

journalists are not crimes only against these individuals; they also impact those who are denied access to their ideas and information.

Mr. Speaker, we cannot let these crimes go unpunished. We need to shine a spotlight brightly on the Philippines until those who are responsible are brought to justice. President Arroyo needs to sever any ties she has with the Ampatuan clan and should request an independent investigation by the Philippine National Bureau of Investigation. For far too long the Philippines have suffered from the plague of corruption, impunity, and violence, and it is time for the international community to demand reform.

November 23, 2009, was a sad day in the history of Philippines and a dark day for press freedom. I was proud to support the resolution's passage, which puts the United States on record as condemning this atrocious act and sending our condolences to the families and friends of the victims.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GRAYSON) is recognized for 5 minutes.

(Mr. GRAYSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WE ARE LOSING OUR FREEDOM IN THE UNITED STATES

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, earlier the majority leader, in his dialogue with the Republican whip, stated that perhaps the reason that Republicans were relieved of their responsibility of being the majority in the House of Representatives was because of the substance of legisla-

tion considered at that time, rather than procedure.

Well, I am not going to quarrel with the majority leader, but I would like to change our debate from the past to the present and the future. I would like to examine some common themes that are running through the substance of the legislation that has been presented on this floor during this year.

I might say that my desire to have this hour today was prompted by a discussion I had with a member of my constituency, a woman living in my district, who came up to me at my last town hall meeting. As we were wrapping up the meeting and after I had spoken with a number of individual constituents, I was starting to leave the room when this woman, somewhat older than I, came up to me, and she had tears in her eyes and she literally began to tremble as she began to speak to me. What was noticeable immediately was that she spoke with a heavy Eastern European accent.

She explained to me that decades ago she had had the opportunity to escape from a communist country and come to this country for the freedom that it allowed her. She said, with tears in her eyes, Mr. Congressman, please help us stop what's happened. She said, I fear that we are losing our freedom here in the United States and that my children and my grandchildren will not have the same freedoms that I came to this country for. She also said that she had recently visited friends in Europe, and she said, Mr. Congressman, they are laughing at us. They are seeing us give away our freedoms in this country. Please don't allow that to happen.

I thought that it might be important for us to, on this occasion, pause for a moment and think about what that means. What do we mean when we talk about freedom in this country? What was this concept of freedom or liberty? How was it understood by our Founding Fathers? Well, the best way to try and figure that out, I would suggest, is to go to what we call our founding documents, the primary of which is the Declaration of Independence.

In the second paragraph of the Declaration of Independence it says these words, We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness, that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to affect their safety and happiness.

□ 1545

Words that many of us have read as we have studied them in school, per-

haps not studied them enough. These words are not that difficult to understand. Their meanings are not that difficult to ascertain. "We hold these truths to be self-evident": It means that they are easily understood. By applying reason, we can see that these truths exist, not just for us but for all people who have the capacity to reason. The first thing they say is that "all men are created equal." Of course, they meant that in the universal term, that all individuals are created equal.

"That they are endowed by their Creator with certain inalienable rights." Now, the revolutionary aspect of that simple statement was this: Prior to that time, organized governments appeared to suggest that the rights that people had were not given to them by their creator; that is, they did not find themselves within individuals. Rather, all rights were those invested in the government, usually the majestic monarch, who, if they had a religious belief, it was that the monarch had a direct relationship with God far more direct than the individual, and that therefore the monarch decided what rights were given to the people. In other words, individuals only had rights at the sufferance of the government. The revolutionary aspect of this Declaration of Independence was not only that we were declaring our independence from the mother country but we were basing that declaration on self-evident truths that we as individuals had rights given to us directly by our God. This was a transformation of the then traditional thought that the individual was subservient necessarily to the state.

And we went further in this statement, our forefathers did. That is to declare some of those unalienable rights to be life, liberty, and the pursuit of happiness. And then interestingly in this Declaration, our Founders thought it important to say this: "That to secure these rights, governments are instituted among men." Not to obtain these rights because the rights already exist. To secure these rights. Government is to be put in a place of protecting those rights that already exist, not to give us those rights. Now, this is revolutionary because it established a relationship in which the people essentially rule. And that's why it said further that governments are instituted among men—meaning men, women, and children—among all, deriving, that is, the governments, their just powers from the consent of the governed. In other words, once again it is the notion of limited government, a government limited in its power only by that which is given to them by the people and the people only give up those rights which they voluntarily decide to give up. And then, of course, when we get to our Constitution, the actual legal document which underlies all of the laws of the United States, it begins with these words:

"We the People of the United States, in Order to form a more perfect Union,

establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

In other words, if you look at the operative parts of that opening sentence, it is “we the people of the United States” do ordain and establish the Constitution for the United States of America. “We the people,” not the government. We’re forming the government and we’re establishing the contract which then exists between ourselves and our government. And it very clearly states, as informed by the Declaration of Independence, that our independence comes as a right essentially of natural law. They didn’t have any trouble saying “Creator” with a capital “C.” Now, this doesn’t mean that rights in this country are not acknowledged among people who don’t believe in God, but what it means is our foundational documents presume that we have rights given to us directly by God.

One would think, therefore, that under those circumstances when we the people decide to establish a governmental structure that that is a blueprint for majority rule, and in most cases that is true. But one of the other intriguing and important aspects of our Constitution, as amended by the Bill of Rights and the other amendments, is that the majority voluntarily restricted its majority rule in specific instances. We in some ways specifically said the majority rule will be limited so that minority rights in certain specific instances may exist. So in some ways you can say that the Constitution and the amendments put a restriction on democracy. It limits democratic practices. It limits our ability as free individuals to collectively make a decision as to our governance. But we accepted that. We volunteered that on our own.

Why do I bring that up? I bring that up because essentially if we’re going to follow the Constitution, it means all branches of government must follow the Constitution and it means that we ought to be concerned if we have a court that presumes to trespass on the appropriate areas of responsibility that we the people did not give away or restrict but retained to ourselves and therefore allowed for decisions in the future to be made by majority rule. That’s why it’s important for us to understand that while the Congress has a role, the President has a role, and the courts have a role, none is truly superior to the other.

There are certain areas in which we are given primacy of responsibility. Here in the Congress we’re responsible for legislating, the executive branch for executing, and the judicial branch for deciding in some ways proper interpretation of what the legislative branch has said or rules and regulations that the executive branch has

promulgated. But just as importantly, if our courts are going to not unnecessarily interfere with our freedom, the courts should apply what I call “legal humility” and understand the limitations of their ambit of authority. And if they trespass into those other areas, they by that act take away from our individual freedom. Why? Because they then arrogate to themselves decisions that were to be left to the people. And if, in fact, they say they are doing it on a constitutional basis, they are saying, from our decision, there is no appeal; we are the ultimate decider.

Now, to put it in simpler terms, one time, and I believe I was watching television when I saw this, I heard Justice Scalia attempt to explain this problem in this way: He said when he was a kid and you saw a problem, you saw something you didn’t like, you saw something that ought to be changed, he said you would say “There ought to be a law.” He said, unfortunately, now today all too often when people see something they don’t like, see something that ought to be changed as far as they’re concerned they say, “Oh, it’s unconstitutional.”

Now, those two different statements convey a tremendous difference in substance. On the one case if you say, I don’t like what I’m seeing, there ought to be a law, you say the legislative process, the democratic process, people by way of persuasion and ultimately by vote either directly by the people, and in my home State of California we have some direct votes by way of initiative, or by our representatives, which is normally the case, either in our State legislatures or here in the Congress, you make an appeal to attempt to persuade a majority in those bodies to your position, and that’s how you change law. Too often people give up on that process and attempt to try to say that their particular problem is uniquely a constitutional problem and that that problem, therefore, is so important it can only be decided by way of reference to the Constitution and the final arbiter of the Constitution is the Supreme Court.

In one case in California in the Ninth Circuit, and I’ll paraphrase this because I don’t have the words exactly in front of me, a judge on the Ninth Circuit in dissent said that because something is important does not mean it is constitutional. And he went on to say it would seem in our scheme of government it should be just the opposite way, that most important questions would be decided by the people because we’re a democracy and that under only exceptional and limited circumstances would they be decided by the courts as something constitutional.

But what have we done here in this House this year with respect to the freedoms? What, in fact, was my constituent saying to me, what was that lady saying to me, about her fear that we’re losing our freedoms? Well, I could engage in a conversation with her about my concerns over where the

courts have overreached. I believe she was directing me to those subjects that we have been discussing here and voting here on this floor and in the Senate, in the other body, on matters of substance, the debate of which rarely includes a discussion of freedom.

Let me just take one to start with: The health care bill that was on this floor and the provisions of a health care bill or bills that are being considered in the Senate. One of the rarely remarked-upon elements of that bill here, or the bills over in the Senate, is the mandate on the individual whereby it states that as a condition of remaining in the United States as a legal person in the United States, you must purchase health insurance as determined by the Federal Government on a yearly basis.

Now, the argument has been made that, well, we have a problem with health care in this country. Some call it a crisis. I would say that I know of no one who wants us to maintain the status quo. The question is, what is the proper response to the challenges we have? But some have said if you’re going to look at this from afar or systematically, what you ought to do is to require everybody to have health care insurance.

Well, that might be an interesting idea. But we have a sense of limited government established in the Constitution of which I spoke before, and the idea that government is limited is essential to that understanding of freedom. And I look in vain in the words of the Constitution to find anywhere that I am charged with the authority as a Member of this body and working with other Members collectively in this body to say that an American may not remain an American unless or until he or she purchases the insurance that I deem they must have and that I could change from year to year to year.

□ 1600

Not only that, I see nowhere where it says that I can enforce that obligation by way of threat of fine or jail sentence, and that is what happens in the bills that we have had before us.

And my question is, as much as I want us to solve the problems inherent in the current health care system, I run up against, with all due respect to the former Vice President of the United States, what I consider to be the real inconvenient truth. It is called the Constitution. It doesn’t allow us to do everything that we would like to do. It doesn’t allow government to take all of the money or to take your freedoms away or my freedoms away when it is convenient. We have to do it within the context, within the four corners of the Constitution of the United States.

Now the President of the United States in his address to the Congress said, well, this is similar to having auto insurance. It is not, Mr. President. And to those who have argued that on this floor, I would say it is not. If you have ever been involved in cases

involving cars, automobile accidents, and insurance coverage, et cetera, you know that we do not have a right to drive on the public roads; it is called a privilege. You can condition a privilege. The other thing is no one has an obligation to have a car. If you choose not to have a car, you don't have to have car insurance. If you keep your car in the garage, you don't have to have car insurance. If you keep it on display in your house, you don't have to have car insurance. If you have a farm or ranch and you never put it on a public road, you don't have to have car insurance. Why, because you are not on the public roads upon which it is a privilege to drive, not a right.

My right and your right and the right of anybody in this Chamber or any of our constituents to exist in the United States as a legal person should not be conditioned on some obligation that we in the Congress decide. Oh, we think it is a good thing for the overall system that everybody must have health care; therefore, we are going to require each person to have it, and if you don't have it in exactly the form we say, you are going to be fined, and if you don't pay the fine, you can be sent to prison. If we say that on this particular part of our life, where does it end?

There has been very little talk about freedom when we talked about the cap-and-trade bill, and yet we know it is going to impose tremendous taxes and a regulatory regime on virtually everything we do. When you turn on your light switch at home, when you turn on your computer, when you pick up your telephone, when you walk out the door, when you get in your car, when you drive your car, when you go anywhere, the costs are going to be enormous. One of the dirty little secrets around here is that they hope we won't notice because they will be hidden costs. You are not going to be presented with the cost every time you turn on your light switch, but it will be embedded in the cost that you pay on a monthly basis. It is not going to affect you each time you turn on the car because they are not going to put a bill in front of you every time you drive your car, but every time you get gasoline, you will. Any time you use anything that is energy related, you are going to pay a penalty, essentially, for using that, and that determination will be made by the Federal Government.

But that was not enough for some. No, last week, or was it earlier this week—I forget now—the EPA administrator made an endangerment finding on CO₂ and other greenhouse gases as being pollutants. Now, you and I could sit down or others could sit down and argue about how we would define pollutants, but there is no one who can rationally argue, in my judgment, that the Clean Air Act, there was any anticipation by those who voted on it in the House or the Senate that this would include such a determination by the EPA administrator, and that as a result, the EPA administrator would be

in the position of regulating our lives to the extent that he or she will have in the future.

When you realize what this regulatory regime is going to be, they are telling us that if your Congress—that is, your legislators, and I am talking about generally if constituents would be told this—that your elected officials as legislators make the decision not to eventually pass cap-and-trade and give that authority to the Federal Government, it will not matter because the EPA has, by administrative decision, taken that out of the hands of the Congress and now will decide it themselves.

So, therefore, and I believe that many Federal employees are wonderful people attempting to do the job as they see fit, but nonetheless, in many ways they are faceless bureaucrats who are not responsive to people at town hall meetings, who do not have to go before the people for reconsideration or vote every 2 years as those in the House do, or every 6 years as those in the Senate do. In other words, they are part of the executive branch, and in administering, they are at least another arm's length away from the people that are supposed to be free in our Nation. And so we are being told by some, that unless we in the Congress follow what they want us to do in the executive branch, they will take a command and control authority themselves and do even worse than we would do, so, therefore, we better act.

Now, I don't know what you call that. There are a lot of words that come to mind, but "freedom" is not one of them.

We also hear that Members of this body, including the Speaker, are desirous of attending the Climate Change Conference in Copenhagen. It used to be called "global warming." It is now called "climate change." Many people have questions about global warming. You can't say there is not climate change, because that is one thing we can all agree on. Climate does change. That certainly doesn't help us understand what the nature of the climate change is and the cyclical nature of the climate change and the natural part of the climate change versus the man-made part. In fact, we have been told by some, including the former Vice President, that we have no right to question it.

I don't know, Mr. Speaker, what you were taught when you were in school, but I was taught that science is the continuing activity of questioning, that science is attempting to pursue certain truths in the natural world, and the only way you can determine those is by constantly putting up your proposition to peer review, if you will, and questioning and that skepticism is a good thing; not cynicism, but skepticism. And yet we have been told that we are not allowed to question it, that all of the questions have been answered and that, therefore, we should genuflect to this current notion of the sci-

entific determination and, in essence, take the normal sense of politics in the best sense, that is, I mean, individuals through their power at the ballot box, to be able to make determinations as to how they wish to be ruled in this, a self-governing Nation.

But we have been told, no, if we do that, we are selfish. In fact, the newly elected leader of the European Parliament announced that number one on his hit parade was to make sure that they had some sort of schematic achievement at this Copenhagen Conference, and in explaining it he used the term "global governance" at least three times; global governance. Interestingly, because I believe the former Vice President of the United States, in speaking to a group in London on the day that this House passed cap-and-trade, announced to that august group that this was a great triumph for what they were working on because it was the first real step toward global governance.

I do know one thing about our Founding Fathers, the Founders of this country: they were not about global governance. They were not about the idea of a powerful, deciding force across an ocean ruling their lives. As a matter of fact, the essence of the revolution was casting off the authority of the mother country and allowing us here, in what became the United States, to be involved in a process, an experiment in self-governance that continues to this day.

So when I hear the term "global governance," I get worried. I get worried because I think the Founding Fathers of this country would have been worried. Global governance suggests an authority somewhere up there with a global perspective that is somehow considered superior to our ability to govern in our country, in our State, and at the local level.

And if we accept that argument, it seems to me that we reject the notion of federalism that is at the base of the protection of individual rights in this country. Some people have said or made the observation on more than one occasion that Congress appears to be an inefficient institution involved in an inefficient process. Well, you know, that is right. And in some ways that is a direct result of the Founding Fathers who believed that in order to avoid the fads of the time, that they needed to have a system of checks and balances which sacrificed efficiency for the protection of freedom. That is, they thought that a government further away from you and more powerful than you and individual institutions closer to you could do more harm overall than a decision made by an individual or by a family or by a group where that wrong might be confined to just that individual, that family, or that group. So they believed that in order to protect against the overreach, the mistakes of a government that could have overwhelming power, they would try and defuse that power and

promote the idea of numerous different entities recognizing what some call—and it is called, actually, as a matter of Catholic social policy—the principle of subsidiarity. That essentially means that decisions ought to be made by the individual when he or she can make them; then an individual within the family; and then an individual or family within or surrounding what are known as mediating institutions, voluntary institutions, churches, voluntary associations, clubs, neighborhood groups, and then government, but government at the closest level, meaning local government, then county government, then regional government, then State government, and then Federal Government.

The interesting thought there is not only does it protect the freedom of the individual, but in most cases it creates a more vibrant society, because all parts of that society, beginning with the individual, contribute to the vitality of the society because they, in fact, themselves, are vital to that community. It is a notion that local government is important.

□ 1615

I mean, if you look at Tocqueville's tremendous work about this country in the 1800s, he talked about us being a country of joiners, a country of voluntary associations, a country of churches. And he likened this new America to the old Europe, or he contrasted this new America to the old Europe, and suggested that America was different, and America had a future that was different than what Europe had precisely because of the recognition of the worth of the individual and all of these institutions that protected the individual from the overwhelming power of the government but also created a more vibrant society as a result of this activity.

And yet, if you're looking at cap-and-trade, if you're looking at the EPA endangerment finding and the consequences of that, if you're looking at the hopes of the people at Copenhagen who wish they had global governance, it moves us in the other direction.

What other decisions have we been making that may impinge upon the freedom of the American people? Well, you know, when you talk about taxes, you're not just talking about taking money out of somebody's pocket; you're talking about when you take money out of your pocket, they may have less money to do something that they, in their own individual lives, believe is best for them or best for their family or best for their church or best for their association or best for their local government, as opposed to the Federal Government.

And too often, we have been told that it's un-American to pay low taxes. In fact, I believe in the last election in an interview, the current Vice President of the United States said something to the effect that it is American to pay more taxes. The Supreme Court has

said you're not obligated to pay any more taxes than you're legally required to. If you want to voluntarily give money to the government, that's fine.

Why would the court say that, and why would that be right? Because taxes are an involuntary taking from an individual to the government. Don't get me wrong—I don't think taxes are unnecessary. They are necessary. But I think we have a legal and moral obligation as protectors of the freedom of the people to not exact from them anything more than is absolutely necessary to do the proper functioning of government. Because if we do more than that, we are taking some of the freedom of the American people away.

Similarly, in the area of spending—as well as in the area of debt, and perhaps even more in the area of debt because that not only impacts us today as individual members of this society, but that impacts our children and our grandchildren and children still unborn in terms of their ability to be able to live their lives and to have the free expression of their talents in such a way that they may make contributions to this world and that they may be free men and women.

And so the—I will use a legal term—the gravamen of my argument tonight or this afternoon is that my constituent who fled from communism in Eastern Europe to this country decades ago for the freedom that this country allowed her and the fear that she's expressed that we're losing some of these freedoms is not a wild notion on her part but is in fact a significant concern that has a reasonable basis. And that we in Congress have an obligation to listen to people such as my constituent who said, Please don't take our freedom away.

We rarely hear freedom spoken of on this floor, and we rarely hear it spoken of in the context of the legislation that we have before us. But we should understand. If we genuflect to an overweeningly powerful government, we are essentially changing the relationship that exists between those of us as individuals and our government as understood by our Founding Fathers in the Constitution.

And I would stand with Abraham Lincoln when he said that the Constitution can only be properly understood as informed by the words of the Declaration of Independence. And the words of the Declaration of Independence, once again, tell us that we hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men.

Not that government gives us these rights; government is supposed to protect those rights, secure those rights, those rights that we, through rational perception, can determine—our God-given natural rights.

I would hope that we wouldn't believe that those are just old-fashioned

words, but those are in fact guiding lights by which we make our decisions here on the floor of the House, or that we ought to throw away or cast aside comments made by our constituents indicating to us that they fear we may be losing our freedoms. That is not a panic attack by someone. That's not an act of delirium. Rather, it is a deep-seated concern that I think we should follow advisedly.

And Mr. Speaker, I would just hope that as we go forward with the remaining days of this year, and as we approach next year, that as we look at something as important as health care, we try and say, how do we deal with the challenges that exist in health care without subverting the sense of freedom and liberty that is contained in the Constitution? We can do it; we just have to think again. We can do it because we know generations that have gone before us have reached their challenges without in any way violating our Constitution but rather working towards securing those liberties that are recognized in our Constitution.

And my friend from Texas, would you like me to yield to you?

Mr. GOHMERT. I appreciate my friend's point. I have been listening, and I have been very moved by the words from my friend from California.

When you think about, as my friend from California pointed out, the Constitution and the words "We the people of the United States, in order to form a more perfect union," then it says "and to secure the blessings of liberty to ourselves and our posterity," and you look at the 1,990 pages in that health care bill, and you realize, as my friend pointed out, you're going to require people to purchase a policy just to live, and do it under the guise of helping them. When you read the bill, you find out if you're just above the poverty level in that bill, but you don't make enough money to buy the Cadillac policy required in that law, then we're going to add an extra 2½ percent income tax to you just to live in this country.

And as my friend pointed out, so often we've heard the President talk about, Well, you have to buy car insurance. I would challenge anyone to find a State in this country that requires any individual—because there isn't one—requires any individual to purchase insurance to protect his or her own car for damages to his or her own car. No.

Every State requires you to buy insurance against hurting another individual or property. It does not require you to buy insurance even to have the privilege to drive. As my friend pointed out, it is a privilege, but just to have that privilege they don't make you buy insurance to protect your own car. No. They make you buy it to protect somebody else in order to enjoy that privilege.

And then we've heard so many people here say, We're worried about the jobs, and that's why we've got to pass climate change. And we have people come

one after another to the floor and say this will not cost jobs. This is going to help people. It's going to provide green jobs. And what that said to everyone who has read the bill, when they heard someone say "this bill will not cost jobs," what it said is they didn't read the bill, because if you read over past 900, between 900 and 1,000, there is something created called the—I believe it's the Climate Change Adjustment Fund, and it says very clearly in there it is designed for those who lose their jobs as a result of the climate change bill.

And so, they obviously didn't read that.

Mr. DANIEL E. LUNGREN of California. If the gentleman will yield.

Mr. GOHMERT. Yes. Certainly I'll yield.

Mr. DANIEL E. LUNGREN of California. In other words, the bill anticipated a loss of jobs and creates a specific fund to reimburse people or to subsidize people or to in some way help those people who lose their job as a result of the effects of the bill.

Mr. GOHMERT. That's right. And it's going to have to raise taxes and raise costs for everything else in order to create the fund to pay the people that lose the jobs as a result of the bill.

And there's other good news in there for Members of Congress, though, that voted for the bill—and it seemed a little self-serving to be in there—and obviously the people who said it wouldn't cost jobs just hadn't read the bill, but whoever's staff member or special interest group wrote that bill, they knew people would lose their jobs.

But then also the fund is created to provide relocation allowances for those who lose their jobs to try to help them move to where their jobs are going. Unfortunately, it will not provide money for you to go to China, India, Argentina—the places where the jobs will really be sent if this bill becomes law.

But that bill provides a self-serving aspect because I know in my heart, having read that bill, that when people across America get those huge energy bills that result from the cap-and-trade bill, when they start getting those bills, they're going to be so mad. They're going to vote Members out who voted for that bill, but the good news to the Members is when they lose their job as a result of this bill, they may be entitled to a relocation allowance and subsidies for losing their jobs as a result of the bill.

Mr. DANIEL E. LUNGREN of California. If the gentleman will yield on that.

Mr. GOHMERT. Yes, I will.

Mr. DANIEL E. LUNGREN of California. One of the concerns we ought to have is making people more dependent on government. When you make people dependent on government, you necessarily take away some of their freedom. And that's one of the things that we ought to be concerned about here.

We know through every economic analysis that's available that the pro-

genitor of jobs, the creator of jobs, the source of jobs in this country is the private sector. We know that more and more abides in the small-and medium-sized businesses.

And if in fact we were dedicated to creating jobs at this time, it would make far more sense to do what the gentleman suggested well over a year ago, that we suspend the payroll tax, that we suspend the payroll tax both from the employer and the employee, which would have the effect of having immediate income in the pockets of both employer and employee, and we would then trust the individuals.

Because employers and employees are individuals. We would trust them to make rational decisions in their lives which may just be better collectively than the decisions imposed on them by the Federal Government, where we choose winners and losers, and necessarily have to make political decisions with respect to winners and losers. And wouldn't that more quickly cause an impact on the economy on a positive side than waiting for whatever Congress and whatever administration decides finally in terms of distributing funds as they see it?

Mr. GOHMERT. The gentleman is so right. And it goes back to the beginning of the Constitution. That would go so much farther to secure the blessings of liberty. For, as they said, to ourselves and our posterity—posterity of the future generations.

But you go back to this atrocious health care bill that was passed, there's even what's come to be called the wheelchair tax in that.

□ 1630

How is that going to secure liberty for anybody?

Mr. DANIEL E. LUNGREN of California. Is the gentleman talking about the medical equipment tax?

Mr. GOHMERT. That would be the tax.

Mr. DANIEL E. LUNGREN of California. I believe it's not only on wheelchairs. As someone who recently, well, 2 years ago, had a new hip replacement, I understand that I was lucky I had it then because under this bill, a hip replacement, like a wheelchair, would be considered a piece of medical equipment and there would be a tax placed on that. So for the privilege of being injured in some way and then receiving medical attention requiring a piece of medical equipment, you get the indignity of having a tax placed on you. Now I don't know what kind of a tax you call that. It's not a comfort tax. It's not a sin tax.

Do you remember when we used to call these taxes on cigarettes and alcohol "sin tax" because they were supposedly aimed at vices that people had? But it makes very little sense.

And here is the other thing. I had the tele-town hall the other night, and one of the people on the line said, well, why don't you just have a government program and why not just do it through

the Medicaid system; expand it for other people to have it in the Medicaid system. And I said to her, well, how would we pay for it? Well, we just pay for it through taxes. And so I was reminded of that great quote by the French economist, Frederic Bastiat, who said many years ago that the state is that great fictitious entity by which everyone seeks to live at the expense of everyone else. Now what he was saying is when we create in our argumentation the idea of "state" without understanding what we're talking about, it is easy to say, well, the state can take care of it, or we'll just tax for it; where the suggestion is that somehow that comes from somewhere else. And if you got it down to the real individual level and say, at what point do I have a right to say to you that I can reach into your pocket and take money from your pocket to pay for something I want done?

Now I think we would all agree that there are those who can't help themselves, that we want to create some sort of safety net. But if the idea that we are going to have larger and larger percentages of the population have their needs or wants taken care of by the government because it doesn't cost them anything, at some point in time, we are going to reach that point of which Margaret Thatcher spoke, when she said, the problem with socialism is pretty soon you run out of other people's money. And it's even more than that, because if you corrupt our system such that people forget to, well, people no longer understand how you generate wealth, rather than just redistribute wealth, you essentially create less wealth, you essentially put limitations that otherwise would not exist on creating new wealth that then can be utilized for individuals and their lives and, yes, to support government.

I think that is what we have to continue to remind ourselves, not necessarily remind our constituents, but remind ourselves because we are here making these decisions, that just as Ronald Reagan said, freedom is never free, meaning that we always have to have a commitment towards freedom on a military sense and people that would sacrifice, freedom is not automatically free in our own country. We have to fight for it all the time, and we have to remind ourselves sometimes that maybe we have to ask more of ourselves individually, in our own families, in our churches and in our voluntary associations to do more. And we ask more of ourselves and less of government, and then determine exactly those areas where we help people who truly can't help themselves and make sure that we have a true undergirding of our society to help those people. But don't basically damage the capacity of the American people to use their genius, use their creativity and use their dedication to try and utilize the talents God gave them.

Mr. GOHMERT. If the gentleman would yield, we have no better example

of just what the gentleman is talking about than the pilgrims. There's a marvelous, huge mural down the hall in the Rotunda of the pilgrims having a prayer meeting with the Bible open to the beginning of the New Testament. And I know the gentleman from California's heart, and I know his Christian faith, and I know there are many of Christian faith here, and we don't try to push our religious beliefs on others, but you have to recognize what a part of our heritage they are.

Now, the pilgrims, being Christians, signed a compact, an agreement among themselves, because they thought we want liberty for everybody, but we're going to give that up, put that in a common pot, we're going to all own the land together, we're going to all bring into the common storehouse, and then we're going to divide equally.

Mr. DANIEL E. LUNGREN of California. How well did that work?

Mr. GOHMERT. It didn't work out so well. The first winter, nearly half of them starved to death. And as the gentleman from California points out, they came up with this incredible ability of the people in America to come up and innovate. They came up with this great idea. They said, okay, we nearly starved half the people out. What we're going to do from now on is we're going to divide the property up and give everybody their own private property, and then everybody works their own property; you're responsible for your own upkeep, and if you have some left over, it's up to you. You can give it away, you can sell it, you can trade it or whatever. Remarkably, that's where the liberties we derive came from. And when Jefferson said the natural course or progress of things is for liberty to yield and government gain ground, he knew what he was talking about. He knew our history.

Mr. DANIEL E. LUNGREN of California. It sounds as if they were talking about freedom or liberty with responsibility.

Mr. GOHMERT. That's it.

Mr. DANIEL E. LUNGREN of California. And I think we need to talk about both ends of it. If we are going to be a free people, we have to be a responsible people. If we are going to be a people who cherish freedom, we have to be a people who cherish responsibility. And we must ask of ourselves, each and every one of us, to be responsible in our actions, to understand there is something of the common good that requires something of all of us, but that if we, in fact, mistake that notion or misinterpret that notion such that we think that no longer are individuals free, and that only important questions can be decided by the Federal Government, and in the Federal context only by the Supreme Court, what we are doing is not only becoming dependent on others, in this case government, but we are undercutting the tremendous, as I say, vitality that this country has always had. And so we're not only cheating ourselves, but we're cheating everybody else, as well.

I think that every once in a while it is good for us to have a conversation on this floor about, some would say, huge concepts of freedom. I would say essential concepts of freedom, foundational concepts such as freedom, freedom which is spelled out in the Constitution and the Declaration of Independence.

And so, I would just hope that as we continue in the last days of this congressional year, and as we look forward to the next congressional year, that we not forget about freedom and that, in fact, as we try and meet the challenges of the present and the future, that freedom be our lodestar.

With that, I yield back the balance of my time.

WESTERN CIVILIZATION

The SPEAKER pro tempore (Ms. PINGREE of Maine). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, I appreciate the privilege of being recognized here on the floor of the House of Representatives. As I listened to the dialogue of my colleagues, Mr. LUNGREN of California and Mr. GOHMERT of Texas, I can't help but pick up a little bit where they left off.

I would like to address the situation of freedom, and then I hope to transition it into some other subject matters, all of them related to the subject matter that has been brought up by Mr. LUNGREN, who knows it well; and that is to propose a concept that's going on here that has to do with our western civilization. And as we studied western civilization, and maybe it has become a dirty word among the politically correct left, but it clearly has been a subject matter for hundreds of years in one way or another; and as we have watched what has happened across Europe and compare it to what happens here in the United States, there are those, especially on this side of the aisle, that believe somehow we're an appendage of the modern, forward-thinking, liberated, progressive Europeans who have become a social democracy and in many cases a post-Christian Europe.

I will argue, and I will to greater length, that we are a different country, that we're founded on Christian principles, Judeo-Christian values, and we've learned to assimilate people into this culture, but the foundation of our culture has been the law, the rule of law, and the values that flow from the religious foundation of the people that came here to settle this country. They are the ones that wrote the Declaration, they are the ones that wrote the Constitution, they are the ones that ratified it. And the core of the civilization remains the same.

I want to draw this comparison, this juxtaposition, if I might, Madam Speaker, and that is that in Europe for more than 100 years, they have had socialized medicine. It started in Ger-

many under Otto Von Bismarck. He did so for a political reason. It wasn't necessarily a reason of what was best for the German people, it was how Bismarck was able to expand and strengthen his political base. So he looked out across Germany and decided that if he is going to pacify the people, if he is going to get loyalty there, he was going to make sure that everybody had what they will call free health care in Germany.

And so he, I will say, adeptly, as from a political perspective, was successful in passing legislation that established socialized medicine in Germany more than 100 years ago. And that was contagious enough that it was adopted by, by now every country in that part of the world. And the country that I pay the most attention to and look back on historically has been the experience in the United Kingdom. They had a higher level of freedom when they went into World War II. And of course, they were looking at their enemy more in the eye than we were. And Winston Churchill helped lead them through that time. But in the aftermath of the all-out effort to expend every resource they had to preserve the British Empire, they also saw their economy with too much of a burden on it, and it was collapsing at the end of World War II. There were all kinds of stresses on it.

You can imagine, Madam Speaker, all the rebuilding that had to take place, the restructure of government, the lessons learned and the repositioning of assets, resources and conviction that takes place in a time of war. If you win the war, you don't undergo quite the changes as you do if you lose the war. But Great Britain was afraid their economy would collapse. And among the things that they did, just as we have knee-jerk reacted to an economic downward spiral here in this country and passed TARP legislation, \$787 billion in an economic stimulus plan—and I say “we” as this Congress, and I opposed those things—just as this administration, it actually started in the previous administration, began nationalizing huge economic entities in America, three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, Chrysler, about one-third of the private sector profits in the United States nationalized because we have fear of failure. Well, the British had fear of failure in the aftermath of World War II.

And so one of the things they did to try to provide a safety net for people would be to adopt a national health care act similar to Bismarck's national health care act in Germany. And that's socialized medicine. They passed it in 1948.

I sat reading through the *Colliers* magazines, the yellowed copies of that just a few years ago, that had been saved for me by a World War II veteran that had watched this national health care in the United Kingdom pass. And the things that they predicted that would happen before its passage and