

So there are still a lot of good things being worked on. This bill gets better and better by the day, and I believe we, again, are at a historic point here and we are going to be able to just provide stability and security to this country in terms of our health care. And, to me, we have to continue to sharpen our pencils, as Representative TONKO says, and continue to find ways to save with this bill and also to provide even better care for citizens of all ages.

Ms. PINGREE of Maine. Absolutely.

Representative KILROY, were you hoping to squeeze in a few last words?

Ms. KILROY. Well, I think this bill is an opportunity for us to make health care affordable for all Americans, including seniors who've been made to fear this bill. As Representative TONKO said earlier, helping them by closing the Medicare doughnut hole, helping them by eliminating copays for preventative services and testing and helping to make sure that there are lots of Medicare providers out there, because we are stabilizing the payment schedule for those providers.

This bill will help us by shifting the emphasis more onto prevention and wellness, the way Representative DAHLKEMPER talked about putting more emphasis on primary care and doing that by shifting the way some of the payments are set up so that primary care doctors are paid for what they do so well, for counseling, for listening, for taking that history and helping keeping us well and treating those concerns that we all have from time to time.

This bill will help us contain costs, help small and large business, help people who are without insurance and help people with insurance. And as Americans, this is an American plan. It's very important. It will continue to give us a choice of doctors and plans. So this is a huge achievement if we can get this bill passed. It is a great time to be in Congress, be a part of this wonderful discussion and deliberations and, I hope, eventually final passage of a bill that will do so much for so many people in our country.

Ms. PINGREE of Maine. Representative TONKO, any last words?

Mr. TONKO. Just a quick statement. I know we're running to the end of our hour.

Representative DAHLKEMPER talked about the concern at her local hospital. Across the board, hospitals are concerned, and uncompensated care is at somewhere between \$57 and \$58 billion a year. There's a savings immediately when we put together quality health care programs that are affordable, accessible, where we're providing universal health care. It's just a reasonable thing to do, and most importantly, it's the compassionate thing to do. Sometimes that gets lost in the discussion.

There's this moral compass for America that we need to engage and we obviously are very proud to support what is the correct thing to do, and we have

that responsibility here to enable all families in this country to have access and to be able to afford quality health care.

Thank you so much for bringing us together, Representative PINGREE.

Ms. PINGREE of Maine. Well, thank you to all my colleagues for being here tonight. You're absolutely right. We've talked about a variety of issues, and I want to just end on the same note that you did. This is what is right about being an American and what we're all proud to be working on, even if it takes a few long hours and a lot of tussling back and forth, but we're all grateful to be here and actually to have this opportunity.

□ 2115

RESTORING THE RULE OF LAW

The SPEAKER pro tempore (Mr. MAFFEI). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Mr. Speaker, it's the first day of a new work week here, and we're going to talk about restoring the rule of law.

You know, we've talked about this now for about 14 weeks. It's so important that we talk about the rule of law because, quite frankly, it's what keeps our society together. It's what makes us different from anybody else and what makes America different from everybody else. And, you know, it's so simple that we take it for granted.

Every American that—I'll bet you can stop anybody on the street and ask them about their rights and they all know what their rights are because they're Americans and they know they have rights. But what does it mean to have rights? Well, what it means is you have a place, you have a set of rules that establishes your rights.

Now, our Constitution says certain rights are inalienable and given by your Creator. That means that all men are born with those rights. These are rights of liberty and freedom. When we had the Declaration of Independence from Great Britain, that's what we were talking about. You're born with these rights. These are the rights of free men everywhere. They are inalienable. They are given by the great Creator of the universe.

But everybody also knows I've got a right to free speech, I've got a right to assembly, I've got a right to a lawyer. And at all ages you can say, That's my right. That's my right. It is your right, but it becomes your right because it is enforceable, and that means that we have established a set of rules that our society operates under. And under those rules, there's a set of rules that's usually in the courts that enforce your rights, protect your rights.

You know, for 20 years I tried criminal cases and other cases, and we spend most of our time, at least the judges

that sit in these court cases, we spend our time making sure people's rights are protected. And we have a whole series of cases that establish rights of criminal cases. Enough of you have watched television to know a lot about—we're some of the most educated, nonlawyers in the country, the folks who watch television in the United States, because we know about Miranda rights. So we know about other rights. In other countries maybe they don't know about them. Now, why wouldn't they know about them? Because they don't have them, okay. That's it. They don't have them.

And there are places on this Earth, and most of them are in Third World countries, where the rule of law does not prevail, where the average citizen doesn't have a place to go get recourse, recourse for injury that's happened to them in some form or fashion, a way to enforce a contract.

There are countries full of good people, but they haven't established the rule of law to the extent that the average citizen can protect their little plot of land or protect their little business or make a deal with somebody, a contract, and then when the other side doesn't do it, enforce that contract against them because the rule of law does not prevail. For whatever reason, whether it be history or culture, whatever it is, it doesn't prevail.

And so if a rich person or a wealthy group of people who wanted to go invest in that place or maybe they have a dictatorial system or they have a socialist, communist system that hasn't established a rule of law, so you can't go enforce it.

You know, when Russia first opened up and started working on capitalism, I had a friend who went over there and opened a clothing store. And if he's listening, he knows who I am talking about. And he said the problem was the clothing store was as popular as it could be and everybody wanted to buy American-cut suits, they wanted to look like Americans, prosperous Americans, and he had a booming business; but unfortunately he had to pay cash for everything.

He couldn't make a contract with somebody based on a bill of lading or anything like that at the time because he wasn't sure he'd be able to enforce it if he had to take it to court. He was afraid he would be out on a limb. And, quite honestly, he pointed out the Russians were doing the very best to correct that, and maybe they have. I haven't kept up with it. But it was putting a real strain on his national clothing chain that he tried to take to Russia.

I hope he fixed it. I don't know. I haven't talked to him in years.

But the point is at the beginning of the establishment of capitalism in the former Soviet Union, in Russia, the rule of law had not come down to where you could feel comfortable with making contracts with people and believe they could be enforced. And hopefully that's been fixed. I would assume

it has because I had the good pleasure to go to Russia with the Homeland Security Department and, quite frankly, they're doing pretty well over there. Looked like to me, anyway. Lots of stores and lots of prosperous-looking people.

But the glue that holds society together that allows you to trade both inside and outside your country is the rule of law; there are rules and regulations that everybody is a part of, everybody is protected by and required to abide by. That's a basic premise in American society.

Now, we went through a time when there was sort of a 60s rebellion against the establishment, and people would say things like, It's okay to rob from "the man," but you can't rob from the little guy. And "the man" was the big guy. Now, nobody really defined who the big guy was. Of course, everybody knew that Coca-Cola was the big guy and Exxon was the big guy and U.S. Steel was the big guy. But was it the neighborhood grocery? Was he the big guy? Well, yeah, maybe if he was big enough, if he had more than two grocery stores.

In other words, somebody was saying it was okay to break the law if somebody was really a lot better off than you were. That was insanity. That was when I was in law school. And we debated all of this in law school. And it was insanity. Because if you've got rules, you've got to abide by the rules; and if you're going to decide you don't like a rule, you're not going to abide by the rule, then you don't get the rule of law. You get anarchy.

Well, the United States Congress has rules. We write those rules down. The first set of rules was written by Thomas Jefferson; and to a great extent, we still follow those rules of decorum and procedure in this House of Representatives by using Thomas Jefferson's manual on this place. Now some of it's been changed and altered. I think most of them are basic fairness, basic honesty, fair treatment for all concerned; and you're supposed to abide by those rules.

We have rules that we run our government by, and those rules, they bind all of us. We have certain forms that we have to file; we have to tell people what our income is. You know, it's a funny world we live in because the American people are generally private about what they make, and it's kind of "none of your business" in most families to ask somebody what's your daddy—what kind of salary does your daddy make? What's your husband make? It's kind of a none-of-your-business question.

Unless you're in the public eye. If you're in public life, it's everybody's business what you make. And you're required to report what you make. And if you don't report it, there are penalties for that.

All of these things are some of the stuff we've been talking about.

But I would argue that we have some certain subjects that are really of con-

cern to the American people today, and we've been talking about one pretty consistently, talking about Chairman RANGEL's issues. I am going to move past those for today. They may get mentioned a bit. We're going to talk about some things we talked about in the past, but I think there's a passion for these issues among the American people.

Part of that passion is the man we elected President because he told us, "I am campaigning on changing Washington and bottom-up politics. I don't want to send the message to the American people that there are two sets of standards: one for the powerful people and one for the ordinary folks who are working every day and paying their taxes."

So the President set the standard back in February, on February 3 on CNN, 2009. That standard is going to be out there right now. And that's just right. I don't think there's any American that's going to argue with that. That's right, nobody is above the law. Nobody gets to not abide by the rule of law, because the rule of law governs our society; and that's basically what the President is saying. Nobody because of who they are, what office they hold, how much money they've got in the bank should get any other privileges above and beyond what ordinary people get.

Now, we've got some issues tonight. Let me say we're going to talk about a lot of stuff. But several people last week thought we were going to talk about some of that stuff, and one of the things that they wanted to talk about was the czars. Let me be real clear up front. We're going to get to the czars in just a minute. So if anybody's listening that wanted to talk about the czars but thought we weren't talking about it, come on down. We're looking for you.

Just briefly, I'm going to tell you in my opinion one of the things that most people are most upset about is this outfit called ACORN. This outfit was supposed to be a do-good public service, the group that was out there organizing communities and organizing groups so that we could have a better country.

So they got really involved in working on elections last time, and here's some of the results: in Colorado they were charged with voter fraud, multiple counts, with convictions; in Florida, vote fraud, cases are pending; in Michigan, voter fraud, multiple counts with convictions; Minnesota vote fraud, multiple counts with convictions; Missouri, vote and mail fraud, identity theft, multiple counts with convictions; Nevada, vote fraud, multiple counts pending; Ohio, vote fraud, multiple counts with convictions; Pennsylvania, vote fraud, multiple counts with convictions; and the same thing in Washington State.

So this good group has not been doing good things, nor have they been abiding by the rule of law.

Now, we have a bill that's been introduced by Minority Leader JOHN

BOEHNER to defund ACORN. And what he's basically saying in this is the American people have looked at this, they've listened to this stuff that's going on, they've watched these videos of these people advising folks about child prostitution and prostitution and so forth, and they've said we've had enough of these people and we darn sure don't want to pay for them. We don't want to pay them to go out and break the law.

And so the fact that they received millions of dollars in Federal funding offends people because they're not following the law.

So JOHN BOEHNER has proposed that no Federal contract, grant, cooperative agreement or any other form of agreement will be awarded or entered into with the organization known as ACORN. No Federal funds will be given to ACORN; no Federal employees may promote ACORN; and that ACORN includes State chapters, organizations with financial stakes in ACORN, and organizations that share directors and employees with ACORN.

And I think this bill is designed to do what the American public is asking for. They're saying it's bad enough these crooks are out there; it's bad enough that they've got these cases pending against them. Of course, they're innocent until proven guilty. But they've been proven guilty here, and here, and here, and here, and here, and here.

□ 2130

They have been found guilty. That's what "conviction" means.

Now why in the world would the Federal Government want to fund people who are out committing voter fraud? And that's not just it. Why would we want to fund somebody that would advise people on how to open a house of prostitution using underage girls? Why would we want to fund those people with my taxpayer and your taxpayer dollars? I don't know. I think that Members of this House have a real question about that.

I think this is a good idea and a good bill that has been offered by JOHN BOEHNER. And I think that our leadership of this House, the Democrat leadership, should go forward on this bill. No matter how much these people worked to help their candidates in the last election, now they should say, whoa, wait a minute. And I presume that there was no knowledge that all this was going on. So they should be out front to stop this stuff because it's just not right. It's just not right.

We talked before, and we are going to keep talking, about the fact that ACORN needs to be taken off the Federal Government's money list.

Would the gentlelady from Wyoming like to join us?

Mrs. LUMMIS. I thank the gentleman from Texas for a few moments in this discussion.

We have a great country in that even when the law is absurd, we still obey

the rule of law and spend our time working to change the law. A perfect example of that is a law, the Endangered Species Act, and its current application to a water situation in California where a small fish that is a nongame fish is preventing water from being used to irrigate and grow crops.

Consequently, unemployment in the area where these crops are usually grown is dramatically higher than the rest of the Nation, dramatically higher. And people who normally are working there are in bread lines, the very same people who grow food in California for the rest of this Nation. Consequently, this winter, a lot of fruits and vegetables will be more expensive for those of us all over the United States because we have instead deferred to the rule of law in allowing this water to flow by these fields that are laying fallow and not producing food and not allowing workers to work.

This situation gives us an opportunity to point out the absurd applications of certain laws and the need for there to be exceptions for certain laws. At the same time, we obey those laws regardless of the absurdity. So I compliment the gentleman for pointing out the importance and the history in this country of obeying the rule of law.

When Russia became post-Soviet Russia and was trying to establish institutions, as Iraq is trying to do today—among the most important institutions that they are trying to establish are courts with honest judges, which is something that is very rare around the world, especially in Second and Third World countries. How blessed we are in America to have an honest judiciary and the rule of law. That is to the compliment of many fine Members of this body, but also to the gentleman who is leading this conversation tonight, also a former judge. And I am grateful for the time you have given me to discuss this.

Mr. CARTER. Reclaiming some of my time, I'm glad you brought up the smelt in the San Joaquin Valley, because it's kind of interesting. Until this came up, most people in America probably didn't even know that the San Joaquin Valley is considered the breadbasket of this country. Now here is something interesting. It rained cats and dogs in Texas this week. We were real happy for that rain. But it meant my wife and I stayed indoors one Sunday afternoon because there wasn't anything else to do. And the movie "Treasure of the Sierra Madre" with Humphrey Bogart was on television. That movie was made in 1948.

One of the characters in the movie was reminiscing about what they were going to do with their share of the gold. And he said, and it struck me because I have been talking to DEVIN NUNES so much about this tragedy that is going on in the San Joaquin Valley and that whole valley region of California, and this character says, "I grew up in the San Joaquin Valley, an agricultural region in California, growing

fruit. And the happiest days I ever had was right after the harvest, when all the workers got together and celebrated the harvest. And if I get out of here, what I want to do is get me an orchard with my money."

It struck me, because he was talking about the fact that in 1948 that was a major production region. Now the only way that region could produce anything is with water. It is the desert. I live in the desert. If you look at an 1845 map of the United States, starting just west of Kansas, you will see a sign that says "Great American Desert." It goes all the way across the Rocky Mountains to California. And Texas is within the Great American Desert. We used to joke about it when I was in school, let's drive across the Great American Desert to Dallas. But the truth is, those of us who live in a water shortage State, and Wyoming has to have underground water or it wouldn't be able to exist, we know the value of water. That's why a vast majority of our laws have something to do as far as our land with water.

Taking away the water in the San Joaquin Valley is taking away a growing region, which I have evidence from the movie, that was prospering in 1948. Now how long ago was that? Sixty years ago. Now it's a shame that like you say, some laws that ought to have some exceptions don't. And we have unemployed people in literally entire counties.

It's a great thing to talk about when you talk about the rule of law. That's the responsibility of legislators. That's the responsibility of Congress people. When you have a rule of law that has to be changed, you shouldn't take to the streets with guns unless you have got a tyrannical society, which is what we had when we had our revolution. You should take it to the legislature with votes and change the laws that need to be changed. Make the exceptions to make things work. And this body would decide what is best for everyone involved. That's what ought to be happening.

Mrs. LUMMIS. Will the gentleman yield? I wonder if you might indulge a departure into health care for just one moment.

Mr. CARTER. Certainly.

Mrs. LUMMIS. Thank you. I want to compliment my fellow freshman members of the Democratic party who had an hour preceding this hour to discuss health care from a freshman perspective. A couple of issues came up. I was watching them from my office so I came over here to the floor to comment on some of the things that they had raised and to compliment them on their statements about health care.

I want my Democratic colleagues to know that Republicans support health reform. We recognize that there are problems in our health care system, and that it needs reform. What we disagree about, and what we are here to debate and discuss, is how those changes should be implemented. It

seems that my Democratic colleagues are more comfortable with government solutions and that my Republican colleagues are more comfortable with, by and large, private-sector solutions.

I might comment specifically, if I could, on a couple of things that were brought up tonight. The gentleman from New York (Mr. TONKO) said that he wanted stability for Medicare. And I want to say that I too want stability for Medicare. But we have not seen any bills yet that provide that stability. The only bills we've seen are bills that would create a new health care system run by the government on the backs of health care that would cost health care through Medicare dollars that are supposedly being wasted or abused.

Well I can tell you that one of my hospitals in Wyoming has told me they are only reimbursed 37 cents on the dollar of their actual costs for all of their Medicare-provided health care. So in other words, government is being subsidized right now for the health care it provides to seniors. And it is not meeting its obligations to provide the actual costs of Medicare and reimbursing them to doctors and hospitals, especially in rural areas around this country. And I would love to work with the gentleman from New York to solve that.

I want my colleague from Colorado (Mr. POLIS) to know that I, too, want lower costs. But all of the bills we've seen carry costs. And they range from \$800 billion and more, which is what we are hearing is the cost of the Senate Finance Committee bill, to the \$1 trillion-plus range for earlier bills that were introduced in this House. So these bills that would lower costs come at a cost. It's just that those costs are going to come through surcharges, penalties and taxes that do not exist now. So those costs are just being shifted to someone else.

To the Member from Ohio, Representative KILROY, who brought up a very powerful personal story, and to Mr. KAGEN of Wisconsin, the physician, who both addressed preexisting conditions, Members of the Republican Party also know that preexisting conditions are a huge problem in this country. That is why we supported high-risk pools. And the creation of a high-risk pool passed this Congress before I was here. It was while you were here. The proposal that I am cosponsoring, House bill 3400, would add additional moneys to those high-risk pools that come from cutting off the stimulus funds that have not yet been spent and using them to create additional funding for these high-risk pools to support funding for those with preexisting conditions.

A wonderful idea was discussed during their debate. It was raised by Representative DAHLKEMPER of Pennsylvania. It was something new that I heard for the first time today. After 4 months of constant debate, this was something absolutely brand new, the notion of young people, through age 26,

being able to stay on their parents' coverage, which is a particularly great idea during this economy where young people are leaving college and taking jobs if they can find them in this tough economy, that frequently don't have health insurance or do not have as good a health insurance as the policies that their parents had them on when they were minors. What a great idea. New things come up here every day.

In other words, Republicans are willing to work with Democrats. We want health care reform. We would love to work with Democrats on these ideas. The problem is the leadership of the Republican Party has been asking since April for a meeting with the President and has not received a response. The problem is that we want commitments. When the President says, If you like your current health care plan you can keep it, we try amendments that say exactly that, and those amendments are killed. We want 72 hours to read the bills. And when those amendments are killed, we have no assurance that we will have 72 hours to read the bill.

I want to compliment a television program called "On the Record" with Greta Van Susteren. She has been a tireless advocate for Members of Congress reading the bills. And among the things she asked the President is, would you sit down with Members of Congress and go line by line through the bill? And the President said yes. So, members of the Republican Party in Congress have written to the President and said, please, we would love to take you up on this. Let's go through this line by line so if you really believe we Republicans are misrepresenting the ideas that are embodied in House bill 3200, we can see where we disagree, and maybe we can find an agreement. And yet, those requests to go through the bill with the President line by line have not been responded to by the White House.

□ 2145

So, in other words, I want to share the frustrations that we in the minority party have, and particularly that I, as a freshman member of the minority party, have. And I want to communicate with my majority party colleagues, my Democratic colleagues, that we want to reach out and have been reaching out to the Democratic Party, the majority party, trying to find a bipartisan bill, and yet I believe our overtures have not been reciprocated. And I want to once again extend my desire to do so. I would particularly like to work with my freshman colleagues who I respect and admire very much and rely on the expertise that we have come to gather as fledgling Members of this Congress.

I note that the gentleman from Texas has now a chart on the board.

Mr. CARTER. That's right. Reclaiming a portion of my time, GREG WALDEN, CULBERSON and BRIAN BAIRD have H. Res. 554, the 3-day reading rule,

which just basically they want to put in writing and have this body adopt as a—agreed by both sides voting on, legislation must be available to Members and the public for 72 business hours before taking action, requires the full text of the legislation and each committee report to be posted continuously on the Internet. And by the way, this is what one of our Founding Fathers, Thomas Jefferson, thought was a good idea, and we're just basically redefining his rules and modernizing it a little bit with the Internet.

But an interesting thing you said—we keep talking about this health care plan and I want to get on to other things, but it's an important thing, but there will be another health care debate later—and that is, it's important, but you need to look at history. I just saw on television the oldest health care plan in the world was created by Otto Von Bismarck in Germany when he united Germany, so it's the oldest one they've got. They tried all ways of funding it, but it comes down to coming out of your paycheck. And today, in Germany, 42 cents out of every dollar is taken out by the government to pay for the health care program, and they're having real problems with it in the modern world.

So, there's lots to be talked about, and what you said is right; let's talk. And by the way, something else. The Senate supposedly passed something today, but they haven't got it in writing. In fact, they passed something which is a concept. I think this is a new thing. I have never quite heard anything like this. They passed a concept, which none of it has been reduced to writing the way I understand it. So it's just we've got a bunch of ideas and here's what they are, and we're not going to write them down because somebody might hold us to them. So we're just going to say we've got some great ideas and we pass it. What is that?

Mrs. LUMMIS. And will the gentleman yield?

Mr. CARTER. Yes, I will yield.

Mrs. LUMMIS. And even those concepts should be at least posted for a 3-day reading now that they've been actually voted on. But as the gentleman has pointed out, who now is going to take those concepts and draft them into a bill? And will the bill be the exact embodiment of what the Senate passed in concept or will additional concepts be added? We won't know unless the 3-day reading rule and the posting rule on the Internet is implemented. Only if 72 hours are given to those people who can compare those concepts that were voted on to the actual legislative language that comes out of a drafting group will we know that the legislation reads the way that the concepts were designed to implement.

And I yield back. Thank you.

Mr. CARTER. I see my friend LOUIS GOHMERT from Texas is here, and I'm going to yield to him in just a moment.

But that kind of reminds me of "Animal Farm," you know. They would say the rule is this, and the next day they would say, Oh, that's not what the rule is. The rule is this. Finally, they said, We're going to write them on the wall of the barn. So every night they wrote the rules on the wall, and then when they woke up the next morning, somebody had gone and erased the rules and added new rules. See, there is a reason why this body has the rules that it has, so that we and the American people can be educated about what we're doing. And concepts, that just doesn't get it done.

I yield whatever time Mr. GOHMERT would like to have.

Mr. GOHMERT. Thank you for yielding.

Let me just tell you about some of the problems with the rules that we in the minority have encountered here this year. It is amazing just how grossly unfair and closed and partisan the rule usage has been in this body.

Now, for example, CBO, the Congressional Budget Office, has been hailed for years and years as one of the most fair and suprapartisan—they're above being partisan—entities that there is in Washington, D.C. And many people will recall, I'm sure, that after a tough thumping that H.R. 3200 got as just how costly it was going to be, as CBO had estimated, the head of CBO was called over to the White House, to the White House woodshed, apparently. Behind closed doors and lots of guards, there was a discussion we weren't privy to. But lo and behold, CBO seems to be much more lenient now in looking the other way on some things and coming out with scoring that we wouldn't have thought was possible.

But if you go back to early in the summer, as my friends here know, I have had a health care plan that is an alternative. It's a solution. It came from listening, you know, hundreds and hundreds of hours to people that knew exactly what they were talking about and putting it together in a plan. Then we were trying to get the plan into bill form. We were told that I was not on the committee of jurisdiction, and therefore there just wasn't much chance of getting that done.

But we were also told you cannot get a bill scored unless it has been put in bill form by Legislative Counsel's office. And the Legislative Counsel's office is the one that said, Look, we've got so many submittals, there is no way we're going to get to that any time soon.

So we kept pushing and pushing because we had to get it in bill form because we were told that unless you get your plan in bill form—not a concept like the Senate has done. How ridiculous is that? A concept. You vote on a concept? Excuse me. There needs to be language that you fight over. You can't have a staffer come in at the last minute or some—maybe ACORN is going to help them with that, too, but you can't do that.

So, anyway, we fought for a couple of months. We finally, with the help of Ranking Member JOE BARTON and others in our party saying please get this into a bill form, the last week of July the Legislative Counsel's office was able to get it in bill form. We were able to get it worked on and then get it filed on July 31st.

Well, in August, we started requesting that, now that it was in bill form, please, CBO, would you score our bill because we were told you couldn't get it scored until it was a bill, so we got it into bill form. And then we were told, Well, you know what? You're not on the committee of jurisdiction, so we may not be able to get to that. So again Ranking Member JOE BARTON made a request, and we were told it was in the queue back in August.

Then in September I was told, Well, you don't have a request from the Joint Tax Committee. Our ranking member on that is DAVE CAMP, so I talked to DAVE. Wonderful guy. Dave made the request as the ranking member of the Joint Tax Committee, so then we got that request in in September.

So imagine my surprise when Senator BAUCUS comes up with a concept—not a bill, a concept—and lo and behold they're able to score his concept even though there is no language there, and they go through these mock hearings over a concept without having the actual language and vote on a concept. It's my understanding that the definitive language is still not there yet.

So, anyway, we know that CBO, the way they've been able to phrase it, the media has been able to come out and say, Wow, this is going to cost hundreds of billions of dollars, but it's really not going to hurt us financially. Man, that woodshedding at the White House must have really done a lot of good for the White House. That's all I can figure.

But let me also say this to anyone who has ears. Anyone who comes to this House floor and says, The Republicans, we've reached out to them, but they have no solutions, they have no proposal, is either a very, very ignorant person who will not avail themselves of the vast amount of information around on our proposals and our solutions or they are misrepresenting the truth. That's just the way it is. And we hear that over and over. Gee, we have reached out to the Republicans. They've got no solutions. They've got no proposals.

The President himself said that on Monday before he came in here to this joint session. He said, You've heard all the lies, and what are their proposals, what are their plans? I'll tell you, they don't have any. Well, he was either being very ignorant or he was misrepresenting the facts. And it may be that he really didn't know, that whoever put that information in the teleprompter, he was just dutifully reading it and he really didn't know one way or the other. So I want to be fair about that.

In any event, when we hear all of this stuff about the fairness and reaching out, it was my understanding that the President has not invited a Republican since March to come to the White House and talk about health care. If that's different, I would love to know the facts.

I know the President stood right up here and said, you know, If you have solutions, my door is open. And apparently, you know, I don't have any way to dispel that. I'm sure he was being honest, if that is true, his door is open, but the problem is they have so many massive gates and so many heavily armed guards between us and that open door at the Oval Office that we can't get to the open door, and so that makes it problematic.

But anyway, these are some of the frustrations we've been dealing with lately. And I'm hoping maybe CBO will end up being able to score my bill sometime before the end of the session, a year and a half from now. It's just hard to know. But it is amazing how they were able to find time to score something that wasn't even a bill after I was told we can't score it unless it is. But anyway, apparently there's a lot of flexibility there after you go to the woodshed at the White House.

And with that, I will yield back to my friend.

Mr. CARTER. I thank my friend for yielding.

My good friend from Iowa is here, which brings up another rule of law issue that we've been discussing. I know he wants to talk about it, so I'm going to shift gears here.

I am first going to talk about MARSHA BLACKBURN's H. Con. Res. 185, reining in the czars. And she is proposing that the President will report on the responsibilities, qualifications, and authorities of his special assistants, known as czars. She is saying the President will certify that czars will not assert powers beyond those granted by law to a commissioned officer on the President's staff, and that Congress will hold hearings on the President's report and certification within 30 days, I assume, after the receipt of those reports. All of this is a part of multiple pieces of legislation that are out there now talking about czars.

I'm going to yield to my friend, Congressman KING from Iowa, as much time as he needs to consume. And I've got some kind of interesting stuff he might want to use here.

Mr. KING of Iowa. Oh, yes. I hadn't actually forgotten about that. I thank the gentleman from Texas for yielding.

When we look at the list of czars that started out with none and quickly became 32, and some say grew to 47 czars, Mr. Speaker, a number of these czars have gotten fairly notorious in the public eye. And this particular czar I will go to in a moment, but one that comes to mind is the green jobs czar, Van Jones—the former green jobs czar, Van Jones. We can't forget about him. He had a lot of things going against

him. He seemed to be very active in the streets, a self-avowed Communist. And of all of the things that he did and said, he despised Republicans terribly to the extent that I can't quote him here on the floor or my words would be taken down. But he is no longer the green jobs czar, Van Jones. It was mysterious that he disappeared from the scene about 12:01 a.m. on a Saturday morning.

□ 2200

It's also mysterious that the President could bring his focus on a small little law enforcement alteration that took place up near Harvard University, and we all know the name of Officer Crowley because of that, the Beer Summit. The President had a beer summit to deal with that, the Presidential illumination of a minor, a very, very minor, law enforcement issue; but he didn't have, couldn't take the trouble to say a few kind words on the departure of Van Jones, self-avowed communist, former czar for green jobs czar.

Now we have another czar that comes into this same category, in fact a category that is more objectionable, I believe, and that's Kevin Jennings. Kevin Jennings is the President's appointment to be the safe schools and drug free schools czar.

Now, as I noticed how President Obama dealt with Van Jones, and it was ignore him, and he went away in the middle of the night—I mean, literally in the middle of the night, Mr. Speaker, I am calling upon the President to simply fire Kevin Jennings. Kevin Jennings, the totality of his life has been the advocacy for his homosexual agenda.

He has written a number of books. I have a list of them here, four or five. He has been fairly notorious for writing the foreword in the book titled "Querying Elementary Education." Now, a statement that I put out here, as we all know, that what is really promoted in our schools—this is a statement from Van Jones, We all know what is really promoted in our schools. Heterosexuality is primarily promoted in our schools. Every time kids read "Romeo and Juliet," kids are aggressively recruited to be heterosexual in this country.

That's Kevin Jennings. I mean, he takes offense at "Romeo and Juliet" and claims that it is an aggressive recruitment to heterosexuality. But 20 years, seeking the affirmation of homosexuality, four or five books, the foreword in the book, "Querying Elementary Education," the way he has written in his book titled "Momma's Boy, Preacher's Son" about his drug abuse, his cavalier use of drugs, the message that kids would get on the drug-free school component would be that, well, I guess, drugs aren't so bad, you can become the drug-free school czar even though you have abused drugs and written about it in your book—not taking the responsibility, not advocating to avoid drugs but simply writing about it in a way that it is

fascinating to be off the end of the runway watching the planes come in and out.

This is what we get with Kevin Jennings. Kevin Jennings has said, of the individual whose name is Harry Hay, one of the strong advocates for the North American Man Boy Love Association, Kevin Jennings said of him, he always inspires me, always inspired by the person who was on the cover of the magazine for NAMBLA, the North American Man Boy Love Association.

Now, I have just gone through some of these things that we know about Kevin Jennings, certainly not all of them. But we can see that the totality of his professional life as advocated, has advocated nationally against religion, again heterosexuality, at least resentful towards it, and in the discussion and promotion of homosexuality in our schools.

Now, whatever a person's particular inclination may be, our preschool kids, our kindergartners, our first, second, third, fourth and fifth graders don't need to have that discussion. They don't understand it. They don't need that pressure on them. They need to be left alone to focus on their academics and their social adjustment. But this man is engaged in the single promotion, the promotion and the advocacy, I will say of—well, by the way, that is the record of Kevin Jennings.

So I will ask the question. If he is going to be the safe schools czar, the safe schools and drug free schools czar, then he has to have something more to offer than simply, I will say, the promotion of safety for some kids that might be self-alleged homosexuals in our schools. That would be the only narrow part that you could say he has to offer. The balance of it across the spectrum of his job is simply non-existent from his professional career.

If he were teaching in elementary schools, and he had a record like he has with these books that he has written, the foreword that he has written in "Querying Elementary Education," he has the endorsement of Harry Hay, one of the lead North American Man Boy Love Association people in the country, who is also a self-professed communist, by the way, this man would not be working in many of the elementary schools in America as a teacher.

Yet he has been elevated to be the safe schools and drug-free schools czar for America. I call upon President Obama to simply dismiss Kevin Jennings. Go find somebody that stood up for kids and families and education, drug-free and safe schools all together. Surely there's somebody out there that's lived an example.

I urge the President to remove Kevin Jennings. Put somebody in who can do the job.

Mr. CARTER. I yield to the gentleman from Wyoming again.

Mrs. LUMMIS. Because of the conversation we have just had, I want to further remind people that there is a bill entitled Sunset All Czars, H.R.

3569, the primary sponsor, Representative SCALISE, in addition to the Blackburn bill, which I also support.

Before we adjourn this evening, I would like to bring up one more bill, and that is the audit of the Federal Reserve. It is the subject that also, I think, is consistent with our desire as a Congress to fulfill our obligations under the Constitution.

The reason that this bill is so important to the people in the United States—and I preface my remarks by saying I supported Mr. Greenspan and I support Mr. Bernanke. I applaud them for all the efforts that they make on behalf of the Federal Reserve.

I, nevertheless, support a bill to audit the Federal Reserve. It is based on personal experience. I was my State's treasurer. I was audited annually. The auditors came into my office in August, and they didn't leave until after Christmas. One-third of the year, every year, for the 8 years that I was State treasurer, I was being audited. It was for good reason; it was because I managed all of the money in the State of Wyoming.

The auditor and the treasurer were the two people with whom the auditors who are contracted to audit the State spent the most time. It was appropriate. It was a pain in the neck to have the auditors in my office for 4 months every year taking time away from our regular duties.

But, in fact, it protected me, as the State treasurer. Had any of the employees in the office been able to misdirect monies, it protected me. It protected their coworkers. It protected the taxpayers of the State knowing that their money was being appropriately audited, that there was someone looking over my shoulder, our shoulder, in the office of the State treasurer. It was good for me, it was good for my office, it was good for the State. It was good for the taxpayers whose money I was managing.

The same is true with the Federal Reserve. This is not an attack on Ben Bernanke or his predecessors. This is good, sound money management.

Mr. CARTER. I, too, and I think Brother King also supports the auditing of the Federal Reserve. It's our money. We want to know what's going on. We want to make sure we know that things are right. We are not questioning anybody's honesty; we just want to know what's going on. We are at a point in our society right now where it's pretty desperately needed to know.

I want to say one more thing: Mr. KING's comment on the safe schools czar, what he is proposing is against the law, this man boy sex thing. Aggravated sexual assault of a child is the number one sexual offense in America today, at least by my experience. In 20, almost 21, years on bench, I tried—that used to be called rape. I tried lots of aggravated sexual assault cases. One out of probably a thousand was two adults and all the rest were children.

Now that will tell you, at least in my experience, in an active trial court, where I was—in fact, the one adult I was sitting as a visiting judge in Travis County, it wasn't even my county. As far as I know, over all my side, where I was trying my cases, we had three courts. I only saw aggravated sexual assault of the child cases and that means it's just rampant because the victim is unable to be a very good witness sometimes because they are so young.

□ 2210

It is a very tragic situation. It just shocks me that somebody that would be advocating those things would be put by a responsible administration in charge of safety in our schools. It is shocking.

I yield to Mr. KING from Iowa.

Mr. KING of Iowa. I thank the gentleman from Texas.

Mr. Speaker, I can only reflect back upon the experience that Judge CARTER has talked about. It would be interesting to see the actual numbers and data from across this country. This right now is the best cross-section I know of. I have not heard of another. In some jurisdictions it is called statutory rape.

Mr. CARTER. That is right.

Mr. KING of Iowa. The record that Kevin Jennings has put out is that as a teacher he counseled a young boy, whom he said was 15 years old, who had been having sexual relations with one or more men at the bathroom in the bus stop, and that makes him a mandatory reporter as a teacher. He didn't report until he wrote his book and talked about it in his speeches.

So, that is a violation of the law and it is a responsibility that he shirked. And, yes, he said he could have handled it differently. Well, anybody could have handled anything differently. But he didn't.

I can only question, if he hadn't focused his mind so much and his professional career so much on the homosexual side of this, wouldn't he have been appalled by the statutory rape of a young boy if it had been a young girl perhaps? Would he have then been the actual mandatory reporter and followed the law, if it didn't fit within his bias? I suspect he would have, if it had been a girl and a man rather and boy and a man.

But this is intergenerational sex, and it is advocating for safe sex, not safe from sexual predators. So the school situation with the czar, the responsibility is to provide safe and drug-free schools. There is not very much at all in his history that would advocate for that. It is not very broad. It is very narrow.

Many of these things that come out in his record are anathema to the mainstream of the American people, and the President should have had better advice when he made this appointment. Now he needs to take responsibility for his appointment, and that is

why I have called for the President to fire Kevin Jennings, and let's find somebody that actually maybe is a parent and a teacher and somebody who has a life career advocating for the safety of all children and the drug-free nature of all children.

If I could roll this back to a brief comment in the little bit of time that we have, about 5 minutes I see, there is another piece. Since we have that much time, I want to also point out that because of Kevin Jennings saying that he is always inspired by Harry Hay, let me say the icon of the North American Man-Boy Love Association, that doesn't necessarily mean he aspires to all the things that NAMBLA aspires to.

But this icon also is a self-alleged Communist. So it doesn't mean also that he is a Communist, but it means as a fellow traveler, as a consistent commentator, as a writer and author and an individual who has written a forward on the queering of elementary education, he has traveled on that path consistently, and it has been the exclusive activity of his, the nearly exclusive activity of his entire professional life. And we can find somebody better, and we can find somebody that is not there with an agenda that he is seeking to drive, aside from safety for kids in school.

I wanted to make a comment also that the CBO score on the Senate's health care bill, it includes 10 years worth of revenue and 7 years worth of expenses. When I listened to the gentle lady from Wyoming talk about being audited for a third of every year or a fourth of every year, none of us could get by with that.

If I look back on my business career, if I could have had 10 months in every year worth of revenue and only 7 months worth of expenses, or 10 years worth of revenue and 7 years worth of expenses, I would have made millions and millions of dollars with that kind of bookkeeping.

This is billions and hundreds of billions of dollars. They need to be held accountable. It has got to be 10 years of revenue, 10 years of expenses, and it has got to be legitimate expectations on how people will react when you fine them \$700 a year as opposed to requiring them to buy insurance.

I thank the gentleman from Texas. I yield back.

Mr. CARTER. I thank my friend for coming down here and talking about a new subject, but a subject that is important. These czars, when we have got individual issues on the rule of law, we ought to talk about them. And I encourage all my colleagues, if they have issues about laws that they don't think are being enforced right or that they are concerned about the enforcement of, that is what this hour is about. It is about the rule of law.

I thank you for bringing up that issue. I hope everyone will be very concerned about the issues that you raised today.

Mr. Speaker, we thank you for the hour, and we will yield back the balance of our time.

WHY HEALTH CARE IS NEEDED IN COLORADO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Colorado (Mr. POLIS) is recognized for half the remaining time left until midnight.

Mr. POLIS. Mr. Speaker, I took to the floor and will shortly share with you stories of real people from my district and from Colorado with regard to why we need health care reform so urgently in this country. But before I begin, I would like to address some of the comments of my colleagues from Iowa and Texas with regard to Mr. Kevin Jennings and some of the other issues that they raised which cannot go unanswered, lest the American people be misled.

Mr. Kevin Jennings is an appointment by President Obama to the Safe and Drug-Free Schools Initiative.

First of all, with regard to his commentary on the life of Harry Hay, Harry Hay was the founder of the Mattachine Society, the first organized LGBT rights group in this country, a legitimate part of the LGBT history and movement. To somehow detract from praising such an individual is akin to, let's say, colleagues on the other side of the aisle who might have in the past or continue to praise conservative talk show host Rush Limbaugh. And I would never, I would never, Mr. Speaker, say that they are endorsing drug use by saying that Rush Limbaugh is a leading conservative thinker. Nor in any way, shape or form, has Kevin Jennings ever endorsed the concept of pedophilia.

It is offensive to hear some of this language that emanates from the other side of the aisle. Mr. Speaker, I am glad we are at such a late hour of night. I would hope that C-SPAN and the functions of the United States Congress remain a family-friendly station and the people can be confident that their kids can watch and listen and hear without hearing the tales of bestiality and pedophilia which all too often stem from the tongues of those on the other side of the aisle.

With regard to the advice that Mr. Kevin Jennings gave to a 16-year-old boy when he was his teacher during the height of the AIDS crisis, a 16-year-old of the age of legal consent in the State of Massachusetts who said he had been struggling with his sexuality, had turned to anonymous sex, had been conflicted in his internal feelings, the advice, and it was fundamentally good advice, was "I hope that you used protection."

If more young people in that situation at the height of the AIDS crisis had received the type of counsel that Mr. Jennings had provided this 16-year-old, there would be thousands more people alive today and thousands less victims of the AIDS crisis.

Regardless of one's personal opinions about whether abstinence-only is the best way to have sex education in this country, or abstinence-plus, which would encourage abstinence but also give young people the knowledge they need to prevent diseases and unwanted pregnancies, the advice that was proffered by Mr. Jennings was well within the bounds of encouraging safe behavior, and in fact might indeed have gone some distance to saving the life of this young individual.

Having gay and lesbian role models in our schools, and indeed in providing safe schools and drug-free schools, is critical in helping to reduce the suicide rate among LGBT youth. The highest suicide rate among all youth occurs among LGBT youth.

The agenda that Kevin Jennings brings to our schools and brings to providing safe schools is no more a homosexual agenda than it would be a heterosexual agenda if Kevin Jennings happened to be heterosexual. Any appointee of that post would presumably have some sexual orientation, be it straight, be it gay, be it bi. That is not what that job is, and there is no difference in the sexual orientation of the individual performing that job. No one is more or less capable of keeping our schools safe and drug-free, regardless of their sexual orientation.

□ 2220

Mr. Jennings is somebody who has dealt with, in his own life, addiction issues and has worked with youth to help bring them out of addiction, and I applaud President Obama in standing by this well-qualified nominee for the Office of Safe and Drug-Free Schools.

Mr. Speaker, I rise today to share with you stories from Colorado's Second Congressional District about why we need health care reform urgently.

I was written by one of my constituents, Anastasia Gonzalez of Thornton, Colorado. Anastasia is a single mom and a full-time student. She wrote to me to let me know how important it is that in our country we put our differences aside and fix our health care system so that everybody, not just the people who can afford it, have health care. Anastasia told me the story of her child, who just started school this fall. Anastasia had to borrow money from friends just to get her child immunized before school started. Anastasia hasn't been to a doctor since she had her daughter. She can't afford to see a doctor, no less have any necessary procedures done.

When she was pregnant she was diagnosed with precancerous cells on her cervix. She had a procedure done right after the pregnancy in hopes that it would take care of the problem, but she has been unable to see the doctor for any follow-up because she can't afford the fee. She doesn't know if it's developed into cancer or not. She doesn't know if she'll be around to tell her story to her child when she's old enough to know. Anastasia writes that