

of 1997 prohibits any physician who forms a private contract with a senior from filing any Medicare reimbursement claims for two years. As a practical matter, this means that seniors cannot form private contracts for health care services.

Seniors may wish to use their own resources to pay for procedures or treatments not covered by Medicare, or to simply avoid the bureaucracy and uncertainty that comes when seniors must wait for the judgment of a Center from Medicare and Medicaid Services (CMS) bureaucrat before finding out if a desired treatment is covered.

Seniors' right to control their own health care is also being denied due to the Social Security Administration's refusal to give seniors who object to enrolling for Medicare Part A Social Security benefits. This not only distorts the intent of the creators of the Medicare system; it also violates the promise represented by Social Security. Americans pay taxes into the Social Security Trust Fund their whole working lives and are promised that Social Security will be there for them when they retire. Yet, today, seniors are told that they cannot receive these benefits unless they agree to join an additional government program!

At a time when the fiscal solvency of Medicare is questionable, to say the least, it seems foolish to waste scarce Medicare funds on those who would prefer to do without Medicare. Allowing seniors who neither want nor need to participate in the program to refrain from doing so will also strengthen the Medicare program for those seniors who do wish to participate in it. Of course, my bill does not take away Medicare benefits from any senior. It simply allows each senior to choose voluntarily whether or not to accept Medicare benefits or to use his own resources to obtain health care.

Forcing seniors into government programs and restricting their ability to seek medical care free from government interference infringes on the freedom of seniors to control their own resources and make their own health care decisions. A woman who was forced into Medicare against her wishes summed it up best in a letter to my office, ". . . I should be able to choose the medical arrangements I prefer without suffering the penalty that is being imposed." I urge my colleagues to protect the right of seniors to make the medical arrangements that best suit their own needs by cosponsoring the Seniors' Health Care Freedom Act.

#### INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL COMMISSION ON PRESIDENTIAL WAR POWERS AND CIVIL LIBERTIES

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. CONYERS. Mr. Speaker, today I introduce a bill that will create a national commission to examine fundamental questions regarding national security, civil liberties, and the rule of law. These include: What actions are permitted in the name of national security? What rights and liberties should a free people demand? Can the so-called Imperial Presidency be controlled?

These questions take on greater significance every year. The power of the Presidency seems to grow and grow under both parties, and the ability of our democratic institutions to constrain it seems more and more uncertain.

In the current political atmosphere, I believe that an expert commission with appointments made by both branches and individuals of both parties would be uniquely positioned to evaluate the issues and propose steps that the Congress can take to enhance both our liberty and our security for generations to come.

#### INTRODUCTION OF THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. GOODLATTE. Mr. Speaker, I rise to reintroduce legislation that will amend the United States Constitution to force Congress to rein in spending by balancing the federal budget.

We have a spending addiction in Washington, D.C., and it has proven to be an addiction that Congress cannot control on its own and which is bringing dire consequences. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars. We are printing money at an unprecedented pace, which presents serious risks of massive inflation. Our national debt recently surpassed an astonishing \$14 trillion and continues to rapidly increase, along with the waste associated with paying the interest on that debt.

Our first Secretary of State, Thomas Jefferson, warned of the consequences of out-of-control debt when he wrote: "To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude." Unfortunately, it increasingly appears that Congress has chosen the latter path.

Our current Secretary of State, Hillary Clinton, issued a similar warning when she recently declared: "I think that our rising debt levels [sic] poses a national security threat, and it poses a national security threat in two ways. It undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable. And it also sends a message of weakness internationally." Despite these warnings, Congress has refused to address this crisis.

Congress' spending addiction is not a partisan one. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force us to rein in this out-of-control behavior. We need a balanced budget amendment to our Constitution.

That is why I am introducing this legislation, which garnered 179 bipartisan cosponsors in the 111th Congress. This bill would amend the Constitution to require that total spending for any fiscal year not exceed total receipts and require the President to propose budgets to Congress that are balanced each year. It would also provide an exception in times of

war and during military conflicts that pose imminent and serious military threats to national security.

Furthermore, the legislation would make it harder to increase taxes by requiring that legislation to increase revenue be passed by a true majority of each chamber and not just a majority of those present and voting. Finally, the bill requires a 3/5 majority vote for any increases in the debt limit.

Our federal government must be lean, efficient and responsible with the dollars that our nation's citizens worked so hard to earn. We must work to both eliminate every cent of waste and squeeze every cent of value out of each dollar our citizens entrust to us. Families all across our nation understand what it means to make tough decisions each day about what they can and cannot afford and government officials should be required to exercise similar restraint when spending the hard-earned dollars of our nation's citizens.

By amending the Constitution to require a balanced budget, we can force the Congress to control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

This concept is not new—49 out of 50 states have a balanced budget requirement.

Our nation faces many difficult decisions in the coming years, and Congress will face great pressure to spend beyond its means rather than to make the difficult decisions about spending priorities. Unless Congress is forced to make the decisions necessary to create a balanced budget, it will always have the all-too-tempting option of shirking this responsibility. The Balanced Budget Constitutional amendment is a common sense approach to ensure that Congress is bound by the same fiscal principles that guide America's families each day.

I urge support of this important legislation.

#### THE ILLEGAL IMMIGRATION ENFORCEMENT AND SOCIAL SECURITY PROTECTION ACT

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. DREIER. Mr. Speaker, the roots of our broken immigration and employer verification system can be traced to three underlying factors: too many unreliable documents, including the Social Security card; a faulty employment verification system; and lax enforcement. The cornerstone of any immigration and border security reform plan must include an effective employment verification system and enhanced enforcement of our immigration laws. My bill, H.R. 98, the Illegal Immigration Enforcement and Social Security Protection Act, provides a strong foundation on which to build upon.

The 1986 Immigration Reform and Control Act created the I-9 system for employers to verify the work authorization status of prospective employees. Currently, there are 26 documents that individuals can use in 102 different combinations to establish work authorization status in the U.S. While well intentioned, this

program forces employers to be identification experts while allowing unscrupulous employers to hire illegal immigrants.

The 1996 Illegal Immigration Reform and Immigrant Responsibility Act sought to improve reliability of the I-9 system by creating the Basic Pilot Program, now known as E-Verify, which allows employers, on a voluntary basis, to use an online system to verify the work authorization status of new employees by checking validity of the Social Security numbers with the Social Security Administration. The implementation of this program has been a step in the right direction. However, several studies have found that the E-Verify program is unable to detect identity fraud, allowing those with valid, but stolen documents, to secure employment.

H.R. 98 builds on the E-Verify program by creating an easy to use electronic verification system based on a secure, tamper-proof Social Security card, which employers can use to electronically verify the work authorization status of prospective employees. The new card includes a digitized photo of the cardholder, as well as an encrypted electronic signature strip, allowing employers to instantaneously verify a prospective employee's work authorization status with the Department of Homeland Security's Employment Eligibility Database, either through a toll-free number or electronic card-reader.

H.R. 98 also increases penalties for employers who hire illegal immigrants or fail to verify their employment eligibility by increasing fines to \$50,000 from \$2,000, applying jail sentences of up to 5 years per offense, and requiring the employer to pay for deportation. In addition, the bill adds 10,000 new DHS personnel whose sole responsibility will be to enforce employer compliance and prosecute those who illegally employ illegal immigrants.

Mr. Speaker, with newly improved document standards, employers will have a much higher degree of confidence in their hiring decisions. This will help to prevent the hiring of unauthorized workers and stop illegal immigration.

HONORING DANIEL FRANCIS  
BURKE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Daniel Francis Burke. Daniel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 397, and earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the many years Daniel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daniel has earned the rank of Senior Patrol Leader. Daniel has also contributed to his community through his Eagle Scout project. Daniel designed and constructed an open shelter for Jesse James Park in Kearney, Missouri, a task that included many long weekends this past fall.

Mr. Speaker, I proudly ask you to join me in commending Daniel Francis Burke for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCING THE SOCIAL SECURITY BENEFICIARY TAX REDUCTION ACT AND THE SENIOR CITIZEN'S TAX ELIMINATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. PAUL. Mr. Speaker, today I am pleased to introduce two pieces of legislation to reduce taxes on senior citizens. The first bill, the Social Security Beneficiary Tax Reduction Act, repeals the 1993 tax increase on Social Security benefits. Repealing this increase on Social Security benefits is a good first step toward reducing the burden imposed by the Federal Government on senior citizens. However, imposing any tax on Social Security benefits is unfair and illogical. This is why I am also introducing the Senior Citizens' Tax Elimination Act, which repeals all taxes on Social Security benefits.

Since Social Security benefits are financed with tax dollars, taxing these benefits is yet another example of double taxation. Furthermore, "taxing" benefits paid by the government is merely an accounting trick, a shell game which allows members of Congress to reduce benefits by subterfuge. This allows Congress to continue using the Social Security trust fund as a means of financing other government programs, and masks the true size of the federal deficit.

Instead of imposing ridiculous taxes on senior citizens, Congress should ensure the integrity of the Social Security trust fund by ending the practice of using trust fund monies for other programs. This is why I am also introducing the Social Security Preservation Act, which ensures that all money in the Social Security trust fund is spent solely on Social Security. At a time when Congress' inability to control spending continues to threaten the Social Security trust fund, the need for this legislation has never been greater. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

In conclusion, Mr. Speaker, I urge my colleagues to help free senior citizens from oppressive taxation by supporting my Senior Citizens' Tax Elimination Act and my Social Security Beneficiary Tax Reduction Act. I also urge my colleagues to ensure that moneys from the Social Security trust fund are used solely for Social Security benefits and not wasted on frivolous government programs.

INTRODUCING THE CAGING PROHIBITION ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 5, 2011*

Mr. CONYERS. Mr. Speaker, today I rise to introduce the Caging Prohibition Act of 2011,

a much needed reform to our election system. I believe that we should continue to focus on improvements to our election system in this Congress leading up to the presidential cycle next year. As we begin to focus election fixes and greater voter protections, this legislation can make a critical contribution to such efforts. Prohibitions on voter caging will ensure that our democracy lives up to the belief that every eligible citizen is entitled to the right to vote.

Voter caging, though just recently given media attention, is a disenfranchisement tactic that has been around for over 50 years. This undemocratic tactic often involves sending mail to voters at the addresses at which they are registered to vote. Should such mail be returned as undeliverable or without a return receipt, voters' names are placed on a "caging list," that list then being used to challenge voters' eligibility.

Those suggesting that voter caging is necessary to weed out ineligible voters must recognize this practice is unreliable and dangerous for such purposes. Mail may be returned as undeliverable for any number of reasons unrelated to an individual's eligibility to vote. For example, mail is returned due to typos, transposed numbers, new street names, and improper deliveries.

Voters in my home state of Michigan have been subjected to voter caging controversies in the last two Presidential elections. In the 2008 Election, a voter caging strategy meant to politically capitalize on the subprime mortgage crisis was identified. Those voters whose homes had been subjected to foreclosure were targets for caging on the basis that they no longer resided at the addresses at which they registered to vote.

During the 2004 Election, challengers monitored every single one of Detroit's 254 polling stations. This strategy was consistent with a Michigan lawmaker's effort to "suppress the Detroit vote." It was widely accepted that this statement was synonymous with "suppress the Black vote," as Detroit is 83 percent African American.

Our most vulnerable voters—racial minorities, language minorities, low-income people, the homeless, and college students—always seem to be targeted for caging and other voter suppression campaigns. However, all voters are susceptible to voter intimidation and suppression. For example, during the 2004 election, Ohio and Florida caging lists included the names of soldiers whose mail had been returned as undeliverable because they were stationed overseas.

It is because no one is immune to caging and other disenfranchisement tactics, that I have introduced the Caging Prohibition Act. This bill is really quite simple, as it one, requires election officials to corroborate their caging documents with independent evidence before a voter can be deemed ineligible. And two, limits all other challenges that do not come from election officials to those based on personal, first-hand knowledge.

By eliminating caging tactics, we restore what has been missing from our elections—fairness, honesty, and integrity. I ask that my colleagues in the Congress join me in supporting the Caging Prohibition Act of 2011. Please stand with me in protecting the very core of our democracy.