colonial Virginia, and, like George Washington, who everyone is familiar with, he preferred to remain at home working on his plantation and spending time with his family. But when duty called, he did not ignore it nor hide from it, and throughout his adulthood, consented to the request of his fellow Virginians and served in various political capacities. He was a Fairfax County justice, a trustee of the City of Alexandria, and a representative in the Virginia House of Burgesses.

It was when England enacted the Stamp Act that he wrote a letter to London merchants, who he had often many dealings with, explaining the colonists' position and asking for their support leading to the revolution.

One of his greatest accomplishments was his contribution to the Virginia Declaration of Rights. When he became a delegate to the Constitutional Convention, he was one of the five frequent speakers there.

Despite all that, he ultimately refused to sign the final version of the Constitution, for two reasons: One, and most importantly to our discussion tonight, he wanted to have a Bill of Rights in that original document to protect individuals against a grasping, overgrowing central government, one which we see today. Secondly, he disagreed with the convention's tacit approval of the institution of slavery.

So, because of his stands, he refused to sign the document and he also lost a longtime friendship with George Washington and others. But it was one year before his death Mason was vindicated. That was when the Bill of Rights was

finally adopted by all the States. Moreover, much of the adopted language was actually the identical words that he used and crafted in the original Virginia Declaration of Rights.

Author George Grant describes Mason as a rationalist who had little faith in the workings of government bodies. He fought passionately for the freedoms of the individual, whether it was a citizen or slave at the time, and he was largely responsible for ensuring that the protection of the rights of the individual would be such an essential part of the American system. That is our responsibility as Members of Congress, to ensure that those rights are continuously protected in the legislation that we deal with on this floor.

To show you how much we are indebted to Mason, let me quote a portion of the Virginia Declaration of Rights, which I just said he authored. ''All men are born equally free and independent and have certain inherent natural rights, among which are the enjoyment of life and liberty, with the means of acquiring and possessing property and pursuing and obtaining happiness and safety.''

Those were his words. They sound very familiar to us all. Mason was also among the first to call for such basic American liberties as freedom of press, religious tolerance and the right to trial by jury. As he understood it, the Bill of Rights would protect citizens, as I say, from encroaching Federal Government, and so his original language then eventually made its way into our current U.S. Constitution and the Bill of Rights.

As my colleague will detail, I presume, or talk about, and I will a little bit later on, the Bill of Rights has been in certain cases misinterpreted in certain court cases in the past over the last centuries. In certain instances these errors have allowed the government to seize some of the very freedoms that the Bill of Rights was intended to protect.

I will go into those in a little bit dealing with the first amendment and the establishment of religion, an issue that is very poignant today, and also in the first amendment, issues of the court's interpretation of abuse of freedom of speech and the press and how they have changed in the interpretations of recent Supreme Court decisions as to which is more important and paramount, commercial and independent speech.

The second amendment, I believe we may have some speakers later on again on very poignant cases that will be coming dealing here with issues right here in the District of Columbia.

The fifth amendment, taking clauses again, legislation that this House has dealt with and we will be talking about very briefly later on as well.

Right to speedy trial and how what we do here with regard to the criminalization of laws can have an impact on that as well.

In closing my remarks right now, the tenth amendment, I believe Ms. FOXX will be on the floor a little bit later on talking about that and how that closes up and compresses or closes the end tail, if you will, of the entire Bill of Rights.

So those are some of the elements of it, our discussion tonight. With that, I would like to yield to the gentleman from Utah. Again, I appreciate your being with us.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to be here and I am grateful to the gentleman from New Jersey for allowing me to have some time here.

You know, when we come into this Chamber and we look around, there are cameos of the great lawgivers of the world all around us. There is Moses to Hammurabi, even Napoleon over there in the corner. It is interesting, there are only two Americans in this pantheon of great lawgivers, Thomas Jefferson and George Mason, ironically neither of whom signed the Constitution.

Of those two, Mason is, as the gentleman from New Jersey said, clearly the most interesting. He is one of three people who was at the entire Constitutional Convention, and then at the end refused to give his assent to the actual document because it did not contain a Bill of Rights.

I would like to talk for just a second about the other members of that convention who did not agree to add this Bill of Rights, because one must ask why were great patriots like Washington, Franklin, Madison, Hamilton, Dickinson, Wilson, why did they refuse to join with a Bill of Rights? Were they opposed to civil liberties? It is pretty obvious they were not.

But what they said is a fear that the Bill of Rights, that actually if you start listing what those rights are, it may be a ceiling of what rights are allowed as opposed to a floor of what rights are going to be guaranteed. Actually, the Bill of Rights is misnamed. It should be called the ''Bill of Wrongs.'' It is a list of things that it is wrong for the Federal Government to do, no matter how many people actually want to do it.

In their concern though, they were still concerned about civil liberties. They had an additional plan to do that, which was a structural guarantee of the rights of citizens. We call it today federalism. It was a means to defend the individual liberties of Americans.

They realized that increasing the number of competitors to power was as effective as listing the things that would be prohibited for the government to do. As Madison said, ambition would counteract ambition.

They had two ways of looking at it. The horizontal separation of powers between the executive, legislative and judicial branches, which, unfortunately, is what we only spend our time teaching in schools today. But equally important to them was a vertical separation of powers between a national government and a State government.

The fear, obviously, was that the Federal Government would not check itself, so the 50 States would be the perfect counterbalance to a national government.

Justice Scalia in Mack v. The United States once said the Constitution protects us from our own best intentions. It divides power among sovereigns and among branches of government precisely so we may resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day.

Power with no check historically resulted in tyranny, and no government was out of the potential of doing that; however, balance of power and limitations of governments would result in the support of individual civil liberties.

In Federalist 51, Madison said, ''Experience has taught mankind the necessity of auxiliary precautions.'' That was the structure he was talking about, separation of powers, federalism.

In Federalist 45, Madison again wrote, ''The powers delegated by the proposed Constitution are few and defined. Those which are to remain in the State governments are numerous and indefinite.'' That was the plan.

In Federalist 32, Hamilton continued to say that ''under the plan of the convention, States retained the authority in the most absolute and unqualified sense, and that attempt on the part of the national government to abridge any State power would be a violent assumption of power unwarranted by any article or clause of the Constitution.''

Unfortunately, today our national government has grown out of the bounds originally established. Often by good intent, often by misguided compassion for people, which eventually actually ends up hurting far more than it ever intended to help. As P.J. O'Rourke once wrote, the history of government is not how Washington works, but how to make it stop.

We understood in the Bill of Rights, when they were listed, a couple of unique concepts. The Bill of Rights always talked about how Congress may make no law to inhibit the rights of an individual. Other countries had bills of rights. The USSR Constitution did also have a bill of rights which contained guarantees of free speech. But, as they said, in order to produce a socialist state, citizens of the USSR are guaranteed freedom of speech, et cetera.

□ 1830

Now, there is a difference. In the USSR constitution, the freedom of speech was granted by the government and therefore could be taken back by the government, as opposed to the way we are looking at it as rights inherent in individuals.

Now, when the Bill of Rights was actually established, there were 10 Bills of Rights. I want you to know that when they did that, they did not forget this concept of a structural balance of power, both horizontally and vertically, as the foundation for ensuring the civil liberties. And that is why

they did the 10th amendment. The 10th amendment clearly says that the powers not delegated to the United States by the Constitution nor prohibited by its States are reserved to the States respectively or to the people.

Jefferson called this 10th amendment the bedrock of constitutional government. These are the words that are significant and important, and we must remind ourselves.

Congress passes laws almost on a weekly basis. Sometimes we make incorrect assumptions about the meaning the Founding Fathers had on the words, or we simply ignore those words as looking as if they were irrelevant to our time. Justice Scalia once again wrote about the Constitution, ''What it meant when it was adopted, it means today. And its meaning doesn't change just because we think that meaning is no longer adequate to our times.''

That also applies to the words in the Bill of Rights: What it meant at its time of adoption, it still means today, and it doesn't change in the period of time and simply because our assumptions may wish to change.

I was once in a conversation with another history teacher. She asked, how do we know what they originally thought when they were writing these words? And it was very simple: We study history.

It may be that I am an old history teacher and I am kind of biased about this; but when we fail to study the history of this country and, more importantly, when we fail to study the history of our government, the history of this document, we fail to understand what they meant by those words, and then we replace our own definition. We use our own wit to try and come up with what it should be and oftentimes we fail in understanding what made this country great or what we need to do to truly honor the Constitution and the Bill of Rights that are there.

One of the things we need to do most definitely in this country is take the time and effort to ensure that we read the documents, that we understand the documents, and we put them in their historical connotation. That is the way we preserve and secure them.

I would like to yield to the gentleman from Texas who has a unique approach here, one of the things we may do to try to remind us, even those of us who were elected to this body, that maybe it is time to review and know the history of this document and these documents so we understand what the words mean and how the words should be applied in our time.

Mr. CONAWAY. I thank my colleagues from Utah and New Jersey for once again highlighting these important documents and important truths that this country was founded upon, and how important they really are. And you are both doing a great job of walking through some of the details.

But at a bit higher plane is the idea that each of us should know what the Constitution says. It is one thing to study the history of the Constitution and try to figure out what they were thinking, but we clearly know what they thought in the sense that they wrote it down. In the language of the day, this Constitution, the Bill of Rights, and Declaration of Independence were written in plain English, and each of us as intelligent human beings should be able to read that document and understand what it has to say. And I think our Founding Fathers intended for us to do that. They wrote it down not for some archaic court to continue to interpret on our behalf, but for us to live our lives and run this government and create the kind of Federal Government that is limited, that doesn't have the reach into our personal lives that governments always want to do, that even this government under leadership from both sides of the aisle continues to reach into our own private lives in ways that our Founding Fathers I don't think intended.

Hamilton was probably the one founding father who had the most expansive view of Federal Government of any of the Founding Fathers. And I think, if he came back to life today and got a good look at what we are doing, he would simply say, ''Oh, my, how could you possibly do this reach of government based on the documents that we left you guys?''

My bill, H.R. 3550, is pretty simple, pretty straightforward. It is the idea that every Senator, every Member of the House, every senior staffer would once a year be required to simply read the Constitution. It is not a long read, it is about 2,500 words, and most of us have third grade educations or better and should be able to comprehend the simple, straightforward language of the Constitution.

I am told anecdotally that even in our law schools where they teach a one-semester or two-semester course on the Constitution and constitutional law, that a requirement to read it from cover to cover, from start to finish, is generally not included in the curriculum. Now, they will read parts of it and they will read pieces of it and study pieces of it, but just simply sitting down and reading it from start to finish is not something that they do.

At a minimum, there should be 435 Members of this body and 100 Members across the building who once a year take a look at the Constitution and the Bill of Rights, just to make sure that as we go about our business day in and day out that we are not straying from the original precepts that are clearly there. This body and the one across the other side of the building write laws every day to implement this government, to run this government under that Constitution. From time to time, many of us propose amendments to the Constitution; those work their way through the process. It would seem to me pretty straightforward logic that, if we are working in that manner, we ought to know what is in the Constitution. And, without reading it, with purposely ignoring it, then you run down the path, as my colleague from Utah said a few moments ago, and that is we simply with our own wit, our own wisdom, and our own wishes decide what it says as opposed to actually looking at the document and interpreting it.

Another benefit it would give us if we would do that is, from time to time, the Constitution is interpreted by our Supreme Court. One recent ruling that has many of us scratching our head is the definition of the word public good, public purpose, in which the Supreme Court has announced that those words can be defined to say that any government can take property, personal, private property away from one taxpayer and give it to another taxpayer if the subsequent receiving taxpayer can create more value for the taxing entity. That does not seem to square with a simple straightforward reading of the Constitution. And it would encourage all of us, as we look at the work that the Supreme Court does, to understand those clear documents.

So this bill, it would be great, my colleagues and Mr. Speaker, if we could get additional cosponsors. In September of each year, we celebrate Constitution Week, and I think it would be terrific if this coming September that one of the things that we brag on about the Constitution is that we will endeavor to once a year read that document and to understand it and to try to use it as we move forward in our business of fulfilling our constitutional responsibilities as the legislators under the legislative branch.

I appreciate both my colleagues allowing me to come down here and briefly pitch my bill. It is a bit self-serving. It seems awfully simplistic. I have gotten some rather interesting responses from folks I have talked to about it, ones that you would not expect. And it is a bit disappointing to have people laugh at the idea that we would actually read that document once a year and make a note in the front of our pocket copy that we have read it, that somehow that is beneath us, it is beneath the dignity of this body that we should in fact read that Constitution and the Bill of Rights once a year.

So, hopefully we will be able to work on the other 432 Members of this body to get them to agree that this is something that we would do once a year in an attempt to do our jobs better.

Again, I appreciate being able to spend the time with my colleagues from Utah and New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman from Texas. Can the gentleman just remind me of the bill number again?

Mr. CONAWAY. It is H.R. 3550. I believe you are already a cosponsor.

Mr. GARRETT of New Jersey. I am already a cosponsor, but I don't always remember bill numbers.

Mr. CONAWAY. There are thousands of bills introduced. But this was in the 110th Congress, and it is styled The

AMERICA Act, A Modest Effort to Read and Instill the Constitution Again.

Mr. GARRETT of New Jersey. And if the gentleman would inform us, do we have bipartisan support as far as cosponsors of the bill as of yet?

Mr. CONAWAY. Not yet.

Mr. GARRETT of New Jersey. I would encourage the gentleman, because I know I have been on the floor and while we have established this Congressional Constitutional Caucus, which is open to all Members of both sides of the aisle, I believe I have heard sitting on this floor that there is another caucus on the other side of the aisle which I guess is open but I haven't heard yet, the First Amendment Caucus. So at least there is at least one caucus over there who is concerned about the first amendment, if I am not mistaken, and hopefully maybe some of those Members would be willing to, if they are eager to speak on the first amendment, they will want to be knowledgeable about the entire Constitution as well. We might want to reach out to them.

I share with the gentleman from Texas his eagerness to see this legislation. It is one of those commonsense sort of things that if you are engaged in crafting laws, then you should know what your authority for crafting those laws are. And, of course, that authority comes to us not from previous laws that we have passed, but from the Constitution of the United States, which was obviously ratified and supported by all the States and the people thereof.

The gentleman from Texas also makes me think back on my history. I am an attorney, and you got me thinking there for a moment what my history as far as the courses that I have taken over the years. I went to a State school for undergraduate studies, Montclair State College and now it is Montclair State University, I believe I took a constitutional law class there and I believe it was a requirement for that class to read the Constitution. But then I went to law school; and as I am sitting here listening to your remarks, I don't believe that I was required in any of my courses, whether it is contracts or torts and the whole litany of courses that you are required in the first, second, and third year of law school, I don't believe that I was required as a law student to ever sit down and read the entire Constitution. Most of what you do in law school, actually, is the case method, in which case all you are doing is reading cases. And cases simply give you information of judges' interpretation of other cases.

Mr. CONAWAY. It just occurred to me. I am a CPA in a different life, and in order to keep my license current I have to have 40 hours a year of continuing education, and I know you as a lawyer also have to have continuing education. Maybe this could be looked at as continuing education for Members of Congress to spend the 2 hours it might take to read through the document. So, if nothing else, we could say we are trying to learn how to do our jobs better, much in the vein that the other professionals, doctors, lawyers, and CPAs year in and year out have to do to hone their skills.

Mr. GARRETT of New Jersey. I like that idea. CE credits, continuing education credits for Members of Congress.

There are two avenues to get people to do something, whatever their professions are. One is the CE way, and the other is just personal pressure. If you are in a profession, you have to be good at your profession to continue to be hired. I guess, in Congress, you have to be good in your profession to continue to be reelected. But the other way, I would suggest to constituents who may hear these remarks tonight, to ask their Member of Congress at the next town hall meeting, at the next town hall meeting when the questions come up just to ask the Members of Congress, ''By the way, when was the last time, if ever, that you have read the U.S. Constitution?'' I know there are a few folks out there like ROSCOE BARTLETT that carry the Constitution with them. But that would be a good question for the members of the public to ask their Members of Congress. Give them a quiz, ask if they know what any of the 10 amendments are to the Bill of Rights and so on.

Going back now to comments by the gentleman from Utah of the foundation or the formulation of the Bill of Rights, and I note the gentleman touched upon this. Part of the reason initially why there was a, I don't know if you want to say a pushback, but not so much of a strong desire, except for folks such as Mason and also what were called the anti-Federalists, a lot of people who talk about the Federalist Society and the Federalists who gave us this and Hamiltonians. But the anti-Federalists were on the other side. Part of the reason why there was a pushback and saying we don't need this was because the original push for creation of the current Constitution came after the Articles of Confederation. And originally, when they set up their, convention is not the right word but in essence that is what it was, to establish a new document, what they were intending to do was simply to create a new document or make amendments to the old Articles of Confederation to grant certain powers to a centralized government. So if their intent was to create or to establish powers for this new centralized government, there was not the mindset to say, well, we also at the same time need to set out for what the powers or rights of the individuals are; because that is taken as a given, that it is the people who have the rights and the powers, and we are just simply granting some of those rights or powers to the Federal Government to be able to better administer the commerce and trade and so on and so forth that the Articles was incompetent of doing.

So I think that was part of the discussion that was going on: If we are simply giving certain rights over here to a central government, we really don't need to establish it.

The anti-Federalists realized, however, that there was a need for it; that without establishing the paramount power of the individual and also the state, that this centralized government could consume the States. And that is exactly what Mason was talking about when he set forth his objections to it. It was, as I said before, I believe in September of 1787, it was during the final days of the Constitutional Convention that George Mason wrote the reasons for his refusal to sign the Constitution. He did it, interestingly enough, on the back of a committee of style report. Since we have committee reports up here, he simply wrote them all down. Copies of those, manuscript copies of that document were then circulated, and Mason sent copies to various individuals, including George Washington, a long-time friend of his. Washington, though, was on the other side of this issue. So, on November 22, the objections were printed in the Virginia Journal. Interestingly, again, it was done at the behest of Washington's secretary, and the reason they were printing them out publicly like this was so that Washington could publicly refute them. Those original documents are still with us today. They are in the Chapin Library in Williams College.

□ 1845

The preamble of his objections read: ''There is no declaration of rights, and the laws of the general government being paramount to the laws and constitution of the several States, the declarations of rights in the separate States are no security, nor are the people secure even in the enjoyment of the benefits of the common law.''

So Mason is simply saying here that I may live in a State, and my State may provide certain rights, but if the Federal Government's rights or powers are paramount to my own State's rights, the Federal Government can step in and take away any rights that my State constitution guarantees me, and I would lose those rights and privileges that are God given.

Now, a lot of this discussion by people listening is: How does this affect me? This is a lot of philosophical talking. Well, it isn't really. Day after day, as the gentleman from Utah mentioned before, we pass bill after bill, and some are signed into law. Some are perfunctory, naming of a school or post office, but others are profoundly important upon our daily lives. Do I have to remind the public about the PATRIOT Act and the discussion that entailed there? Later on I believe we will be discussing the FISA Court's issues and the powers; again, the issues of the powers of the various branches of the government and how they impact upon our individual liberties.

These are all fundamental questions that come back to not powers created

in the House or Senate or the executive, but rights or powers that we see in the documents, the Constitution of the United States.

It is germane that we bring these things up this year, 2008, a Presidential election year. Most of the candidates are speaking about change. Either side of the party is talking about change. But the fundamental question that the voter has to ask: Is the change that they are espousing and bringing about founded on any constitutional principles or are they simply giving us change for change's sake and change that does not have any constitutional powers or rights given to the Federal Government?

I see we have been joined by the gentlewoman from North Carolina (Ms. FOXX), and if she would like to speak now, I appreciate her participation.

Ms. FOXX. Thank you, Congressman GARRETT. I appreciate the leadership that you give to the Constitution Caucus, along with our colleague, Mr. BISHOP. I thank you for letting me participate.

I think about the Constitution every day and I think about it many, many times during the day. I think that what we are doing through the Constitution Caucus is an extremely important thing, that we come here and talk about it and bring attention to it to the American people, because I think that because we live in basically a peaceful time, I know we are at war with Islamic terrorists and we have to be dealing with that every day, but basically we go about our work on a day-to-day basis, we go to school, go to work, doing the day-to-day things that we do in this country without thinking too much about what is happening worldwide. But we need to be aware of the fact that it is because we have such a wonderful document as the Constitution that we are able to do that. We are a Nation of laws, and our laws are rooted in the Constitution itself.

I want to say again that I don't really need much of a reminder of that, but during the Christmas recess that we had I had the opportunity to take my 11-year-old grandson and 8½-year-old granddaughter and daughter to Philadelphia for 3 days. My grandson is studying United States history, and I thought what a great opportunity for him to be able to go to Philadelphia and see where the Declaration of Independence was written and signed, where the Constitution was signed, and reflect a little bit on those documents and on this country and particularly the beginning of the country.

I want to commend the trip to anybody in the United States to Philadelphia. There is a new Constitution Center there that I had not seen before. They have marvelous displays, marvelous examples of the Constitution and what it means to us on a day-to-day basis in this country. The amendments to the Constitution are spelled out, and the rulings of the Supreme Court relative to many different issues are there. So it is a great opportunity to go.

But it reminds us again, I think, of the really radical notion that this country was in the 1700s and still is in many ways. Our Constitution is really a short and very, very elegant document. I know tonight that we have been talking somewhat about the Bill of Rights and what that meant to the Constitution and was the Bill of Rights needed. I know that even when the Constitution was being debated in the 1700s that there was a great deal of debate about it. But I think that one of the tasks that we should always focus on, and we do most of the time, is focus on particularly the ninth and 10th amendments, those two amendments in the Bill of Rights.

I also know that coming from the State of North Carolina, that it is probably unlikely that the State of North Carolina would have ever ratified the Constitution had it not been for the Bill of Rights, and I think there were other delegates to the Constitutional Convention who felt the same way.

But those of us again who have such a particular fondness for our Constitution and for highlighting it and continually bringing it to the attention of the American people, that most of the time we want to highlight the ninth and 10th amendments.

Again, taking my grandchildren to Philadelphia and talking with people there and talking with them about it, you try to get people to understand the radical notion that we, the first three words of the Constitution, ''We the People,'' how radical that idea was then, how radical in many ways it is now when you look at what is happening all over the world in terms of violence and upheaval in other governments, and to realize how little of that we have had in this country because we are so grounded in the words, ''We the People.''

I want to say a little about the ninth and 10th amendments and then make some comments about my concern particularly about the 10th amendment and what has happened over the last 200 or so years in this country.

The ninth amendment, of course, is the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. Again, the emphasis always is on the rights that belong to the people, those inalienable rights that are spelled out. And then of course the 10th amendment, the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people. Always the emphasis comes back to the people and to the powers that are given to the States.

One of the things that troubles me the most and that I highlight whenever I talk to school groups or even other people about the Constitution and about our work here is that we have gotten too far away from the 10th amendment in our exercise of power here at the Federal level. We have taken onto ourselves at the Federal level many, many more powers than I think the Founders anticipated that we would take on. We have no business, for example, being involved in education. There is nowhere in the Constitution the mention of education, and that is not a responsibility of the Federal Government.

We have taken on the issue of health care and so many more things that I think we should not be involved in. If we would contain our activities and responsibilities to those things that the Founders said we should be dealing with, I think we might be able to find governing a lot more manageable here at the Federal level. I think we have lost much of the sense of accountability for Federal spending because we are not able to put the time into it that we need in terms of oversight because we are so involved in things that we have no business being involved in.

We must be very grateful for the ninth and 10th amendments, I think, because they are bulwarks against unchecked expansion, many people would say, and are really the ideological foundation of the other eight amendments. But again, we lose site of that because we go out there and get involved in all kinds of good ideas and good intentions, but they are simply violating what the Constitution says we should be about. And of course we take that oath to uphold the Constitution, but we tweak things in an effort to make better things happen.

But again, I want us to constantly be reminding the American public of what they should be demanding from us. They should be demanding of the Federal Government that we not get involved in those things that are left to the States and left to the people because that takes us away from looking after particularly the defense of this Nation which again allows us to do those things on a day-to-day basis that we do without very much thinking about it.

I hope that as we bring this to the attention of the public, that they will be more demanding of us in terms of these issues. There are very hearty souls out there in the country who do that on a regular basis. I know that they do it to me on a regular basis, and I am sure they do it to some of my colleagues. But I think what we need is those frequent revolutions that Jefferson talked about, that that would be good for our country.

I think we saw that happen last year a little bit when the Senate was debating what they called a comprehensive immigration bill. The people of this country clearly did not want that. They spoke and they spoke with a loud voice. What I hope we will see at times when the Congress is dealing with issues that are not covered in the Constitution, that people will more often rise up and say, We don't want you to do those things. Pay attention to what

we are saying. Those are our responsibilities or they are the responsibilities of the States.

So I want to thank you again for having this Special Order tonight and giving us the opportunity to bring to the attention of the public the issues that we are concerned about relative to the Constitution and say that I will turn it back to my colleague from Utah who is the cochair for this Special Order.

Mr. BISHOP of Utah. I appreciate the gentlewoman from North Carolina expressing her comments about the Bill of Rights and the significance of the ninth and 10th amendments.

I would now like to concentrate on a couple of other bills that are in the Bill of Rights. Perhaps the second amendment. As we talked earlier, it is very important for us to understand and know the meaning of the words.

The preamble of the Constitution talks about a more perfect union, which is a terribly ungrammatical saying. You can be perfect, but you can't be more perfect. What we don't realize is that this is a term of art historically used. ''More perfect union'' was the concept of the union of England, Scotland and Wales, where all of a sudden their defense was based on a navy, not necessarily on armies.

It is interesting in our Constitution we prohibit an army from lasting any longer than 2 years, for specific reasons.

□ 1900

Armies, at that time, were mercenary units. When one thought of the army, they thought of mercenaries. When the British were fighting us in the Revolutionary War, they didn't send British over here. They sent German Hessians over here for us.

The concept was for an army, when it was not attacking foreign countries, a tyrant could use the army to attack his own people and there would be no remorse since they were not necessarily of the same nationality. The idea of a popular army does not come until the French Revolution, and that's still a couple of decades away.

So when we talk about the militia, at that particular period of time the militia meant the people. Army was a mercenary; militia was individuals who were, by definition, to be a balance in the power against the government.

When Madison wrote that all members, all Americans should be in the militia, and all Americans should be able to have a gun and know how to use a gun, he was making reference to that historical concept.

When one looks at the second amendment today, they have to realize that the word militia was a reference to the people.

With that, I would like to yield some time now to the gentleman from Georgia (Mr. BROUN) who has a few comments specifically about the second amendment which I think is very apropos as we're talking about the Bill of Rights today.

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

Mr. Speaker, I must begin by saying that I believe in the Constitution as James Madison and company meant it. In fact, I carry a copy in my pocket at all times. It's getting a little shopworn and dog-eared. I describe myself as a Madisonian Republican. And it's interesting, most people in our country today don't realize that James Madison, Thomas Jefferson, Alexander Hamilton, John Quincy Adams all considered themselves to be Republicans because they believed in very limited government, and that's what I believe in also.

But I rise today to join in with my colleagues on this discussion of the importance of the Bill of Rights and the Constitution, specifically about the second amendment.

I began to be politically active by coming to Washington as vice president for Safari Club International. And in my capacity of being a vice president, I would work on hunters' rights and gun owners' rights. And I must say that, as you look at this, as my colleague just mentioned, the militia in the days of the Constitution writing meant every single male 18 years of age and older.

In his address to the second session of the First Congress of the United States, the President, George Washington stated, ''Firearms stand next in importance to the Constitution itself. They are the American people's liberty teeth and keystone under independence.''

He went on, ''From the hour the Pilgrims landed, to this present day, events, occurrences, and tendencies prove that to ensure peace, security and happiness, the rifle and pistol are equally indispensable. The very atmosphere of firearms anywhere restrains evil interference. They deserve a place of honor with all that's good.''

When I ran for Congress, I made a commitment to the constituents in my district, the 10th Congressional District in Georgia, that if elected, I would fight to protect their constitutional rights and their pocketbooks for every American. I promised to apply a four-way test to every piece of legislation that comes before the House for a vote and everything that we do in our office. Before every vote, every vote that we take, I ask whether the legislation is moral and right, and does it fit within the constraints of what God gives us in His inherent word.

The second question, is it constitutional. And I'm not talking about this perverted idea of the Constitution that this Congress and the administration and particularly the judiciary are operating on today, but is it constitutional according to James Madison and the people who wrote it. They wrote voluminously about what they meant in the Constitution of the United States, and we in all three branches of government need to apply their writings to how we operate government.

The third question is do we really need it. And the fourth is can we afford it. I believe so firmly in those that I printed those up and it's on the desk of every single staffer in my office. Upholding and defending law-abiding citizens' rights to bear arms passes all four of those tests.

The second amendment of the Constitution declares that ''A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.''

Our Founding Fathers believed very firmly that an armed populace was the only way to prevent tyranny by their own government and I, likewise, adhere to that same philosophy.

I am an avid hunter and outdoorsman, and I strongly support the Constitution's second amendment right to bear arms, and will defend the right of law-abiding citizens to purchase, use and keep firearms, as well as to bear those arms and to transport those arms. I vigorously oppose all attempts to restrict the second amendment. I believe that any law, local, State, or Federal, that infringes upon a law-abiding citizen's God-given right to bear an arm, a God-given right that's supposed to be protected by the Constitution of the United States, any law, Federal, State or local that infringes upon those rights are unconstitutional, and I'll fight to try to restore those rights that have been already put in place on all levels.

Since 1975, the residents of Washington, DC have had their second amendment right to bear arms stolen from them by the District's government. Last year, in Heller v. DC, the DC Court of Appeals ruled that the gun ban in the District of Columbia violated an individual's right to keep and bear arms that is protected by the Constitution and the second amendment; thus, nullifying the gun ban that the District of Columbia put upon its citizens.

Upon appeal by the District of Columbia, the Supreme Court has decided to consider this very important second amendment constitutional case. The U.S. Supreme Court will consider the constitutionality of DC's ban on handgun ownership and self-defense by law-abiding residents in their own homes.

The Court will first address the question of whether the second amendment to the Constitution, as embodied in the Bill of Rights, protects an individual's right to own a firearm and to protect themselves, or whether it is a right of the government.

We already see that the government cannot protect citizens. In fact, the courts even ruled that the police do not have an obligation to protect a citizen anywhere. We only have that right ourselves. If the Court agrees that it is an individual right, then they will determine if the District's self-defense and handgun bans are constitutional or not.

The Supreme Court has a historic opportunity to return to the original intent and the meaning of the second amendment. The second amendment protects us. It's a fundamental and an individual right of law-abiding citizens to own firearms for any lawful purpose. Further, any law infringing upon this freedom, including the ban on self-defense and on handgun ownership, is unconstitutional.

Further, every study that's been done has shown that gun control provides absolutely no benefit in curbing crime. Rather, these types of restrictions only leave law-abiding citizens more susceptible to criminal attack. Other than law enforcement, only criminals have guns in the District of Columbia.

In fact, it was interesting, the community of Morton Grove, Illinois passed a ban on handguns. And then in response to that, a city in Georgia, Kennesaw, Georgia, passed an ordinance stating that every household should own a firearm. It was a very interesting social experiment.

And what happened? The crime rate in Morton Grove, Illinois skyrocketed. The crime rate in Kennesaw, Georgia plummeted. These bans do not protect anybody but a criminal.

The U.S. Court of Appeals for the District of Columbia Circuit correctly ruled that DC statutes are unconstitutional. I strongly believe that the ruling should and will be upheld by the U.S. Supreme Court.

Mr. GARRETT of New Jersey. I thank the gentleman. I understand we have 3 minutes. I thank him for his elaboration on the importance of one of the critical elements of the Bill of Rights, the second amendment. I am just referring now to the gentlelady from North Carolina (Ms. FOXX), knowing that we only have 3 minutes left. Does she have further? I think she does.

I yield her now such time as she may consume.

Ms. FOXX. I thank the gentleman from New Jersey.

The comments Mr. BISHOP made a little bit ago reminded me, when we were talking about the second amendment, that if you look again at the Bill of Rights, and you realize that every one of those issues, almost, was in reaction to what had happened during the war for independence, and just prior to the war for independence, with the actions on the part of England toward the United States. And I think that it is very important that we remember, again, the context in which those amendments were written, because the abuses of a national or Federal Government were very, very clear in the minds of the people of this country at the time that they worked on the Declaration of Independence, and they outlined their grievances there. And then, as they looked at the amendments to the Constitution, they did not want soldiers billeted in their homes. They did want the right to assembly. They did want the right to freedom of speech. All of those things needed to be spelled out because of the abuses of power of the Federal Government.

Now, we have not seen that very much in our 200-plus-year history since the Constitution was adopted. But it's very important that we put it into the historical context that it was in at the time, and understand, again, that under the rule of the British Government, they didn't have those rights and those rights could be very easily abused. Thank you for giving me the opportunity to add that to the comments that I had made earlier.

Mr. GARRETT of New Jersey. Is there any time remaining?

The SPEAKER pro tempore (Mr. WELCH of Vermont). 30 seconds.

Mr. GARRETT of New Jersey. In the concluding 30 seconds, I again thank the gentleman from Utah and the gentlelady for her comments as well. And as we continue this elaboration, education on the Bill of Rights and the overall Constitution, I hearken back to the gentleman's comments from Texas and the gentleman from Georgia, that we should all ask the seminal and basic question for whatever we do here in this Congress and of course in the Presidential election that is coming up as well when they make all the promises to us across the country. Is what they're proposing to do, is it in the Constitution?

STRATEGIC IMPORTANCE OF THE NATION OF TURKEY

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

Ms. FOXX. Mr. Speaker, as the global war on terror continues, it is more important than ever that our Nation secures strategic partners in fighting the scourge of radical Islamic terrorism. The nation of Turkey is just such an ally. It has proven to be a committed ally in the fight for freedom and democracy. Turkey has worked side by side with the United States to make strides in our struggle against the forces of terror.

Turkey is also a nation that is in the midst of a tremendous political and economic transformation. Its economy has seen almost unprecedented economic growth in recent years, and is a shining example of the power of the market to spur investment, raise living standards and promote stability.

During Turkish President Abdullah Gul's visit to Washington this month, I had the privilege to meet with him and hear his speech to the American Turkish Council about the economic and democratic promise his nation holds. He told the story of Turkey's remarkable growth and reforms over the past few years. Turkey's successes are a story of the power of freedom, democracy and economic growth.

Turkey is an important ally that will play a strategic role in the future peace and prosperity of a volatile region. It is more important than ever that we hear the voices of Turkish leaders and understand their visions for Turkey's future.

SPEECH DELIVERED BY H.E. ABDULLAH GŰL, PRESIDENT OF THE REPUBLIC OF TURKEY, ON JANUARY 9, 2008

Distinguished guests, ladies and gentlemen, it is a pleasure for me to address such a distinguished audience.

At the outset, I would like to thank American-Turkish Council for providing me with such an opportunity.

I would also like to thank the Council and its members for their invaluable contributions for advancing the economic and commercial ties between Turkey and the United States. I expect ATC to continue its efforts in this regard.

Turkey and the United States have been enjoying a robust partnership of a strategic nature. This solidarity is important not only for our two nations. It is also important for preserving peace, security and stability in a wide geography.

Yesterday, in the White House, President Bush and I have confirmed our commitment to consolidate this valuable relationship.

Ladies and gentlemen, since the end of the Cold War, Turkish-American relations have been undergoing a transformation in line with changing global dynamics. Within this context, it is crucial that our trade and economic relations should be elevated to the level of our political and military ties.

Although our trade volume increased from $6.3 billion to $11 billion in 2006, these figures are still far from reflecting the potential of our two countries. Already numerous business relations exist between our two nations. But there is a vast and still growing opportunity for so many more.

As members of the business and investment community, your contributions to this goal will be invaluable.

Today, I will briefly dwell on Turkey's European Union bid, recent economic transformation, the near-term outlook for the Turkish economy and Turkey's main focus areas for the coming years.

I would like to start with Turkey's relations with the European Union. Turkey's accession process is critically important for us.

We are fully committed to doing all that takes to become an EU member because we believe the steps required are in themselves beneficial to Turkey.

Turkey's reform efforts are poised to regain momentum. The Program for Alignment with the European Acquis'' envisages the completion of our harmonization process by 2013. We appreciate the continued strong support of the U.S. Administrations for our E.U. bid.

Thanks to economic and political reforms of the past few years, the Turkish economy has experienced its fastest sustained growth in more than 80 years.

Despite the recent slowdown, the medium outlook for growth remains strong. Turkey is already the 6th largest economy in Europe and 17th in the world. Our GDP was about half a trillion U.S. Dollars in 2007.

The target is to make Turkey the world's 11th largest economy by the year 2023. Foreign direct investments have averaged to a mere one billion US dollars per year during the 1980–2002 period. This figure has jumped to 10 billion in 2005, 20 billion in 2006, and around 20 billion US dollars last year.

The United States ranks fourth among the countries that invest in Turkey. In 2006, American companies invested approximately five billion Dollars in Turkey. An increase in this figure in the coming years will allow American companies to make use of Turkey's potential.