

The fact is, even the industry lobbyist said in Oregon last year that credit checks have no correlation to fraud in the workplace or a person's ability to perform a job. Yet because of the credit industry, credit checks are still required.

We have a bill in Congress, the Equal Employment for All bill, that would outlaw such a practice. Five States have outlawed such a practice and 20 States are considering it. We need to create jobs and give everybody a chance. Many people have bad credit because of this economy, because of the recession, because of health care costs that almost forced them into bankruptcy or have, or divorces. They should not be denied the chance to have a job, a second chance.

We should pass the Equal Employment for All bill and give all Americans a chance for employment.

AMERICANS AT RISK

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

Mr. CLARKE of Michigan. Mr. Speaker, Americans are at risk. They are at risk of having their homes and their businesses demolished, of being injured and even killed, either by a natural disaster such as the tornados that have hit us recently or through a terrorist attack that will more likely come from within the United States.

This is not the time to cut the Homeland Security budget, and that's why today I propose taking military aid to Afghanistan and redirecting it to better equip and to hire more firefighters, more police officers, more emergency medical providers. State and local governments don't have the money to provide these resources because our home values have plummeted due to the foreclosure crisis, which this Congress has failed to address effectively.

There is one responsibility, though, that this Congress must honor, our duty to protect the American people. We, who live in this country, deserve to be safe.

Restore the cuts to the Homeland Security budget, and redirect the money from Afghanistan to protect Americans.

CONDEMNING GOVERNMENT OF VIETNAM

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to condemn, yes, condemn, the Government of Vietnam for continuing its appalling human rights record by conducting unjust trials, sham trials of seven citizens who asked for land reform.

This past week, the people's court of Ben Tre unfairly convicted seven land

rights activists to years of imprisonment and probation.

Ms. Tran Thi Thuy was sentenced to 8 years, Pastor Duong Kim Khai was imprisoned for 6 years, and Mr. Pham Van Thong received a 7-year sentence simply for asking for their land back from the Communist Government of Vietnam. This recent trial was no different than Vietnam's past trials where there is no due process.

I hope that my colleagues will look at the record of human rights with respect to Vietnam and join me in urging the Government of Vietnam to drop these false charges.

COMMENDING MINNEAPOLIS EMERGENCY RESPONDERS

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, I represent Minneapolis, Minnesota. Recently, my district was hit by a tornado. That tornado caused damage to well over 535 houses and took the lives of two of my constituents.

I just want to commend all those people who stepped forward to do the right thing for the people who were victims. Whether you were serving meals for people who were put out of their homes; whether you were making games for the children of the dispossessed to be able to have some joy in their lives after such a difficult period; or whether you were an emergency responder, police, fire, emergency, medical; or whether you were a member of our local government, I want everyone in my district to know, everyone in the Fifth Congressional District to know, that I am so proud of the work that you did.

I want folks to know that it is times of crisis like this tornado in which the best of us comes out, when we find our charitable spirit, when we find our courage, when we find all those things that sometimes are lacking in everyday life. I want to let you know that on the faces of the children who have had a warm place to stay after their own homes were knocked to the ground and trees went through people's roofs, that I want to thank all those first responders, all those public servants, all those volunteers who stepped up and made a very difficult situation just a little bit better for everyone who was involved.

Of course, Mr. Speaker, we could never forget those two citizens who lost their lives when they were hit by this tornado. It was a tragedy for them and their families, and we will keep them in our thoughts and in our hearts and in our minds as we move forward.

DEBT RESOLUTION

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

Mr. DEUTCH. Mr. Speaker, the partisan debt resolution was dead on ar-

rival yesterday. But what really should have been DOA is the Republican plan to end Medicare and turn seniors over to private insurance companies.

Today, despite the outright rejection of this plan from south Florida to western New York and all across America, Republicans will try to deem and pass the reckless Ryan budget. That's right: those who decried "deem and pass" during the health care reform debate now seek to use it to end Medicare.

In fact, it was the distinguished chairman of the Rules Committee who, in an effort to stoke fear over the Affordable Care Act, derisively labeled deem and pass the Slaughter Solution. Apparently using deem and pass to help insure 150 million Americans is an abomination but using it to end Medicare, that's courageous.

What would truly be courageous is if my Republican colleagues abandoned their plan to gut Medicare and Medicaid and instead supported deficit reduction that ends giveaways to Big Oil and more \$100,000 tax cuts for millionaires.

□ 1230

RAISING THE DEBT CEILING

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Last night's vote on raising the debt ceiling is further proof that the Republican majority plans to hold the full faith and credit of the United States hostage while they demand a ransom extreme cuts to Medicare and Medicaid.

News flash: The American people simply won't sacrifice Medicare and Medicaid and the guaranteed benefits they provide.

Seniors across the country are speaking out: Hands off Medicare, and, Don't slash Medicaid's health and long-term care benefits to pay for tax breaks to millionaires and billionaires, Big Oil and companies that offshore jobs.

Unlike the Republicans, Democrats are serious about responsible and real deficit reduction.

The Republican plan actually increases unemployment and the deficits, ends Medicare, further erodes our middle class and hurts poor children, all to increase the fortunes of oil companies, millionaires and billionaires. This is a plan that goes against the majority of Americans, and we won't have it.

PROVIDING FOR CONSIDERATION OF H.R. 2017, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2012

Mr. REED. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 287 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 287

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the

House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2017) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 536. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. (a) Pending the adoption of a concurrent resolution on the budget for fiscal year 2012, the provisions of House Concurrent Resolution 34, as adopted by the House, shall have force and effect (with the modification specified in subsection (c)) in the House as though Congress has adopted such concurrent resolution. The allocations printed in the report of the Committee on Rules accompanying this resolution shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974 for the concurrent resolution on the budget for fiscal year 2012.

(b) The chair of the Committee on the Budget shall adjust the allocations referred to in subsection (a) to accommodate the enactment of general or continuing appropriation Acts for fiscal year 2011 after the adoption of House Concurrent Resolution 34 but before the adoption of this resolution.

(c) For provisions making appropriations for fiscal year 2011, section 3(c) of House Resolution 5 shall have force and effect through September 30, 2011.

POINT OF ORDER

Mr. ELLISON. Mr. Speaker, I raise a point of order against H. Res. 287 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Minnesota makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Minnesota and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill, H.R. 2017, because the bill slashes funding for our State and local governments as they prepare against homeland security threats and respond to natural disasters.

PARLIAMENTARY INQUIRIES

Mr. ELLISON. Before I begin, Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. ELLISON. The rule states, "House Concurrent Resolution 34, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution."

Does this mean that the rule deems that the Senate will have passed H. Con. Res. 34?

The SPEAKER pro tempore. The content of the rule will be subject to debate.

Mr. ELLISON. I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the inquiry.

Mr. ELLISON. So voting "yes" on the rule is voting "yes" for H. Con. Res. 34, the Ryan budget, which ends Medicare; is that right?

The SPEAKER pro tempore. The gentleman from Minnesota is making a point for debate.

Mr. ELLISON. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the inquiry.

Mr. ELLISON. Mr. Speaker, doesn't the Ryan budget end Medicare as we know it?

The SPEAKER pro tempore. The gentleman from Minnesota is not stating a proper parliamentary inquiry.

The gentleman is recognized.

Mr. ELLISON. Thank you, Mr. Speaker.

I raise this point of order because I think it's important to discover whether or not the underlying rule for the Homeland Security appropriations bill also deems the Republican plan to end Medicare as we know it. It's the only vehicle we've got to actually talk about this rule and this bill and how we are being denied the ability to actually offer amendments that we would like to, to illuminate what's actually happening in the bill.

Mr. Speaker, we have a responsibility to address our deficit. But cutting the lifeline for our seniors is not an act of courage; it's actually cowardly. Claiming to reduce the budget deficit on the backs of Americans who have paid into their retirement their entire lives not only harms American seniors but goes against the basic values of fairness and security that Americans cherish.

Medicare guarantees a healthy and secure retirement for Americans who

pay into it their whole lives. It represents the basic American values of fairness and respect for those seniors which Americans cherish. Siding with lobbyists to give insurance company bureaucrats control of Medicare does nothing to address the deficit, but it does a great deal to reduce health care for our seniors.

Let's put America back to work, and let's reject the rule and underlying bill by voting "no" on this motion to consider.

I now yield 2 minutes to Mr. CICILLINE of the great State of Rhode Island.

Mr. CICILLINE. I thank the gentleman for yielding.

I rise today in opposition to this rule which allows for debate on the fiscal year 2012 Homeland Security appropriations bill.

This bill makes dangerous cuts to the Urban Areas Security Initiative, or UASI, a program critical to the security of our country's urban areas that have been deemed at high risk of terrorist attacks. One of those urban areas is Providence, Rhode Island, in my congressional district, along with many other communities.

Just last year, the greater Providence area was one of 64 cities that was identified either because of their capital or their critical assets or their geography as being areas at most risk of being targeted by terrorists.

As a result of those designations, Providence has been receiving critical funding from the Federal Government under the UASI program to support efforts to prevent and respond to terrorist attacks and other emergencies. And Providence, under the leadership of Colonel Pete Gaynor, became the first city in America to have an accredited Department of Emergency Management and Homeland Security. However, the funding cuts to UASI that are contained in this bill will cripple the ability of key urban areas like Providence to effectively ensure public safety should a terrorist attack occur.

□ 1240

How?

The loss of funds will limit the ability of Providence and other communities to address cyber-terrorism and to communicate with first responders in an emergency, among many other critical emergency functions.

Mr. Speaker, our Nation's defense must come first. We cannot in good conscience spend billions of dollars protecting people all over the world at the expense of our own national security. I urge my colleagues to vote in favor of restoring funding for the Urban Areas Security Initiative and against this rule.

Mr. ELLISON. I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentleman from Minnesota for yielding.

Will the assault on the well-being and the health care of America never

end? Look over the last 5 months as to what has happened here. This bill takes it one more step.

First is the repeal of the Affordable Health Care Act with provisions in it to protect Americans from the rapacious appetite of the health insurance companies. Providing protections, Republicans would repeal that. Then the next step, which we saw just recently in the Republican budget, is the termination of Medicare for those who are under 55 years of age. What are they to do? Then, for those who are already on Medicare, there will be a significant, serious reduction in the Medicaid program, which provides essential funding for those seniors in nursing homes.

Will the assault never end?

Here in this bill, to protect the American homeland is a deeming of the Republican budget, which clearly terminates Medicare. Is it never going to end? Are we never going to step forward to actually put in place legislation that will assist Americans in getting the health care that they need?

Step one, way back: Repeal the Affordable Health Care Act. Give limitless opportunities to the insurance companies to go after the men and women of this Nation—terminating Medicare. Here, coming back in a Homeland Security bill, slipping in by sleight of hand a repeal, once again, of health care.

By the way, how is it going to be paid for? You're going to take it out of seniors' pockets, but you're not going to go after the oil companies? Come on now. The oil companies, the richest industry in the world, not paying their fair share and at the same time getting subsidies from the American taxpayers?

It is time for that to end. There are ways to pay for the deficit and to bring it down. One of the ways not to do it is to go after seniors.

Mr. ELLISON. Mr. Speaker, may I inquire as to how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman from Minnesota has 4¼ minutes remaining.

Mr. ELLISON. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. REED. Mr. Speaker, the question before the House is: Should the House now consider House Resolution 287?

While the resolution waives all points of order against consideration of the bill, the committee is not aware of any points of order. The waiver is prophylactic in nature. Specifically, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act nor has the Congressional Budget Office notified the Rules Committee of any violation of the act. Additionally, the open rule before the House today allows any Member of Congress to amend or strike any provision of the bill, which is the ultimate failsafe.

In order to allow the House to continue its scheduled business for the

day, I urge Members to vote "yes" on the question of consideration of the resolution.

I reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. There is a lot of talk and legalese about what is going on today, but the reality is what the Republicans are trying to do underneath all of that legalese language is to enshrine in law the Republican Ryan budget. By voting for the rule, what you do is to put into force that budget.

What does that budget do? It ends Medicare.

Now, there are people who resent that term—that oh, no, we're really going to save it. Well, I'm going to tell you, when you take away the guaranteed benefits of Medicare—that's what seniors get right now—for people 55 and under, they are thrown into the not-so-loving arms of the insurance companies, and their costs will increase out of their own pockets by about \$6,000. That's what the bill does.

The bill also turns Medicaid upside down, which is not only the health care plan for poor children in the United States but also the largest payer for nursing homes and home health care. That is the single biggest part of Medicaid—paying for nursing home care and home health care. So it's another slap at the seniors.

The other thing that the legislation does is to offer more tax breaks for the wealthiest Americans. It lowers the tax rates for corporation, many of which aren't even paying any taxes right now, a couple of which got tax refunds from the government. You've got major companies paying fewer taxes than ordinary Americans. That's what this does.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ELLISON. I yield the lady an additional 15 seconds.

Ms. SCHAKOWSKY. The American people aren't stupid. They will understand that this is another doubling down on cutting Medicare. It will be apparent by the end of this day.

Mr. REED. I continue to reserve the balance of my time.

Mr. ELLISON. I yield myself the remaining time.

Mr. Speaker, we should be creating jobs, not destroying Medicare. We should be preserving what has made America great, which is the basic sense that we are all in this thing together.

Yes, it is absolutely true that people should go out into the private sector and try their luck in the free market—skill, ingenuity and all that—but America has always had a strong public sector, which has been essential to the survival and the success of that private sector: fair rules, good infrastructure, good jobs, times in America, like during the Depression, when Eisenhower led us to build and create that infrastructure. Then in 1968, when we created Medicare, this country has

been at its best. Yes, a private sector but also a strong, vibrant public sector.

We are at a point in American history today when at least the Republican caucus believes we don't need a public sector. We just don't need one. We may need one, maybe, for military stuff, but beyond that, they just don't see a purpose for it. I believe Americans think that things like Medicare, infrastructure development, Social Security, and things like the GI Bill are important parts of what make America "America" because they are how we recognize as Americans that we are all in this thing together, that our senior citizens will not be abandoned, that our GIs coming back will not be left behind, that communities which need police, fire and EMT services will not just be left to the ravages of others.

We need an American commitment to Social Security and Medicare, and that's what we're going to be arguing for today. The American people can count on the Democratic Caucus to never abandon our seniors even as Republicans want to take Medicare apart as a program that has served so many people so well. You want to do something to change Medicare? Why don't we let Medicare negotiate drug prices. That could probably save us several billion dollars a year, as much as \$53 billion a year. Republicans don't want to do that because they've got their interests to protect.

I yield back the balance of my time.

Mr. REED. Mr. Speaker, I will note that each of the comments that have been offered from the other side are not relevant to the point of order.

Yet, in response to the comments that have been tendered by my colleagues from the other side of the aisle, I would say that Republicans are not here to destroy Medicare. They are here to save Medicare.

We have put forth a responsible plan that has been openly and continuously debated in the public forum and in this Chamber about how we're going to move forward with the problem that we have in Medicare. It is a problem we cannot deny. Both sides of the aisle know that Medicare is on a path to bankruptcy. We have put forth a plan. We have put forth a plan that guarantees that we can deal with the problem in such a way that those who are on Medicare are not impacted and that those within a generation of retiring into Medicare are not impacted. Yet we're villainized by the other side for allegedly throwing grandma off the cliff—for taking away Medicare.

□ 1250

That is not being honest with the American public. We will be honest with the American public. We recognize the problem in Medicare. We put forth a plan. My colleagues on the other side of the aisle have not put forth a plan to deal with the problem. They want to engage in electioneering, politicking, and looking at the reelection efforts for 2012.

Well, we are here as members of this caucus and as Members of this body to deal with the problems of America in an honest and open fashion, and that is what we will do.

The House-passed budget guarantees that seniors will have coverage that is affordable. The House-passed budget guarantees seniors will be able to find a plan. It does not end Medicare as we know it. It does not throw our seniors off the cliff. It is a responsible plan that leads us to a situation that deals with the problem of Medicare that is a known problem. If we want to continue to live in denial and not be honest with the American public, then I tell the American people: follow the Democratic proposal of engaging in name-calling rather than sitting down and engaging in problem-solving. That's what we're about.

At this point in time, I urge my colleagues to continue the consideration of the underlying rule and reject this point of order.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ELLISON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 183, not voting 14, as follows:

[Roll No. 380]
YEAS—234

Adams	Crawaack	Hall
Aderholt	Crawford	Hanna
Akin	Crenshaw	Harper
Alexander	Culberson	Harris
Amash	Davis (KY)	Hartzler
Austria	Denham	Hastings (WA)
Bachmann	Dent	Hayworth
Bachus	DesJarlais	Heck
Barletta	Diaz-Balart	Hensarling
Bartlett	Dold	Herger
Barton (TX)	Dreier	Herrera Beutler
Bass (NH)	Duncan (SC)	Huelskamp
Benishkek	Duncan (TN)	Huizenga (MI)
Berg	Ellmers	Hultgren
Biggert	Emerson	Hunter
Bilbray	Farenthold	Hurt
Bilirakis	Fincher	Issa
Bishop (UT)	Fitzpatrick	Jenkins
Black	Flake	Johnson (IL)
Blackburn	Fleischmann	Johnson (OH)
Bonner	Fleming	Johnson, Sam
Bono Mack	Flores	Jones
Boustany	Forbes	Jordan
Brady (TX)	Fortenberry	Kelly
Brooks	Fox	King (IA)
Brown (GA)	Franks (AZ)	King (NY)
Buchanan	Frelinghuysen	Kingston
Buechson	Galleghy	Kinzinger (IL)
Buerkle	Gardner	Kline
Burgess	Garrett	Labrador
Burton (IN)	Gerlach	Lamborn
Calvert	Gibbs	Lance
Camp	Gibson	Landry
Campbell	Gingrey (GA)	Lankford
Canseco	Goodlatte	Latham
Cantor	Gosar	LaTourette
Capito	Gowdy	Latta
Carter	Granger	Lewis (CA)
Cassidy	Graves (GA)	LoBiondo
Chabot	Graves (MO)	Long
Chaffetz	Griffin (AR)	Luetkemeyer
Coble	Griffith (VA)	Lummis
Coffman (CO)	Grimm	Lungren, Daniel
Cole	Guinta	E.
Conaway	Guthrie	Mack

Manzullo	Posey
Marchant	Price (GA)
Marino	Quayle
McCarthy (CA)	Reed
McCaul	Rehberg
McClintock	Reichert
McCotter	Renacci
McHenry	Ribble
McKeon	Rigell
McKinley	Rivera
McMorris	Roby
Rodgers	Roe (TN)
Meehan	Rogers (AL)
Mica	Rogers (KY)
Miller (FL)	Rogers (MI)
Miller (MI)	Rohrabacher
Miller, Gary	Rokita
Mulvaney	Rooney
Murphy (PA)	Ros-Lehtinen
Neugebauer	Roskam
Noem	Ross (FL)
Nugent	Royce
Nunes	Runyan
Nunnelee	Ryan (WI)
Palazzo	Scalise
Paul	Schilling
Paulsen	Schmidt
Pearce	Schock
Pence	Schweikert
Petri	Scott (SC)
Pitts	Scott, Austin
Platts	Sensenbrenner
Poe (TX)	Sessions
Pompeo	Shimkus

NAYS—183

Ackerman	Frank (MA)
Altmire	Fudge
Andrews	Garamendi
Baca	Green, Al
Baldwin	Green, Gene
Barrow	Grijalva
Bass (CA)	Gutierrez
Becerra	Hanabusa
Berkley	Hastings (FL)
Berman	Heinrich
Bishop (GA)	Higgins
Bishop (NY)	Hinojosa
Blumenauer	Hirono
Boren	Hiro
Boswell	Holden
Brady (PA)	Holt
Brown (FL)	Honda
Butterfield	Hoyer
Capps	Inslee
Capuano	Israel
Cardoza	Jackson (IL)
Carnahan	Jackson Lee
Carney	(TX)
Carson (IN)	Johnson (GA)
Castor (FL)	Johnson, E. B.
Chandler	Kaptur
Chu	Keating
Cicilline	Kildee
Clarke (MI)	Kind
Clarke (NY)	Kissell
Clay	Kucinich
Cleaver	Langevin
Clyburn	Larsen (WA)
Cohen	Larson (CT)
Congoly (VA)	Lee (CA)
Conyers	Levin
Cooper	Lewis (GA)
Costa	Lipinski
Costello	Lipinski
Courtney	Loebsack
Critz	Lofgren, Zoe
Crowley	Lowey
Cuellar	Lujan
Cummings	Lynch
Davis (CA)	Maloney
Davis (IL)	Markey
DeFazio	Matheson
DeGette	Matsui
DeLauro	McCarthy (NY)
Deutch	McCollum
Dicks	McDermott
Dingell	McGovern
Doggett	McIntyre
Donnelly (IN)	McNerney
Doyle	Meeks
Edwards	Michaud
Ellison	Miller (NC)
Engel	Miller, George
Eshoo	Moore
Farr	Moran
Fattah	Murphy (CT)
Filner	Nadler

Shuster	Simpson
Smith (NE)	Smith (NE)
Smith (NJ)	Smith (NJ)
Smith (TX)	Smith (TX)
Southerland	Southerland
Stearns	Stearns
Stivers	Stivers
Stutzman	Stutzman
Sullivan	Sullivan
Terry	Terry
Thompson (PA)	Thompson (PA)
Thornberry	Thornberry
Tiberi	Tiberi
Tipton	Tipton
Turner	Turner
Upton	Upton
Walberg	Walberg
Walden	Walden
Walsh (IL)	Walsh (IL)
Webster	Webster
West	West
Westmoreland	Westmoreland
Whitfield	Whitfield
Wilson (SC)	Wilson (SC)
Wittman	Wittman
Wolf	Wolf
Womack	Womack
Woodall	Woodall
Yoder	Yoder
Young (AK)	Young (AK)
Young (FL)	Young (FL)
Young (IN)	Young (IN)

NOT VOTING—14

Bralley (IA)	Lucas	Tierney
Duffy	Myrick	Walz (MN)
Giffords	Olson	Wasserman
Gohmert	Richmond	Schultz
Gonzalez	Schwartz	Waters

□ 1316

Mr. REICHERT changed his vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. REED. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. REED. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. House Resolution 287 provides for an open rule for consideration of H.R. 2017.

Mr. Speaker, I rise today in support of House Resolution 287, to provide the rule for H.R. 2017, the Homeland Security Appropriations Act for fiscal year 2012. I am proud to be managing this rule, the first truly open rule since July 31, 2007, an Agriculture appropriations bill in the 110th Congress. The 112th Congress has made it clear that it supports an open process, and this rule exemplifies this initiative. For 119 Members of the 112th Congress, this is their first experience with an open rule, including six members of the Rules Committee. I am proud to be part of this body and this conference that is engaged in this transparency in government and this open process. Throughout the entire 111th Congress, only 810 amendments were considered. Only 6 months into this, the 112th Congress, 437 amendments have been considered.

The leadership of this Congress is directly listening to the American people and their call for an open and transparent process. In addition, this bill also follows the promise that we have made to the American people in that it does not include any earmarks either in the underlying bill or in the conference report. This commitment is what Americans desire and deserve, and this will continue the process in this Congress that we have committed ourselves to the American people to do.

I reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, not only does this rule before the House drastically short-change Homeland Security priorities,

but this rule puts into force by deeming and passing the Republican budget resolution.

This rule, section 2, states very clearly that the Republican budget resolution shall have force and effect. That is the traditional language of a deem and pass. Yes, this budget deems passed the elimination of Medicare in order to keep in place tax cuts for the highest earners and tax breaks for oil.

□ 1320

And while I do thank the majority for offering up the first open rule during my tenure in the House, I ask at what price. Well, I think there would be broad bipartisan support for an open rule. I, for one, cannot support a rule that deems passed the elimination of Medicare. Americans resoundingly opposed the approach of dismantling Medicare. They want us to put our economy on more secure fiscal footing and do it while strengthening our economy, creating jobs and mending, not ending, Medicare.

I would like to quote former Minority Leader JOHN BOEHNER in reference to the approach of “deem and pass” that was considered by the then-majority Democrats with regard to the health care bill. Then-Minority Leader BOEHNER said, “This legislative trick has been around for a long time, but it’s never been used for a bill so controversial and so massive in scope.”

Mr. DREIER. Will the gentleman yield?

Mr. POLIS. I will not yield.

What could be more massive than an elimination of Medicare contained in a rule rather than approach a simple vote on appropriations with regard to Medicare, cutting Medicare, bills with regard to Medicare reform?

This is the most sweeping rule that I’ve certainly ever faced in my time in the House of Representatives, and I think many of my colleagues agree.

The passage of this rule alone would simply end Medicare as we know it by construing in the deem and pass of the bill itself the operative language. And let me explain how this works for some of our colleagues.

Rules have broad authority. And I know the chairman of the Rules Committee, Mr. DREIER, will on his own time be able to talk of it. The Rules Committee, by the good graces of the House with our rules passing the House, has the ability to accomplish whatever the House allows us to through a rule.

So in this rule, the House will deem under section 2 that the Ryan budget, the budget that ends Medicare, the Republican budget, shall have force and effect until a conference report passes and that will likely not occur unless the Republicans alter their negotiating position vis-à-vis the Senate and vis-à-vis the President.

I strongly urge a “no” vote on eliminating Medicare contained in section 2 of this rule.

I reserve the balance of my time.

Mr. REED. Mr. Speaker, I yield as much time as he may consume to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, let me say at the outset that I’m particularly glad that you’re in the chair because it was a speech that you delivered last September in which you said that we were going to, in fact, if we won the majority, put into place an entire new structure that we had seen under neither political party over the preceding years, that is, the kind of openness, transparency, and accountability that the American people have said overwhelmingly that they want.

And so, Mr. Speaker, let me just say to you personally how much I appreciate the stellar leadership that you’ve provided us on this very important issue.

It is extraordinarily ironic that we last night saw the minority members of the Rules Committee actually vote “no” on the first open rule to be considered here in the House of Representatives. And yet over the past several months, they’ve been offering amendment after amendment in the Rules Committee calling for open rules. And so we report one out, and they vote “no.”

Now, the other thing that I think is very important for us to recognize is that we have important challenges that are ahead of us as it relates to Homeland Security. My colleague managing this rule who, by the way, is one of the two floor managers, neither of whom has been able to see an open rule in the House of Representatives up to this moment, my friend didn’t even mention the very important underlying legislation that is before us.

The distinguished chair of the Committee on Appropriations, my friend, Mr. ROGERS, is here. He and Mr. ADERHOLT, Mr. PRICE, and others on that subcommittee have worked very hard to deal with this priority item. Mr. ROGERS had served in the leadership on this subcommittee in the past and continues to have a great interest in it.

And we should note that as we look at this new procedure that hasn’t been considered since, as my friend from Corning said, July 31 of 2007, what we have is a structure whereby Members will have the opportunity to stand up and offer amendments.

And I listened to my friend from Providence, our new colleague, Mr. CICILLINE, who said that he opposes this bill because of the fact that it makes a cut that he didn’t like. Well, Mr. Speaker, as you know very well, under this rule Mr. CICILLINE or any other Member of this House will be able to stand up and if they can find offsets, they can have a vote on the amendment addressing their particular priority.

I also have to say that in the Rules Committee our good friend from North Carolina (Mr. PRICE) was before us talking about his concerns. And he asked for a waiver from the Rules Committee, nearly unprecedented, that would have gone beyond the standard definition of an open rule and provided him extraordinary protection for a priority which he thinks needs to be addressed. Well, Mr. Speaker, under this open amendment process, Mr. PRICE will again be able to offer an amendment that he will be able to, if he can find an offset, have a vote on here in the House.

Now I want to talk about this issue that my friend from Boulder addressed just a few moments ago and that we continue to hear over and over and over again. This so-called “deem and pass.” This is not, Mr. Speaker, a deem-and-pass provision. I will remind my colleagues on both sides of the aisle we have already passed, with a very rigorous debate here on the House floor, the budget. We’ve passed it already.

Now, so that we are able to move ahead with the important appropriations work with the 302 allocations that need to be done, it is essential that we deem this budget because we have yet to have a conference report. We’ve yet to see our friends in the other body pass out a budget. And so it is essential that we deem, which has been done since virtually the beginning of time, to make sure that we can proceed with our very important work.

Tough decisions need to be made. Under the leadership of Speaker BOEHNER, we are poised to make those tough decisions. Mr. Speaker, it’s important that we have a strong, bipartisan vote for the first of what will be more and more open rules in the 112th Congress. I urge my colleagues to support this.

I look forward to sitting where Speaker BOEHNER is right now to preside over the first appropriation bill that will be considered under an open amendment process, and I look forward to a very rigorous debate.

Mr. POLIS. I yield myself 30 seconds.

Of course while the underlying merits of the Department of Homeland Security appropriations bill are critical, and if the rule passes they’ll be debated under the underlying rule, eliminating Medicare as we know it is even more important to the American people. Hence the discussion under this rule as well.

I should point out that while this is an open rule, again as a member of the minority I’m deeply appreciative for the chance to amend the provisions of the Department of Homeland Security bill. If this rule passes, it will be too late to save Medicare under the bill. The very passage of this rule itself will deem passed the budget that contains the elimination of Medicare.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan, the ranking member of the Ways and Means Committee, Mr. LEVIN.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. This is indeed an open rule in the sense it's so open that if you vote for the rule, you're voting to end Medicare.

Republicans have done this once. If you vote for this, you're going to do it twice. And the gentleman who is handling this for the majority earlier talked about Medicare and said the Republicans are trying to save it. You don't save something by ending it. Purely and simply. And to come to this floor and say you're saving it when you're ending it, that kind of talk is a big lie.

We heard this with Social Security some years ago when the effort to privatize it was said to be an effort to save it. The public caught on. And the public said no. The public has now said "no" to ending Medicare. But, essentially, you're tone deaf.

Now, you're doubling down on your plan to end it, a plan that would force seniors to pay twice as much for their health care, a plan that increases seniors' drug costs, and a plan that puts insurance companies in charge of seniors' health care.

□ 1330

Mr. REED. Will the gentleman yield?
Mr. LEVIN. I will finish.

So instead of a bipartisan effort to save it, by this rule you are essentially deeming the budget that you passed that ended Medicare, period.

So don't come and say you're saviors when you're eliminating a program. Stand up and be honest and say you want to replace it with something else. That something else is not Medicare. It's turning it over to the private insurance industry and saying to seniors who become eligible, who would be, instead, you are going to see double your costs. That's not forthright.

If you vote "yes" on the rule, you are the second time voting to end Medicare.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will remind Members that their remarks should be addressed to the Chair.

Mr. REED. Mr. Speaker, before I yield to the gentleman from New York, I would just like to make it clear that in our House-passed budget, on page 58, lines 8 and 9, it is clearly articulated there that current Medicare benefits are preserved for those in and near retirement without changes.

I would also note for the record, to clarify and make sure the record is very clear, that the budget that we are talking about is not going to be presented to the President and enacted into law. What we are talking about here is nothing about ending Medicare as we know it.

At this point in time, I yield 2 minutes to my good friend, the chairman, Mr. KING from New York.

Mr. KING of New York. I thank the gentleman for yielding.

At the outset, let me say I am proud to vote for this rule because it is an open rule, and I commend the Speaker for doing this. It's really an important step forward, I believe, in the history of this House.

Let me say also that, very reluctantly, in its current form, I will have to vote against final passage of this bill. I say this because we are at a stage now where the threat level, the homeland security threat level is the highest it's been since September 11. The killing of bin Laden has only made that worse. We know also from bin Laden's own records that he is aiming at maritime, he is aiming at mass transit, and he is aiming at our major cities. Yet we are cutting each of those programs by 50 percent, a fifty percent cut.

Now, I can speak for New York in that I can tell you we have a thousand police officers. We have a Lower Manhattan security initiative. We have radiation detection. I can go through a whole list of programs. Every dollar in those programs can be accounted for. And I just cannot see why, at a time when the threat level is the highest it's been since September 11, that we are reducing Homeland Security grants by 50 percent.

The Department was set up in the aftermath of September 11 to fight terror, yet those grants are being reduced. And I know there is anecdotal evidence that this program isn't working, that isn't working. I would say specify what's not working, but don't take a meat axe. Don't cut across the board the way it's being done here. We're talking about human life. We're talking about just a terrible threat to our cities, terrible threat to our ports, terrible threat to mass transit.

And for those—and I understand the need to cut. I understand that need tremendously. Having said that, even from my strictly budgetary point of view, you have one dirty bomb go off in one subway in Boston, New York, or Chicago, and apart from the tragic loss of human life, apart from the tragic loss of human life there will be incalculable economic devastation, which will also cost billions and billions of dollars of lost revenue and jobs and have a terrible impact.

I lived through September 11. I know what it did to New York. I know the impact it had then. I don't want any other city, any other area in the country to go through that again. And yet we're reducing our defenses at a time when they are most needed.

So with that, I would just ask all the Members to give Chairman ROGERS the credit, give Chairman ADERHOLT the credit, but unfortunately I have to vote against this.

Mr. POLIS. Mr. Speaker, again, while the majority is claiming this to be an open rule, the very passage of the rule itself deems passed the Republican budget that ends Medicare. That will not be amendable in any way, shape, or form in the general debate. All that

will be amendable are provisions relating to the Department of Homeland Security.

I yield 2 minutes to the gentleman from Maryland, the ranking member of the Budget Committee, Mr. VAN HOLLEN.

Mr. VAN HOLLEN. I thank my colleague.

Mr. Speaker, this is not an ordinary House rule we will be voting on today. The resolution deems the provisions of the Republican budget to have "full force and effect." In other words, a vote on the rule today is essentially another vote on the Republican budget plan that protects subsidies for the Big Oil companies, while ending the Medicare guarantee and slashing investments in education. Those wrong-headed priorities were thoroughly rejected in the recent special election in New York.

The American people clearly oppose a one-sided plan that would immediately reopen the prescription drug doughnut hole and tells seniors that in 10 years they will pay \$9,000 more for their current set of benefits or take deep cuts in those benefits.

Ladies and gentlemen, the median income of seniors on Medicare is less than \$21,000 a year. What kind of budget says we're going to require seniors with median incomes of \$21,000 a year to pay \$9,000 more in just 10 years while cutting the rate for millionaires, the top marginal tax rate for millionaires by 30 percent? What kind of budget would do it? Well, the budget that was passed by the Republicans a few months ago and the one they're doubling down on today.

We have to have a balanced budget plan. We have to have a plan that addresses this from all aspects, not a plan that the former Speaker of the House described as a radical plan that was driven by right-wing social engineering.

It is very ironic that on the very day we will be swearing in the next Member of Congress from New York's 26th District that we will be voting again on a budget that the people of that district, like people around the country, rejected because—the former Speaker of the House had it right—it was radical and right wing and not the right plan for America.

The SPEAKER. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. VAN HOLLEN. I thank my colleague.

The question we're facing here is what is the best way forward. We all understand we have to have a budget deficit plan that's predictable and addresses that issue, but why in the world would we adopt a one-sided approach that has those priorities, that says we're going to slash Medicare and give tax cuts for the wealthy?

Mr. REED. Mr. Speaker, I would just like to remind my colleagues from the other side of the aisle that the budget

that they so referenced went through an open process. It was subject to debate. It was amended in this Chamber and passed by this body. And if they are so disinclined to approve that budget or stand with that budget, I would ask them to reach out to their colleagues in the opposing Chamber over in the Senate who have not passed a budget for the last 762 days and take the matter up with them.

At this point in time, Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. RYAN), chairman of the Budget Committee.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

I understand why this might be confusing to my friends on the other side of the aisle. After all, they didn't bother to pass a budget last year. Our friends on the other side of the Rotunda in the Senate didn't bother to pass a budget this year. We have a budget crisis. We've got a \$1.5 trillion deficit. We've got a debt that is getting out of our control. And what do you do when you have a problem like that? You pass a budget.

The reason we're doing what we're doing today is because our partners on the other side of the Rotunda in the Senate didn't pass a budget. House Republicans did. We passed a budget. And we're acknowledging and living within that budget. If our friends on the other side of the aisle bothered to pass a budget, we wouldn't be in the situation where we are today.

Now, let's discuss about what our budget does and what it does not do. Number one, because we have a debt crisis, we think we have a moral obligation to our constituents, our children, and our grandchildren to put our budget on a path to balance and to pay off our national debt. We also think we need to put our economy on a path to prosperity so we can get job creation.

Let's, for a moment, talk about Medicare. Medicare as we know it is already gone. Our friends on the other side of the aisle, when they passed the Affordable Care Act, they stopped the Medicare status quo. Under the President's new health care law, that ends Medicare as we know it. It does two things: It raids Medicare, and it rations Medicare. It takes \$500 billion from Medicare to spend on the President's new health care law. It doesn't take that money to extend its solvency.

Just like people have complained for years we're raiding the Social Security trust fund and we should stop doing that, the President's health care law does that to Medicare now.

□ 1340

The second thing it does, starting next year, the President will appoint 15 unelectable, unaccountable bureaucrats to put in charge of Medicare, to price control and to ration Medicare for current seniors. What's worse is the President and the Senate still have yet to put out a plan to save Medicare to prevent it from going bankrupt.

We stop the raid of Medicare in our budget and make sure that half a trillion dollars stays in Medicare to advance its solvency.

Mr. GARAMENDI. Will the gentleman yield?

Mr. RYAN of Wisconsin. I will not yield.

Number two, we repeal the rationing board so that we don't put bureaucrats in charge of determining what kind of health care benefits seniors do or do not get; and, number 3, we save Medicare.

The way in which we do this is this. We say that if you are on Medicare, if you are 10 years away from retiring at 55 and above, government already made a promise to you. We want government to keep that promise.

So under our budget we keep that promise. We stop the raid, we repeal the rationing board. And for those of us who are 54 and below, who have a bankrupt system that we right now cannot count on, we reform it so that it works like the system Members of Congress and Federal employees have. It's a system that looks like Medicare Advantage or the drug benefit that works today, where seniors get a choice of plans offered to them by Medicare, guaranteed coverage options from which they can choose, and Medicare subsidizes that plan. It doesn't subsidize people as much if they are wealthy, and it subsidizes them a lot more if they are low income, if they are sick.

This saves Medicare. This puts Medicare on a path to solvency and, more importantly, by saving it for future generations we can keep the promise to the current generation. We repeal the rationing board, we stop the raid, and we save the program.

That's what our budget proposed to do, but with respect to this rule, we are talking about discretionary spending. We are talking about paying the bills this year for all those different government agencies.

We simply think Congress should function the way the Founders envisioned it where we actually pass budgets, we actually scrutinize spending, and we actually finance government's functions and its agencies. We are not dunking our responsibility; we are passing our budgets. Because we are deeming those numbers in this year's bill, it is simply because of the fact that nobody else around here seems to be bothered with passing budgets.

The President hasn't put out a plan to fix the problem and the Senate has, for a second year in a row, failed to even pass a budget. We are leading, we are saving Medicare, we are getting the debt under control, and we are working to create jobs in this economy and we are governing by actually paying the bills and passing our appropriation bills.

REVISIONS TO THE ALLOCATIONS OF THE FISCAL YEAR 2012 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON APPROPRIATIONS

Mr. Speaker, pursuant to sections 301 of H. Con. Res. 34, the House-passed budget resolu-

tion for fiscal year 2012, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations set forth pursuant to the budget for fiscal year 2012. The revision is for new budget authority and outlays reported by the Committee on Appropriations, Subcommittee on Homeland Security, which are designated for the Global War on Terrorism. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised allocations are to be considered as allocations included in the budget resolution, pursuant to section 301 of H. Con. Res. 34.

PAUL RYAN,
Chairman, House Budget Committee.

ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

(In millions of dollars)

		2012
Discretionary Action	BA	1,019,402
	OT	1,224,119
Adjustment for Global War on Terrorism	BA	258
Reported by Subcommittee on Homeland Security	OT	206
Total Discretionary Action	BA	1,019,660
	OT	1,224,325
Current Law Mandatory	BA	745,700
	OT	734,871

Mr. POLIS. I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman very much.

I rise in opposition to this Republican attempt to deem their budget passed, just deem it passed so that we can begin with this process. It's just wrong. It's not the way we should be conducting business, but it's the way they have been operating all year.

Recently, radio evangelist Harold Camping calculated that the world would end at precisely 6 p.m. on May 21. Well, he was wrong. But much like Harold Camping's wildly inaccurate predictions, the House Republicans have come up with their own apocalyptic vision, the Republican Rapture. This budget decides who gets lifted up into the economic stratosphere and who gets left behind.

Under this scheme, if you are a millionaire or a billionaire, you get raptured into heaven with all of your tax breaks remaining intact. But if you are Grandma and Grandpa, and you are dependent upon Medicare in order to take care of your health care needs, you get moved to political purgatory. That's their plan.

Now, if you are one of the big five oil companies that are reporting record profits, you get raptured with all of your tax breaks left intact in this budget, which we are debating here today. You keep all of your tax breaks.

But if you are a college kid hoping to get a Pell Grant, no, ladies and gentlemen, you are back in political purgatory. Your educational future is in question.

Now, if you are an insurance company executive and you are now really rapturously happy because of the privatization of Medicare and the incredibly increased profits for the insurance

industry, you are up here in heaven. You get raptured. This is the budget we are debating right now. Good news for all these wealthy people.

But if you have Alzheimer's or cancer and you are hoping to find medical breakthroughs, they are cutting the NIH budget, the national institutes of hope budget, to find a cure for those diseases. Your hopes and dreams go to political purgatory.

And if you have any hopes at all of having Medicare be saved, well, their budget guarantees that Medicare gets privatized, that Medicare is ended as we know it.

The SPEAKER. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. MARKEY. And that Medicare budget is completely and totally smashed.

So there is your debate here today, ladies and gentlemen. Are you with billionaires, Big Insurance, Big Oil? Are you with Grandma and Grandpa, making sure that Medicare remains intact for the years ahead, honoring the promise that we made to them for giving us this great country that we live in today. That's the vote today.

Vote "yes" or "no" on Grandma, vote "no" on that Republican budget, and protect Grandma's health care into the future.

Mr. REED. I would like to submit section 501 of House Concurrent Resolution 34 for the RECORD as we seem to be commenting about it to a great extent this afternoon. I just want the record to be clear.

SEC. 501. POLICY STATEMENT ON MEDICARE.

(a) FINDINGS.—The House finds the following:

(1) More than 46 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in and near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2020 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy. Medicare outlays are currently rising at a rate of 7.2 percent per year, and under CBO's alternative fiscal scenario, mandatory spending on Medicare is projected to reach 7 percent of GDP by 2035 and 14 percent of GDP by 2080.

(3) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) POLICY ON MEDICARE REFORM.—It is the policy of this resolution to protect those in and near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) ASSUMPTIONS.—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in and near retirement, without changes.

(2) For future generations, when they reach eligibility, Medicare is reformed to

provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(4) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. I would like to thank my friend from New York (Mr. REED), also a Rules Committee member that I serve with, for the opportunity to support this rule and support the underlying legislation, H.R. 2017, which appropriates funds for our Nation's Homeland Security operations for 2012.

Just a comment: I thought that's what we are here to talk about, and so we are going to go back on track in regards to where we should be. As a member of the Rules Committee, I am proud of this rule. It is the first open rule in 4 years, Mr. Speaker, and that's because of you.

It's a continuation of our promise to the American people that we are committed to bringing openness and free-flowing debate to this Chamber as a service to the American public. And just like the rule keeps our promises to the American people, so does the underlying legislation.

It keeps our promise to reduce spending, to narrow the size and scope of the Federal Government. It also keeps our promise to provide those men and women who work day in and day out to keep our Nation safe with the tools and the resources they need.

I have heard a lot about local first responders in connection with this bill. Mr. Speaker, I spent my entire career in law enforcement. I spent the last 40 years as a cop, and the last 10 of those years I served as a sheriff of a county in Florida.

You don't need to tell me about what our local first responders need. I know it firsthand, I have lived it. And I can tell you this: We need to follow the local example that those folks in Florida and across this Nation and States have shown us. Our local police and firefighters know how to do more with less, one thing the Federal Government has never quite grasped.

Would you like to have more money? Sure we would. But they understand our Nation is in a dire fiscal situation, and what they want more than anything else is for America to be here for their future and their children and grandchildren's future.

□ 1350

When I was sheriff, I was faced with budget shortages, and I made tough cuts. I eliminated programs I'm sure that I would have loved to have kept in place, but they didn't meet the core mission that I was elected to do. That's how local government works, Mr. Speaker, and Washington needs to learn from local governments in regards to how to get their act together as it relates to spending.

Mr. Speaker, H.R. 2017 is a good bill, and I applaud the Appropriations Committee for their commitment to our homeland security. I encourage my colleagues on both sides of the aisle to support this legislation and support the open rule.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi, the ranking member on Homeland Security, Mr. THOMPSON.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in opposition to the rule for H.R. 2017, the Department of Homeland Security Appropriations Act of 2012.

This year marks the 10th anniversary of the September 11 terrorist attacks. As Americans began to process the carnage inflicted by Osama bin Laden on our soil, then-President Bush challenged us as a nation to "confront every threat from any source that could bring sudden terror and suffering to America." For nearly 10 years, we've done just that. We've made major investments in intelligence, border security, transportation security, and emergency preparedness.

H.R. 2017 suddenly veers away from these incremental efforts and, as a result, sets our Nation on a dangerously wrong path. To cut homeland security preparedness grants by \$2.1 billion at a time when DHS is calling for a period of heightened alert because of our successful action against bin Laden is deplorable and reckless.

How we can continue these efforts with an appropriation bill that funds DHS at 7 percent below what President Obama tells us that DHS needs is beyond me.

The probability of a terrorist attack on a major domestic transit system has not subsided, nor has Mother Nature relented and softened the barrage of punishing blows to our communities, including much of my own congressional district. This bill sacrifices the security of our communities just to save a penny here and a penny there.

Our first responders must not be treated as pawns to the political ideology of the day. It is the decimation of the first responder grant programs, at the hands of the Republican leadership, that, by far, is the most offensive aspect of this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman 30 additional seconds, Mr. Speaker.

Mr. THOMPSON of Mississippi. The second most offensive aspect of this bill is the shenanigans surrounding the funding of disaster emergencies. Lastly, ending Medicare in this rule makes absolutely no sense.

For these reasons, I oppose H.R. 2017 and ask my colleagues to join me in voting against the rule and the underlying bill.

Mr. REED. I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, as a member of the Rules Committee and

the Budget Committee, I'm excited to be down here today. You told us, Mr. Speaker, when this Congress began that we were going to witness one of the most open Congresses in this country's history, and you have delivered on that each and every day.

Now, I'm one of the new guys in Congress. I've only been here about 125 days, but what I saw—we're talking about budgets here today. What I saw in the budget process was a leadership team and the chair of the Rules Committee who said, Bring me a budget, any budget. I don't care who you are, whether you're the most senior Member of this body or the most junior Member of this body, bring me a budget, and we will consider it on the floor of the United States House of Representatives. Come all. Come all. Give us your ideas, and we will consider them.

Well, we had that process. I voted for two budgets on that budget voting day. I voted for the Republican Study Committee budget, which I thought was a great budget, and I voted for the Budget Committee's budget.

I sit on the Budget Committee with PAUL RYAN, and the Budget Committee put in a tremendous amount of work, and that was the budget that ended up carrying the day. And so that's the budget we're operating under right here today.

The Homeland Security appropriations bill, the first bill out of the chute. And what did you do, Mr. Speaker? You said, Come one, come all. If you have an idea about how to improve this appropriations bill, bring it to the floor of the House and we'll consider it. Bring it to the floor of the House and we'll consider it.

Now, you might think, if you don't know as much about this House, if you're a newcomer like me, you might think it goes on that way all the time. But it doesn't because it's hard. It's hard.

I can only imagine, Mr. Speaker, what you get from folks back home, because they probably say to you, close down the process. Push your conservative agenda. Do it your way and make people fall in line. And you said no. You said the House works best when the House works its will. You said any Member of the House that can find 218 Members to agree with him can work their will on the floor.

And that's the process that we're opening up. Not a Republican process, not a Democratic process, but an American process where the power of the ideas are what rules the day.

Now, that's taken a huge commitment from the Speaker and a huge commitment from the Rules Committee chairman to make this process happen and a huge commitment from the Appropriations chairman to make this happen. But I'll tell you, for anybody out there who is thinking in partisan terms, it takes a commitment from both sides of the aisle. Open rules break down when we can't make those open rules work together.

I see my friend, Mr. POLIS, from the Rules Committee, who is a strong advocate of the open rules process, and here we are for the first time since July of 2007. And we're going to find out if we can make this work together—a new crowd on your side of the aisle; a new crowd on my side of the aisle. We're going to find out if we can make it work together. Golly, I hope we can.

I hope we can, because it's the right thing to do, because I only have a voice in this body when I can bring my amendments to the floor. I only have a voice in this body when I can represent the 921,000 people back home. Mr. Speaker, you have given that to us over and over again, and I thank you.

Mr. POLIS. The Democrats have no problem with the open rule. What the Democrats have a problem with is the elimination of Medicare, which is deemed and passed in the language of the rule itself and cannot be amended after the passage of the rule.

It is my honor to yield 1 minute to the gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I rise in opposition to the rule that is on the floor today because voting for this rule is a vote to abolish Medicare.

Here we are, once again, after the public has spoken so clearly on this subject of wanting to have Medicare as a pillar of health and economic security for our seniors, the Republicans saying we're going to double down. Not only did we vote to abolish Medicare, increasing costs for seniors, lowering benefits while giving tax breaks to oil companies and corporations for shipping jobs overseas, not only have we done that once, but we're going to do it again today, on a day that we're going to swear in a new Member of Congress, a reminder that all of us takes an oath of office to protect and defend.

And this bill, the bill that this rule comes up on, Homeland Security, undermines the ability to protect and defend the American people.

So, this is a double whammy. It's a threat, again, to the health and economic security of our seniors and those who depend on Medicare, and it is a threat to the safety of the American people.

I heard my colleague, Mr. MARKEY, talk about purgatory and rapture and the rest in his original and effective presentation, and it reminded me what we always say when we talk about a budget: that it should be a statement of our values. What is important to us should be reflected there.

Our budget proposals—we had one under the leadership of CHRIS VAN HOLLEN that was heard and voted on by the floor a number of weeks ago; a Republican budget that is on the floor today in the form of this rule—are windows to the soul of whom we are as public officials. And this rule today which deems passage of the Republican budget is a window to the soul of the Republican Party and this House of Representatives.

Giving tax subsidies to Big Oil would benefit corporations that shift jobs overseas and would give tax cuts to the wealthiest people in our country while it says to seniors, No more Medicare for you. You're going to pay more, get less, and weaken the middle class at the same time, weakening the middle class because of abolishing Medicare and weakening the middle class because of what it does to education for our young children and making college more expensive for nearly 10 million young people in our country.

□ 1400

Is that an investment in the future? I don't think so.

But it's really important when we talk about our soul and our values and what our priorities are that we note that a vote for this bill is a really serious assault on the middle class. People are concerned about the dignity and retirement of our seniors. They are concerned about the education of our children. They want to reduce the deficit. We must create jobs. Growth in our economy will help reduce the deficit. This bill does none of the above.

So, again, it's about what we believe in.

Mr. Speaker, I have to give you credit for this, that the Republicans are true to what they believe in. They do not believe in Medicare, and they are voting today to honor their beliefs to abolish Medicare. That has been a consistent message over time. It is reinforced here today.

I urge my colleagues to vote "no" on the rule and "no" on the underlying bill.

Mr. REED. Mr. Speaker, I feel it is necessary to again correct the record that what we have done in the proposal that has just been referenced by my colleague from California is not to destroy Medicare; it is to save Medicare. In an open and honest way, it's to deal with the problem that we all know Medicare faces. It clearly states in the document, in the resolution that was passed, that any senior who is in Medicare, on Medicare or within a generation of retiring into Medicare will not be impacted by anything that we do in that budget.

I would also remind my colleague from California that we stand here today under a proposed open rule, where this body, this Chamber, will be able to express its will in an open and traditional process of open amendments.

Let me make clear to the American people what that means. That means that any elected Member of this Congress can come down and speak the voice of his or her constituents and offer amendments that can be debated on the floor of this House in an open and transparent manner—on TV, in their living rooms—so that the American people know what we are doing in this Chamber.

I applaud you, Mr. Speaker, for honoring that commitment that you set forth when you assumed that chair.

At this point in time, Mr. Speaker, I yield 1 minute to my good friend, the gentleman from Florida (Mr. SOUTHERLAND).

(Mr. SOUTHERLAND asked and was given permission to revise and extend his remarks.)

Mr. SOUTHERLAND. I thank the gentleman from New York for yielding.

I will tell you, I've been here for 5 months; and a few moments ago I was as angry as I've been in a long time because, this afternoon, we heard the injection of a Judeo-Christian event that I was taught as a little boy is precious to my faith and to the tenets of Judeo-Christians around this world.

I cannot sit and not rise and object and ask everyone in this body: Please let's identify limits to what we will say and where we will go, because what we say here the world listens to; but more importantly, the God that we pray to listens, too.

So it bothers me greatly. I am angered—angered—at what I heard and what I witnessed. In trying to be in control of my emotions, I would just ask everyone: Please let's not inject religious events that many of us are looking forward to in our futures.

PARLIAMENTARY INQUIRY

Mr. POLIS. A point of parliamentary inquiry.

The SPEAKER. The gentleman may state his inquiry.

Mr. POLIS. If this rule is passed, would an amendment be germane that would restore Medicare under the budget?

The SPEAKER. The Chair does not respond to hypothetical questions.

Mr. POLIS. Mr. Speaker, it is my honor to yield 1½ minutes to the gentleman from California (Ms. SANCHEZ).

Ms. LORETTA SANCHEZ of California. So 5 months. One of my freshman colleagues said 125 days in the Republican majority and no jobs bill.

In fact, all you've tried to do is change Medicare as we know it to make vulnerable seniors pay more and get less. Oh, then you're also making education cuts to go after the dreams and aspirations of our young people. That's the Republican way.

Today, we consider this rule and the Homeland Security's appropriations bill where you actually cut 60 percent of the moneys that the Federal Government sends to our local cities—yes, those cities that are struggling, those cities that protect us. We don't protect the American people from the Capitol. It's the local law enforcement, the local fire department, the local hospitals. If a terrorist attack or a natural disaster happens, the local responders are the ones who first help the American people, and you're cutting the money. They're already under attack at the local level. They have already let firemen and policemen go, and now you're taking away 60 percent of the moneys that we send to protect the American people. What is troubling is that you're limiting the cities where

we send some of this money, like under the Urban Areas Security Initiative.

The SPEAKER. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Ms. LORETTA SANCHEZ of California. You're cutting moneys to places like Las Vegas and Orlando and my hometown of Anaheim, California, where Disneyland is. The American people deserve to be protected, and this Congress should get its priorities straight.

Mr. REED. I reserve the balance of my time.

Mr. POLIS. I yield 1½ minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. In just moments from now, we will have a new Democratic colleague from my home State of New York. The Democratic Congresswoman-elect hails from the most Republican district in my State, a district that JOHN MCCAIN won in 2008.

Just one week ago, voters in her conservative-leaning district resoundingly rejected the Republican plan to end Medicare. Apparently, the Republican majority here in Washington didn't get the message. Voting to end Medicare once was not enough for them. The rule vote that we are about to take will, once again, deem the Ryan plan to end Medicare as enacted and will put us on a road to ruin where seniors will see out-of-pocket expenses skyrocket by at least \$6,000 every year as Medicare is ended so as to continue the handouts of tens of billions of dollars to oil companies.

In a few moments, after they've finished voting to end Medicare again, I hope that as my Republican colleagues congratulate our New York colleague on her election they will see her as yet another face and as yet another voice, an outspoken voice, to save Medicare.

Mr. REED. I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, if this rule passes, an amendment will not be in order to restore Medicare under the bill. Again, while this claims to be an open rule—and it is for purposes of Department of Homeland Security amendments—it cannot be amended to undo the budget that is deemed passed in the rule, itself.

With that, I yield 1½ minutes to the gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for his leadership and for yielding.

Mr. Speaker, I rise in opposition to the rule, which will end Medicare as we know it, and also to the underlying bill, which reduces Homeland Security grants by 50 percent to our cities, to our ports, to our transit.

Is there any reason to believe, I ask my Republican colleagues, that there is a 50 percent reduction in threat?

If anything, law enforcement tells us that the number of threats is up since the death of Osama bin Laden. Police Commissioner Kelly, in New York City,

tells me that since 9/11 there have been 13 serious terrorist attempts, and six of these were focused on mass transit, which has been cut by 50 percent.

We need to remember what law enforcement has told us: that our antiterrorist efforts have to be right every day, every hour, every second, every time. Yet terrorists just have to be lucky once.

I ask my Republican colleagues: What would be the impact on the loss of lives and on our economy if we were attacked again as they are trying to do? The chatter is up. Law enforcement tells us the threat is up, not down. So why are we cutting it 50 percent?

□ 1410

My Republican colleagues, I say to you that you are not just gambling with dollars; you are gambling with lives. It is not a gamble Democrats are willing to take.

I urge a "no" vote.

Mr. REED. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. YODER).

Mr. YODER. I thank the gentleman from New York for yielding me this time.

Mr. Speaker, I rise in support of the rule that we are debating here today so that we can debate a bill on homeland security. Now, that might come as a surprise to many who are watching this debate, or to the Speaker or anyone else in this Chamber today, that we are actually debating a rule that deals with homeland security.

Now, the fantasy discussion going on on the left right now on any topic that comes to mind might be entertaining to some, but for the rest of this country, they would love to see this body actually debate issues that are on topic, and that issue is homeland security. Agencies like Border Patrol, ICE agents, Coast Guard personnel, the Secret Service, funding for all sorts of agencies, \$1 billion for FEMA disaster relief fund, are these not issues important enough to discuss on the floor today?

The bill prohibits the use of funds to move detainees at Guantanamo Bay, Cuba, into the United States and denies them immigration benefits such as visas, admission into the United States, and classification as refugees, all sorts of things that are critical to homeland security, to protecting Americans from terrorism, keeping Americans safe.

And we are doing it under an open rule, and that is the issue on this rule debate. For the first time in 4 years, we are debating an appropriations bill that affects hundreds of millions of Americans related to homeland security, and we are allowing every side to bring amendments down to the floor and to discuss those issues.

This is a critical moment. No matter how many times the folks on the left want to come forward and obfuscate or change the subject, that's fine, we can have those debates. And we will continue to have those debates. But we are

debating today a rule that will allow this body, in an open fashion for the first time in anyone's memory, to debate an open rule on homeland security. If you have an amendment that is germane to the bill, bring it. If it is found worthy, it will pass. This is the process that we used in committee, and it worked. We produced a good piece of legislation that will provide for the security of the homeland.

We have an opportunity today to seriously debate the topic that is before us on homeland security. No matter how many times the left attempts to change the subject from what we are talking about, we know that the homeland security of our country, protecting us from terrorism, is a critical issue and we will debate it, no matter how many times the left tries to stop us.

Mr. POLIS. The gentleman mentioned the open rule. The open rule itself is largely noncontroversial with strong support from both sides of the aisle.

What is contained in this rule is the broadest sweeping policy change in recent history, namely, the elimination of Medicare. That is the controversial element of this rule, which is deemed and passed by the rule itself.

With that, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, for years, working Americans, paycheck after paycheck, week after week, have paid taxes into the Medicare trust fund. And after they paid those taxes, this country made a promise to them that Medicare's guaranteed benefits would be there for them for the rest of their life. The issue before the House today is whether we honor or dishonor that promise.

The Republican plan to abandon Medicare abandons those guaranteed benefits. The Republican plan to abandon Medicare says that rather than seniors and their doctors deciding what care the seniors should get, private health insurance companies make that decision.

Part of the promise of Medicare was that health care would be reasonably affordable to our seniors and retirees. The Republican plan to abandon Medicare violates that promise. It raises the out-of-pocket cost of health care for our seniors by \$6,000 a year.

We agree that Medicare needs improvement and that Medicare outlays need to be restrained. That's why we support giving the Medicare administration the same authority to negotiate prescription drug prices that the VA has, instead of just paying whatever the drug companies demand.

The issue in this vote is not simply the value of Medicare; the issue in this vote is whether Americans can value the promise that we made to them in the future. Vote against this rule; vote to honor the promise of Medicare.

Mr. REED. Mr. Speaker, I would like to clarify for the record again that this proposed resolution that we are debating, this rule on Homeland Security appropriations, that is Homeland Security funding, it is but a simple resolution. It is not law. It will not become law. That is clearly articulated in the parliamentary guide entitled "How Our Laws Are Made" on pages 8 and 9.

So I again feel compelled to clarify the record to assure that this rule will not end Medicare. And even as our budget clearly states, Medicare under our budget will be saved. Not one senior on Medicare will be impacted by any action in that budget.

I reserve the balance of my time.

Mr. POLIS. Again, I have to disagree with my friend from New York. I have never seen in my 3 years on the Rules Committee such a broad and sweeping deem-and-pass under a rule. Section 2 of the rule clearly states that the House Concurrent Resolution 34 shall have force and effect. Again "force and effect," the traditional language of something that is deemed and passed under a rule. The mere passage of this rule will deem and pass the end of Medicare as we know it as contained in House Concurrent Resolution 34, the Republican budget.

I yield 1½ minutes to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished manager of this rule, and I certainly thank Members who are on the floor of the House.

Mr. Speaker, we are in the baseball season and you can imagine a throng of teeming audience, and they are watching pitch one, pitch two, pitch three; and it is strike one, strike two and strike three.

The winning side, the Republicans, of course, cheer; but the American people lose. They're out. They're struck out. Medicare is gone as we know it. Let's not fool around. Let's not try to have smoke and mirrors.

This rule ends Medicare as we know it. We don't have to play games. The debt relief that was put on the floor ends Medicare as we know it. And this bill on homeland security is tone deaf to the words of the late Osama bin Laden who said that we're looking at your airports, we're looking at your airlines, and we're looking at your rail. This Homeland Security appropriations bill cuts all of the necessary security that is necessary to protect the American people.

First we throw out the seniors on Medicare; then we don't allow for TSO inspectors. We cut FEMA dollars in the face of Joplin and Birmingham and Tuscaloosa. In my own State, there are fires that are burning right now, and we're telling FEMA that we don't have enough money to provide for you. Did you see the story on the news that indicated that firefighters were left watching a man drown—drown—because they had to cut the rescue team of that community? People were crying. Firefighters, whose first job is to

be a first responder, denied because they don't have the funding to be able to help the people that they serve.

I tell you to vote "no" on this rule. Strike out those folks, and let the American people win.

Mr. REED. Mr. Speaker, may I inquire of the Chair how much time both sides have.

The SPEAKER. The gentleman from New York has 4 minutes remaining. The gentleman from Colorado has 5½ minutes remaining.

Mr. REED. I yield 1 minute to my good friend, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, I just wanted to say that this is a serious topic that we are talking about here today, the Homeland Security appropriations bill. When you pass a responsible budget, as we did here in the House, you've got to make tough choices. I learned here as a freshman that we do these 10-year budget plans, but only year one matters because then the next Congress comes back and does year two and year three and year four. So the only serious decisions that we are making in this budget is what happens in year one, and that's the Homeland Security appropriations bill that is before us here today. How are we going to fund Homeland Security for year one?

And we are down here talking about all of these ancillary issues; and I tell you, this one's important. This one's important. This one's happening. This isn't smoke and mirrors 10 years down the road. This is happening today. The Appropriations Committee has worked long and hard to craft the best delicate balance that they could.

Mr. Speaker, 42 cents out of every dollar we're borrowing. Folks talk about we don't have any money. That's not a state of mind; that's a fact.

□ 1420

It's a fact. And we cannot afford to shortchange the work that we're doing on the Homeland Security appropriations bill on these—I can't think of a kind word to say.

I'm not going to say anything at all, Mr. Speaker.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank the gentleman from Colorado.

Mr. Speaker, I rise in strong opposition to this rule.

From the retirees that I serve in south Florida to the middle class families of western New York, the American people have overwhelmingly rejected the reckless Republican budget.

The Republican budget ends Medicare and replaces it with a coupon, a coupon that fails to even approach the cost of private health insurance. It guts Medicaid, depended on by millions of impoverished children, nursing home patients, seniors who need home health services, and disabled Americans. Its hatchet job on our budget will destroy

2.1 million jobs when we cannot afford higher unemployment.

This plan is opposed by the Senate, the President, and, most importantly, the American people. Yet today Republicans will vote to deem and pass the Ryan budget.

The distinguished Rules Committee chairman, who decried deem and pass during the health care reform debate and claimed “process is substance,” has apparently had a stunning change of heart. We were told that using deem and pass to extend health care coverage to the uninsured is an abomination. Apparently, we learned today it should be reserved for slashing benefits to seniors.

I urge my colleagues to vote “no” on this rule. The American people want a bipartisan budget that responsibly reduces the deficit, creates new jobs, and protects Medicare and Medicaid for disabled and elderly Americans. Not this Republican budget.

Mr. REED. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. GARAMENDI).

(Mr. GARAMENDI asked and was given permission to revise and extend his remarks.)

Mr. GARAMENDI. The distinguished chair of the Budget Committee spoke here a few minutes ago. He spoke about a moral obligation.

An interesting definition of “moral obligation”: An obligation to maintain the benefits that the insurance industry has; an obligation to maintain the subsidy that the American taxpayers give to the richest industry in this world, the oil industry, billions of dollars a year; an obligation to maintain the tax benefits to the wealthiest millionaires and billionaires in the world. Apparently, that’s his definition of a moral obligation.

We have a different definition on our side of the aisle. We have a definition on our side of the aisle that says it is the obligation of this society to provide medical care to our seniors. Our Republican colleagues see their moral obligation as terminating, ending, Medicare for all Americans who are not yet 55 years of age.

Say it any way you want, but that’s precisely what your budget does. It terminates Medicare. Is that your moral obligation?

It’s not ours on our side. Our side is to maintain the promise that when a senior in the United States becomes 65 years of age, they will have Medicare.

Our good chairman comes and he says we’re not cutting benefits for seniors. That’s not true. In fact, you’re cutting \$700 billion out of the Medicaid—Medicaid—program, a program where two-thirds of the money goes to seniors who are in nursing homes.

The SPEAKER pro tempore (Mr. SCHOCK). The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. GARAMENDI. Thank you.

You say it’s a moral obligation to cut \$500 billion out of the health care bill? No way. That was money that came out of a subsidy to the insurance companies. And you say it’s a moral obligation to leave the insurance companies alone so they can continue their rapaciousness against the people of America.

Mr. REED. I continue to reserve the balance of my time, Mr. Speaker.

Mr. POLIS. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 2¼ minutes.

Mr. POLIS. Thank you, Mr. Speaker.

In addition to moving forward the Homeland Security bill under an open rule—which would have strong bipartisan support, and I praise my colleagues on the Rules Committee and hope that this is the first of many open rules. In addition to moving forward the Homeland Security bill under the rule, this rule includes language “deeming” the Ryan budget passed. That’s right. We’re voting once again on the same plan that the American people resoundingly rejected in last week’s special election in New York.

If this rule passes, the Ryan budget, which ends Medicare, will become the final, enforceable budget on the House side until a conference report is adopted, which is unlikely to happen in this Congress, especially if the House Republicans continue to insist on the end of Medicare as a condition of passing a final budget. A “yes” vote on this rule is a “yes” vote on the Ryan plan and a “yes” vote to eliminate Medicare.

Now, this is the sixth time in 36 years that the House and Senate will fail to adopt a budget, and the House has used deeming resolutions in the past. However, never has a deeming resolution been used for such a tremendous policy change, namely, the elimination of Medicare.

As then-Minority Leader JOHN BOEHNER said, “This legislative trick has been around for a long time, but it’s never been used for a bill so controversial and so massive in scope.”

Now that, Mr. Speaker, was in reference to the Democratic efforts last session to pass the Affordable Care Act. The deem and pass was not used at the end of the day to pass that bill; yet here we are in the 112th Congress with the Republicans seeking to use it to end Medicare. And, yes, no bones about it, we are talking about ending Medicare.

According to the Congressional Budget Office, and our bipartisan study group has confirmed, a typical beneficiary would spend more for health care under the proposal than under the Congressional Budget Office’s long-term scenarios. Second, the government’s contribution would grow more slowly than health care costs, leaving more for beneficiaries to pay.

Yes, Mr. Speaker, we are talking about the elimination of Medicare

under this rule. Not even under a bill with debate on both sides. Not even amendable. A rule is not amendable. Although this rule provides for debate of the Homeland Security bill, which will be fair and allow amendments to be put forth by both parties under it, the rule itself, Mr. Speaker, is not amendable. It’s immutable, unchangeable, and, if passed by this body of the House of Representatives, will deem a budget passed that eliminates Medicare for the American people.

I urge a “no” vote on the rule, and I also will be opposing the underlying bill.

I yield back the balance of my time.

Mr. REED. Mr. Speaker, I yield myself the balance of my time.

We have had a spirited debate on the floor of this Chamber over this rule. I applaud that debate because that’s what the American people sent us here to do, which is to have the debate in an open process on TV in front of the American people. And that’s what this rule does.

□ 1430

This rule is a true open rule where any Member of this Chamber—Democrat or Republican—can come down and submit an amendment, debate it in front of the American people, and have it voted on by each and every Member of this House so that this House will speak its will. I applaud our Speaker for accomplishing that clear goal he set out.

But as we have this debate, Mr. Speaker, I remind all my colleagues that America also sent us a message last November that we need to be honest with the American people. It means that we do not play games in this Chamber. And nothing could be further from the truth than the constant arguments that we had to stand up and clarify that this rule kills Medicare as we know it.

This rule has no legal effect. This rule will not be presented to the President for signature and become law of the land. And mind you, the reference to the House Republican budget, the “Paul Ryan” budget, the provision that has been talked about here to great extent clearly states that it is the policy of this Chamber, the policy as set forth in that budget, that all those on Medicare will not be impacted by that budget. All those seniors who are within 10 years of retiring and becoming eligible for Medicare will not be impacted by that budget.

We are acting in a responsible manner on this side of the aisle. And we are dealing with dire times. I was a little disappointed that we didn’t have a more spirited debate on the actual substance of the rule that guides the bill upon which it applies, and that is the Homeland Security appropriations bill.

We live in dire fiscal times in the United States of America. And we’re going to be honest with the American people: We have to make some tough choices. But this should send a message

to every man, woman, and child in America that the days of reckless spending have caught up to us because we do have to have the debate of where we're going to cut. And we are talking about cuts in the areas of homeland security. We better wake up as a body and as a Chamber and recognize that if we don't get our fiscal house in order not only will we jeopardize our national security, we will go bankrupt. That ends America as we know it. And also, it will destroy the American market that we are trying to ignite in our private sector because if we do not send a message that we've got our fiscal house in order, then people are not going to invest in America, and that will not put people back to work and put people back onto a payroll.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from Peter G. LeFevre, Law Revision Counsel:

OFFICE OF THE LAW REVISION COUNSEL,
HOUSE OF REPRESENTATIVES,

Washington, DC, May 23, 2011.

Hon. JOHN A. BOEHNER,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: After 30 years of service in the Office of the Law Revision Counsel and over 34 years with the Federal Government, I have decided it is time to retire. With your approval, my last day as Law Revision Counsel will be June 1, 2011.

I started with the Office just seven years after it was established as part of the Bolling Committee reforms in 1974. The Office was given the functions of classifying new laws to the United States Code, preparing and publishing the Code, and drafting legislation to enact titles of the Code into positive law. Over the years, I have had the privilege of working on each of these functions, and my career has given me a unique perspective on the content and codification of Federal law.

I have had at least a technical familiarity with practically every law enacted during the past 25 years and have worked my way through thousands of laws, including countless appropriations, defense authorizations, tax and health reforms, and omnibus reconciliations. We, in the Office of the Law Revision Counsel, regard the text of these laws with a certain reverence. As we incorporate new laws into the Code, every effort is made

to ensure that each word, each punctuation mark, and each directive they contain is given the effect intended by Congress. With the systems and excellent staff we have in place in the Office, I feel confident that the Code is being maintained with the high degree of accuracy and reliability that is required for the official Code.

While accuracy has always been our highest priority, we have also been working on improving the timeliness and usability of the Code. Since 2005, the time it takes to do an annual update of the Code has been reduced by more than 18 months, and last year we introduced the USCprelim on the U.S. Code website to allow even quicker, albeit preliminary, updates of selected Code titles. As to usability, the Code is about to get a lot better. In a matter of days, we will release a new U.S. Code website featuring a new sophisticated search engine, improved interface, and materials to help the public understand and use the Code. The release will soon be followed by further improvements, including hyperlinks to referenced Code and statute provisions and integration of the USCprelim and prior versions of the Code into the new website. Conversion of the Code data into XML is another ongoing project which should bear fruit in the near future.

The overall organization of the Code remains a concern for me, but significant progress was made during the last several years. The codification of title 46, Shipping, was completed with the enactment of Public Law 109-304, and in just the past six months, Law Revision Counsel bills to enact title 41, Public Contracts, and title 51, National and Commercial Space Programs, became law. Each new positive law title is a major accomplishment, but the time and effort it took to get these three titles enacted indicates the huge task that remains before the goal of an entirely enacted Code is realized.

It has been a pleasure to work for the House of Representatives throughout my career. I have especially enjoyed my association with the other staff members in my office and have a deep appreciation of their expertise and dedication and the fine work they do every day. I am also grateful for the support and cooperation of your office, the Committees on the Judiciary and Appropriations, the Government Printing Office, and the other officers of the House.

Respectfully Yours,

PETER G. LEFEVRE,
Law Revision Counsel.

The SPEAKER pro tempore. Without objection, statements by the Speaker and the Minority Leader are inserted into the RECORD at this point.

There was no objection.

Mr. BOEHNER. Mr. Speaker, I would like to recognize and thank Peter G. LeFevre, Law Revision Counsel of the House of Representatives, who will retire on June 1, 2011, after 30 years of distinguished service to the House and 34 years with the Federal government.

Throughout his years with the Office of the Law Revision Counsel, Peter has worked tirelessly to ensure the accuracy and reliability of the United States Code. Peter has technical familiarity with practically every law enacted by Congress over the past quarter century. His expertise, hard work, integrity, and commitment to quality have benefitted the House and earned him the deep regard of his colleagues.

As Law Revision Counsel, Peter has significantly improved the procedures for preparing and publishing the Code. He has been instrumental in upgrading the technology used to produce and access the Code. During his tenure, the Office website has been revitalized

and the Code has become much more current in its annual supplement updates. The recent introduction of USCprelim, an advance posting of selected Code titles, has further improved public access to codified Federal legislation. Peter has also been responsible for overseeing the enactment of several non-positive law titles into positive law, a significant accomplishment enhancing the quality and organization of the Code.

On behalf of the House, I would like to commend Peter for his years of dedication and his many contributions to the Federal government, and in particular to the House of Representatives. Peter's diligent service day after day will be an example to those who serve after him. Peter has been a valuable asset to this institution and to his country. We will miss him.

Ms. PELOSI. Mr. Speaker, I rise today to honor our Law Revision Counsel, Peter G. LeFevre, for his contributions to our Nation's laws, for his commitment to the House of Representatives, and for his service to the American people.

Peter's actions and achievements rarely receive the recognition he and his colleagues deserve; too few know the significance of his accomplishments behind the scenes. But legislators, litigators, lawyers, and anyone interested in the laws of our land rely on his work each and every day.

Since joining the office of the Law Revision Counsel 30 years ago, Peter has been a key member of the dedicated team of non-partisan professionals and experts who revise, prepare, and publish the U.S. Code. He has served under seven successive Speakers of the House of both parties, maintaining the Code, updating it, and drafting legislation to improve the codification of federal law.

Over the past seven years, Peter has led the office, appointed as the Law Revision Counsel by Speaker Dennis Hastert. During his tenure, he oversaw all aspects of the preparation and publication of the Code, ensuring its accuracy and reliability. He has worked on thousands of public laws, including appropriations, defense authorizations, tax and health reforms, and omnibus reconciliations, and guided the Office of the Law Revision Counsel through the many challenges brought on by changes in personnel and technological innovations.

Those of us who are fortunate enough to have known and worked with Peter are grateful for his leadership.

Peter G. LeFevre has left his mark on our laws, on the Congress, on our country's history. For today's lawmakers, his contributions have been invaluable; for generations yet to come, his work will provide an unbroken link to the debates and legislation of the last 30 years.

Peter's many years of dedication to the federal government and to the House of Representatives should be a source of pride to him and his family. We thank and commend Peter for his service, and wish him well in his retirement.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question