

me for sound thinking. The Tax Code punished me for being reasonable.

Now, doing the tax via a flat tax would also remove the Clinton tax on Social Security earnings. And one of the things that really got me thinking about the flat tax when Congressman Armerly wrote the book in 1995 and introduced the legislation, the tax year 1993, just out of pure serendipity, out of pure coincidence, Bill Clinton's first year in office as President of the United States, he and I earned about the same amount of money. I think I earned just a little bit more, but I may have had a better year.

Of course, the President's income tax filing and the amount of income taxes the President paid were public knowledge. That was printed in a story in the newspaper. So I did a very simple calculation. His salary was X. This was the amount of money he had paid in taxes. So what percentage of his salary did he end up paying in taxes? And the number was within a percentage point or two of around 20, 21 percent. I did the same for my taxes, and I paid 31 percent.

So that led me to a conclusion that there was within our Tax Code the Clinton paradox. Why should two people who earn essentially the same amount of dollars pay a substantially different tax rate?

A flat tax would make a great deal more sense. There would be no reward for perhaps a questionable deduction from your income tax; and, at the same time, we could give people back a significant amount of their time and energy during the course of the year with keeping up with receipts and that quality time that we all spend with our accountant every year. So I credit President Clinton with making me a believer in the concept of a flat tax, because it really came home at that point.

What would happen with a flat tax? You think savings would increase if we stopped punishing people for saving money? It might. Businesses also would be taxed at a flat 19 percent with deductions for goods and services, materials, wages, salaries, and pensions and the purchase of capital equipment, structures, and land. And those capital outlays would be immediately expensed. We saw the power of that in 2003 when the tax policy of 2003 was enacted.

You know, in 2003, a lot of people don't remember it now but we were having trouble with the unemployment rate being high. I think it was up to 6 or 7 percent. And it was a terrible thing that it was that high, and President Bush was to blame for this, and we really needed to hold him accountable for this high unemployment rate.

So, okay, he did something about it. He did something about it with a change in the Tax Code, and that was passed in May of 2003. It was a contentious vote when it happened. But after it passed, by July of 2003, job creation started on an upward trajectory; and

really, until September of 2008, every quarter there was an increase in the number of jobs created in this country.

We have got to create between 120,000 and 150,000 jobs every month in this country just to keep up with people that are entering the workforce. So that was an extremely important change in the Tax Code, and one of the things it did was it allowed for immediate expensing of capital outlays rather than a long depreciation schedule in businesses, that the cap on capital outlays was increased significantly, from \$10,000 to \$30,000. The result was businesses did go out and make that capital investment, did improve their businesses; and, as a consequence, the tax receipts really increased. Jobs increased. And it appeared to me that that was a sound way to go about dealing with a downturn in the economy.

And, Mr. Speaker, I frankly do not understand, do not understand why we will not undertake similar policies today with our unemployment hovering around 10 percent. And one of the most pernicious aspects of that is young people just completing their education are ending up in the ranks of the unemployed and they are losing those early productive years, which may have a deleterious effect on the remainder of their productive lifetime.

It seems like almost any group with whom you speak, regardless of the age demographic, the beginning of the working years in the late teens and early 20s, the pre-retirement age, or those in between, everyone is having difficulty. Every one of those demographic groups is having trouble finding work. And, as a consequence, we are creating what may well turn out to be a longitudinal problem that, should we take the time to solve it now, would really be to our great benefit.

The long-term unemployment numbers are startlingly high. The unemployment numbers for minorities are startlingly high. The unemployment numbers for people who are in their late teens and early 20s are startlingly high. Why wouldn't we consider something that worked as recently as 8 or 9 short years ago? In fact, those policies are going to expire, and we may well make things worse rather than better.

One of the things that I do want to address, and we heard this in the last hour, on Tax Day 2010, are you better off this Tax Day? The little cartoon here says, "I'm sorry, sir, but you can't claim Citibank, Goldman Sachs, AIG, Bank of America, Wells Fargo, Fannie Mae, Freddie Mac, GM, and Chrysler as dependents." So are you better off this Tax Day? You answer the question.

There is an option that we could take to fundamentally transform the tax system in this country, and it would be liberating for individuals and businesses alike. Fundamental tax reform in this country is something the American people are crying for. Eighty percent, according to the American Solutions Study from a year or two ago, want us to do something about that.

Through both Democratic and Republican majorities, we have talked about it, but we haven't taken that work on. President Bush convened a tax panel during his second term. The result of that was disappointing. The recommendations were all over the place, and no one really proposed legislation as a consequence of that tax reform panel.

It is incumbent upon this Congress, the next Congress. Regardless of which party is in the majority, it is incumbent upon them to come to some realistic conclusions about simplifying the Tax Code. For too long we have put this burden on our citizens in order to get them to comply with what the previous speaker said was our obligation for living in a free society, and that is the payment of income taxes. For too long we have made that too difficult. We have made that too onerous. And, as a consequence, we have had a deleterious effect on our economy. Right now, our economy is suffering. We would do people a great service by simplifying the Tax Code, unleashing the power of the American economy.

Look, this economy is too vibrant to keep down for too long. Even the United States Congress is not capable of keeping this economy suppressed. The economy will recover. But the recovery will be more robust and more prolonged if we will create a sensible tax policy to go along with that recovery.

□ 2200

#### THE DIRECTION THAT THIS NATION NEEDS TO GO

The SPEAKER pro tempore. 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. Mr. Speaker, it's a privilege and honor to have the opportunity to address you here on the floor of the House of Representatives. And having listened to my colleague, Doctor and Congressman BURGESS, speak in the previous segment in the previous hour, I'll pick up on some things that are on my mind and see if we can clarify the direction that this Nation has taken and the direction that this Nation needs to go.

This is tax day, April 15. This is the day that there are a lot of bleary eyes from people that have stayed up way into the night trying to do their own taxes. We have some people out there that have borrowed the money to pay the tax preparer so that they can file their taxes on time. And we have people that have paid the tax preparer to file an extension because they couldn't get their paperwork in on time.

We have a huge amount of American dollars that are invested in paying tax preparers and doing tax preparations. And I often think about this economy that we have and ask the question, you know, what about these sectors of the

economy? Is there anything contributed to the economy by paying accountants and IRS agents to collect money?

And I'll argue that the White House gets it wrong. The President's economic advisers get it wrong. They seem to believe that this economy is a giant chain letter, and if they can just go into the U.S. Treasury, or borrow from China or borrow from the Saudis and dump a few hundred billion or a few trillion dollars into this economy and give a lot of it away and get people to spend the money, or do it on contracts and the shovel-ready projects, which actually are some of this that has the least amount of demerit and some merit to it—they seem to think that throwing these dollars through the economy stimulates the economy and then we grow.

But the flaw in that premise is this, that, you know, this economy isn't built on spending. It's not built on something that's viewed by the White House as a giant chain letter, where you just dump in the hundreds of billions of dollars, and somehow we go out and spend money and the economy spends. That's the Keynesian economist approach. That's the approach that John Maynard Keynes actually rebutted himself back during the thirties when he said that he could solve all the unemployment in the world.

Now, remember who Keynes was. He was an economist who was a contemporary of Franklin Delano Roosevelt. And he was credited with producing the concept that if you have a shrinking economy, you can stimulate it by borrowing money and spend; the Federal Government can dump that money into the economy and have that flow through the economy and stimulate it.

Now, John Maynard Keynes made the remark about the early or mid-thirties that he could solve all the unemployment in the world. This is how good this Keynesian economics approach it is, that he would solve all the unemployment. This is the author of his own program, of course. He would solve all the unemployment in the world this way. If he could just go to an abandoned coal mine and go out into that abandoned coal mine with a little drill rig and drill a whole bunch of holes out there across that coal mine, and then he'd take American currency, cash money, greenbacks, and then bury them down in these holes in this abandoned coal mine. And then Keynes went on to say, he'd fill that whole coal mine up with garbage.

Now we would have an abandoned coal mine with holes punched in it with drill rigs all over the place, presumably in some kind of grid pattern or random pattern, these holes all full of cash, hundreds of feet of garbage piled over the top of it. And he said he could solve all the unemployment in the world by just simply now turning the world's entrepreneurs, or the American entrepreneurs, loose to go dig out the garbage, dig up the money and take the cash.

That's pretty similar to what you're talking about with these Keynesian economics. You try to get people to work to do things that are make-work. And the President himself said, we're not going to pay people just to dig a hole and fill it back up. I thought that that was an interesting metaphor or way to compare that since I've spent my life digging holes and filling them back up. And I can tell you that it pays if you're digging the hole for some purpose, that builds something that has value.

Our economy, our economy, Mr. Speaker, needs to be built upon the foundation of increasing our productivity. Americans have to make things. We have to produce things. We have to expand services so that our economy grows.

If you think of it in terms of what it would be like if we were still back in the tribal village, and if we didn't have any money to work with, and we had to trade, how do we grow wealth?

Well, some of us would make bows and arrows, and some of us would make the arrowheads, and some of the people would skin the hides and make the clothes. And pretty soon we'd find out that some are good at one thing, others are good at another thing, and then we start to trade these products back and forth, and we have clothing, and we have weapons, and we have utensils, and we have gardeners, and we have hunters and people that specialize. And after a while, this wealth builds because we acquire material goods that increase.

First they provide the necessities of life, which the simplistic term is food, clothing, and shelter. And then we add to our material goods, all of this out of the wealth that comes from producing something that has value and trading it or selling it and then taking the money and buying something from someone else for something that has value to us. That's how this economy works. And it's got to be based on our productivity. Americans have to build things. We have to make things.

And here we are on tax day with these millions of Americans that have filled out their forms and spent their money to do so so that they can do their best to comply. And a lot of Americans that don't want to walk close to the edge of complying with the IRS, they don't want to face an audit, and so they perhaps pay a little more in taxes than they owe because they don't want the question to come up.

Frank Luntz produced a number that was pretty interesting to me, and it was this: that 58 percent of Americans would rather have a root canal than a tax audit. I didn't ask him if that was without anesthetic. For me, I'd take the root canal without the anesthetic before I would want to go through a tax audit. But a lot of the American people today are very concerned about a potential tax audit, so they're paying a little more taxes than they might otherwise.

They had to file. They drop it in at the last minute. And we have post of-

fices that will close at midnight tonight so that people that are hustling up to fill out their tax returns can drop those in and get them postmarked by midnight. And that will be advertised, and they'll plan it. And procrastination will take place. It's not something we enjoy doing.

This day, this day that the 16th amendment enabled all those years ago was a day that brought tens of thousands of Americans into this city, and they have been demonstrating and rallying and giving speeches and singing God Bless America. These are true patriotic Americans that are here in this city today. And they're at over 700 locations around America.

We're going to try to get a real count on how many Americans came out today that carried an American flag, that brought up the new standard of the constitutional conservatives that are the new majority makers for America. The new standard is an American flag and a yellow Gadsden Don't Tread on Me Flag to fly. That Don't Tread on Me, it carries a message that adds to Old Glory. And I am very, very happy to tell you, Mr. Speaker, that I have one flying outside my office at 1131 Longworth. Anybody that walks by there that sees that flag knows where I stand. That's the new standard of liberty. It's a new standard of freedom, and it supports and defends the United States of America. It flies with deference to Old Glory, and it supports and defends the principles that are in the Constitution and the principles of free enterprise and free enterprise capitalism.

I would wonder, watching the activities and the behaviors at the White House over this last year and a half or so, if they actually would agree with one of the questions that are on the naturalization flash cards that are put out by the U.S. citizenship immigration services. These are the people that provide the services to naturalize new legal immigrants to become American citizens. These flash cards, a stack about this thick, Mr. Speaker, and nice little glossy things about like that. And I regret that I didn't bring one over here.

But there are around 120-or-so questions, and it'll start out on the one side of the flash card, you can read it and it'll say, Who's the Father of our country? And you snap it over the other way and it'll say, we know this, Mr. Speaker, George Washington.

You look at one side of another flash card and it will say, Who emancipated the slaves? Flip it over to the other side: Abraham Lincoln.

Now here's the one that might stump the White House today. And it's this: What is the economic system of the United States of America? Flip that flash card over: free enterprise capitalism.

□ 2210

Haven't seen a lot of that going on out of the White House in quite some

time. In fact, when I look at what has been happening out at the White House, it starts with this. At the tail end of the Bush administration—with the full support and endorsement of then-candidate and United States Senator Barack Obama and now President, we saw the Secretary of the Treasury Henry Paulson come to this Capitol September 19, 2008. And he came into our closed-door session and he said, You need to give me \$700 billion, and you need to give it to me now. And if you ask any questions or if you try to amend my request in any way, you'll mess up the works. But what's bound to happen or what could be happening is we could see a complete meltdown of the global currency and the confidence and capital and collateral, and we could see the entire world money supply fall apart if they lose this confidence.

So he said, Give me \$700 billion, give it to me now, and if you have any ideas, they will not be as good as his own ideas. He said that he'd been watching this now for, I believe he said 13 months and we had only been watching it for 24 hours—some had—therefore, his ideas were a lot better than ours and his should not be questioned. And to come to this Congress and ask for \$700 billion of the taxpayers' money without an assurance that his plan, if he carried it out and he got the money, would actually work. Well, that was the TARP proposal. Seven hundred billion.

The Congress eventually authorized and appropriated \$350 billion in one chunk in early October, I believe it was, of 2008 and another \$350 billion to be reauthorized by the next Congress, people to be elected later, approved by people to be elected later and approved by a President to be elected later and a Secretary of the Treasury to be confirmed after his tax problems later.

So that started this, \$700 billion in TARP. And we saw in rapid-fire succession behind that came the nationalization of three large investment banks, government takeover of three large investment banks.

Then we saw, while this was going on, government takeover of the insurance company, Mr. Speaker, AIG, to the tune of about \$180 billion dumped in because, remember, these entities are entities that are too big to be allowed to fail.

Now, that's a new concept for America. We never had that concept before. All through our history books and the current documents, I know of no place where we had come to a conclusion that these businesses were too big to be allowed to fail and so, therefore, we were going to prop them up with taxpayer dollars. But that is what happened.

\$700 billion in TARP; three large investment banks nationalized, taken over by the Federal Government; AIG nationalized, taken over by the Federal Government; Fannie Mae and Freddie Mac taken over by the Federal Govern-

ment; and, by the way, formally locked into that full nationalization by Executive order of the President right before Christmas last year. And that saddled the American taxpayers with a \$5.5 trillion contingent liability in addition to the capital that had to go in to prop up Fannie and Freddie—and never mind all of the people that got rich out of that, including the Chief of Staff at the White House.

So we don't know what happened in all of those places because the chairs of the committees here in this Congress control the investigations of this Congress. But we saw \$700 billion in TARP, three large investment banks nationalized—AIG nationalized, Fannie Mae, Freddie Mac nationalized.

By now, Mr. Speaker, people are nervous, but they think they've elected some folks who understand high finance better than they do. This is a constitutional Republic, and we are to elect people to this Congress that owe the American people our best judgment and our best effort. And they trusted that best judgment and best effort and they trusted that we had access to more information and we'd use our good judgment.

But when the Federal Government got into the nationalization of General Motors and Chrysler, all almost simultaneously, the American people began to lose their faith in the judgment of the White House and their Congress and their government. Because even though the American people may not have confidence that they understand investment banking and high finance and insurance or the secondary mortgage market, the Fannie and Freddie components of this, the American people understand cars. We love our cars. We especially love our American-made cars. We love them. We drive them. We fix them. We show them. We collect them, and we make them.

And we know that if you want to make an automobile and sell a lot of them, it takes a lot of dealers to sell them. Anybody's intuition can tell them that if you go out in your garage or up in your attic or out in your shop and you invent the master widget and you patent that master widget and decide you're going to sell that widget across the country and the world, what you do easily is first lock down your patent, set up your manufacturing so you can meet the demand, and then you go out and set up dealers. And if you want to sell a lot of widgets, you have to have a lot of dealers, and you have to support and promote your dealers.

But when the Federal Government came in with a bankruptcy settlement that cut the numbers of dealers by 3,400 dealers in America, the American people know that the automakers didn't have a financial burden with the auto dealers. The auto dealers owned their franchises. They supported themselves. They paid for the services that they got out of the automakers. And for the White House to decree that there was

going to be 3,400 dealers that got shut down in America, not only was that an unjust taking of the property rights of their franchise, but it also brings about sales of less automobiles. You can't sell more cars with fewer dealers even though they'll say, Well, we had bigger and better dealers that were healthier. That is not the point.

A lot of car dealers are face-to-face, retail marketing, neighborhood niche marketing. That service that goes on between the restaurant and the church and out there in the dealer's lot, a lot of that got shut down. But the American people saw that happen, Mr. Speaker, and then they really lost their faith in the judgment of the White House and this Congress and the Federal Government and they began to pay attention.

And we saw bankruptcy terms that were dictated by the White House, and when that was presented to the bankruptcy court, there wasn't a change that was made by that court. They accepted the terms that were dictated by the White House.

And we had a car czar at the White House that was 31 years old that had never made a car, sold a car, I don't think fixed a car—I don't know if he owned one, and if he did, I don't know if it was an American car. So all of this brings a high degree of nervousness on the part of the American people.

And then they see the President of the United States go down there and do his glad-handed grip and grin with Hugo Chavez of Venezuela. When I saw those fellows standing side by side with this grip and grin of this two-handed handshake—the old buddy handshake—I looked at that, and someone asked me in the Washington Journal program—I believe it was the following morning—what that made me think. Well, I thought a lot of the things that other people thought, but I also thought that Hugo Chavez is a nationalizer of the businesses that he's taken over in Venezuela, including a cargo rice plant not too long earlier than that. He is a piker when it comes to nationalization compared to our President, Mr. Speaker.

Three large investment banks nationalized. AIG nationalized. Fannie Mae and Freddie Mac—formerly private, marginally quasi-government at the time—nationalized. General Motors nationalized. Chrysler nationalized. The CEO of General Motors fired and replaced by the President of the United States. The President of the United States appoints all but two of the board members of General Motors.

And the shareholders, the secured creditors saw their assets in those companies wiped out. Even though they were secured assets, they wiped them out and they handed share ownership of 17½ percent of General Motors over to the unions. And the Speaker of the House, Mr. Speaker for the evening, made the statement going into this that she would not give bargaining leverage to the automakers over the

unions, and that is the way it shook out. The unions got bargaining leverage over the automakers. And now we have a Federal Government that is running the car companies, and the unions have an ownership share, at least in General Motors, to a significant amount, 17½ percent is my recollection.

And then on top of that, if you're a government, a Federal Government, and you're running a car company like General Motors or Chrysler and you're having trouble competing, you're also running the regulatory organization.

□ 2220

So I am not, Mr. Speaker, suggesting that I know anything that the American people don't know about what might have brought about the intense scrutiny of Toyota that cost them at least a \$16 million fine for their throttle and untold amounts of negative publicity on their throttle control and a number of other things.

But I will only submit, Mr. Speaker, that I have the American people coming to me on a regular basis and ask me if that intense scrutiny of the regulators on Toyota couldn't have something to do with the need of the Federal Government to see General Motors and Chrysler succeed, perhaps, more.

I don't have any evidence that would suggest that. But the appearance of impropriety certainly exists, Mr. Speaker, and the American people don't want to see one-third of their private sector activity nationalized and taken over by the Federal Government. But that's what's happened, one-third of the private sector activity swallowed up in those eight entities that I talked about.

Oh, and by the way, on the tail end of that is \$787 billion in this thing called the economic stimulus plan, of which 6 percent of Americans think actually worked, 94 percent believe that it didn't help and didn't do any good.

Now, this is a pretty sick scenario, \$700 billion in TARP, \$787 billion in economic stimulus plan, eight huge national entities nationalized—and these are net private entities that are nationalized—one-third of the private sector activity nationalized. Now where are we? Now we get to ObamaCare, and ObamaCare is another 18 percent that was formerly private. Now it's under the auspices of the Federal Government, command and control and regulate.

Yes, some will say that these are private insurance companies, and it's not the Federal Government. But the Federal Government will effectively cancel every health insurance policy in America and reauthorize only those that meet the new standards that will be written, not the standards that we have today.

The options that the American people have will be diminished, not increased. American freedom will be diminished and not increased. The costs will go up for these premiums, because

the Federal Government will impose more and more mandates on these health insurance policies. They will require that every health insurance policy covers contraceptives, and they will require that it covers mental health, and they will require piece after piece after piece, and one of these is require that health insurance policies cover the children up to age 26. Huh. I didn't really raise a family with the idea that my kids would start to grow up at age 26, and the law has been that 18 is a good place to say that they are grown up. Now, we like to keep them around longer than that and get them a college education and transition them into adulthood, but we do not need the super nanny Federal Government setting a 26-year standard because somebody in this Congress thought it was a good idea.

I had a young man come to me this afternoon at one of the Tea Party rallies; and he said, well, I am 23 years old. Don't you want me to have insurance under my parents until I am 26? And I said, no, I want you to grow up. When do you think you are going to be an adult? You are not one yet at 23?

I mean, well, then why 26? Why not 28? Why not 32? Why not all the way to Medicare eligibility? Then you have got the whole thing covered.

This is the mentality that's going on. This is a President that believes in single payer. He said so over and over again. He debated Hillary Clinton, who was for single payer. The bill that she brought back to this Congress in 1993 and 1994 was single payer. That means that the Federal Government pays it all.

They got all they could get to toss us into the abyss of socialized medicine. They went as far as they could go. They imposed a bill on the American people, that ObamaCare bill that about 3 weeks ago passed off the floor of this House and went to the White House for his signature. On the day that it passed this House and went to the White House, it could not have passed the United States Senate. On the merits of the bill, it sure looked to me like it couldn't pass the House either, Mr. Speaker.

But, nevertheless, ObamaCare became the law of the land, and it's going to take 4 years to implement the socialized medicine policy, but immediately the tax increases kick in. And so I will lay out a better sequence, I think, Mr. Speaker, and it is this.

The American people are rising up. They have filled this capital city up time and time again. They did so on November 5 of last year. They did so on November 7. They did so the previous 9/12. The day after September 11, the 9/12 Project Group, hundreds of thousands came to this city.

They are doing it again. This coming September, there will be other rallies across the country. The tens of thousands that are here in this city today are multiplied across some 700 locations, thousands and thousands of peo-

ple that I think will add up into the millions that come to the streets and say, enough, I have had enough. I have had enough of watching my country run into the ditch. I have had enough of watching this overspending, this irresponsible increase in our spending without regard to trying to balance a budget or any sense of fiscal responsibility.

If you simply want something for your constituents and you sit on Appropriations Committee or you are in tight with the Speaker or you have somebody, then a staff that can write that number in for you, the spending just comes, and we will see.

We will see again no appropriation bills probably come out of this House, no budget probably come out of this House, because if we passed a budget, however irresponsible the budget is, it still is a spending constraint and a debate point. So they are going to avoid a budget and just spend all the money they want to spend. But they have a little trouble because there is an election coming and the American people are getting real savvy to these tricks.

So what I think will happen will be we will see a continuing resolution or several of them that deal with these appropriations components, kick the can down the road. Then there will be an election in early November, and then I think they come back with an omnibus spending bill that will take these continuing resolutions, these CRs, as we call them, and stack it up in about 3,600 pages and someplace between 500 billion and a trillion or more dollars will get spent. And there won't be any amendments allowed, and there will be a limited amount of debate, and, once again, the American people will not have the opportunity to scrutinize what's going on here in this House of Representatives.

I suggest this, that I have a bill that's called the CUT Act, to cut the unnecessary tab is what CUT stands for, cut the unnecessary tab, the CUT Act. And it recognizes that there is an upward spiral of spending that's naturally built into this system. The President proposes his spending. The House, by Constitution, has to start the spending here. If the House doesn't want to say no to the President of the United States, they just simply take the President's proposed budget and add the things into it that they want, and they send it over to the Senate, who doesn't want to say no to the President and doesn't want to say no to the Speaker of the House or the will of the House. So they simply accept the spending that's come from the President, increased by the House, and they stack their spending goodies on top of that.

The Senate is really good at adding lots of billions of dollars, and now it has to come back around to the House where the Speaker will not want to say no to the Senate or the President again. So it will jack up the spending

again, and the bill will go to the President's desk, and we will go deeper into debt.

That's the spending spiral that happens when you have a ruling troika, Mr. Speaker. That's when the President of the United States, the Speaker of the House, and the Majority Leader in the United States Senate, all of the same party, all with super majorities—well, HARRY REID is just one short of that super majority over there—the three of them could go into a phone booth and decide what they want to do with, to or for America.

What has happened has been a sad, sad state of affairs indeed, irresponsible spending, ObamaCare, unconstitutional, and in a whole number of ways, no budget coming forth, the tax cuts that were so important in stimulating our economy back in 2003, that would be those cuts that were signed into law May 28, 2003, the second half of the Bush tax cuts. Those tax cuts are set to expire at the end of this year.

Right now, Mr. Speaker, it's a good year to die, because there is no inheritance tax. However, it goes back to a super high rate the first of next year, and no action has been taken.

And even though we have a bit of an extenders package today, there is nothing there for the blenders credit for biodiesel, and it's hanging our capital investment out to dry. The people that have followed the direction of the Federal Government and risked their capital, when the government put out the message that was we want to see renewable fuels developed in an industry and to replace at least in part gasoline, we built an industry, the ethanol industry, the biodiesel industry. In fact, the first legislation that I drafted and introduced as a new Member of Congress was that blenders credit for biodiesel.

□ 2230

And these biodiesel plants now, with hundreds of millions of dollars invested and hundreds of thousands of employees altogether, have shut down, many of them, perhaps all of them in my State are shut down and they are being mothballed. There is silence there where there was production before, 24/7 production in many of their cases. Now it's silence. You might hear a fan run. It's a cooling fan; that's about it. They have to make a decision on whether they walk away and cut their employees loose and leave them unemployed and lose that good core workforce or whether they try to eke it out and stay in. And this Congress has an obligation to turn that card over and get that blender's credit passed so that the 14 plants that I know of in Iowa that are shut down that are viable with it can get up and running again. One of those plants is being dismantled and shipped to India.

I make this point to the Speaker and the environmentalists that are in this Congress, that if it's your idea to build a second generation of renewable fuels,

such as cellulosic ethanol or sugar-cane based or whatever it might be, unless we have a viable first generation which we have built—and it's not viable today without the credit—if we don't have a viable first-generation renewable fuel, then we're not going to be able to build a second generation. You cannot attract capital to that industry when government doesn't keep their word. And this time it has gone on too long; it has gone on since the first day of this year.

This is the 15th of April. That's January, February, March and half of April, and all of those have been money-losing weeks for the people that stepped forward to do the bidding of the government. So I'm hopeful that we get that turned around and get that passed out of this House and we do so soon and send that component at least to the President. It is a responsibility, and it is irresponsible to just kick the can down the road.

But, Mr. Speaker, I take us back to ObamaCare. And what is the solution? First, I think I should go through a list of some of the things that are wrong. A half a trillion dollar cut in Medicare punishes our seniors. I represent, I believe, the most senior congressional district in America. A half a trillion cut, and what happens? AARP, or the American Association of Retired Persons—or People—cut a deal with the White House to support a half a trillion dollar cut to the benefits to their members. And why? I think it's because the bill mandates that people buy insurance, and AARP is in the insurance business. I don't know that, but I would sure like to hear the straight story about what went on back there with the President and Rahm Emanuel and the representatives of AARP.

I'd like to know what went on with the health insurance companies, why so many of them supported this. This is anathema to their beliefs. But could they have just concluded that the Federal Government is going to compel everybody to buy health insurance, therefore it's a bigger market for them? And why would they feed the alligator, hoping that they get eaten last? Haven't they seen the pattern? Do I need to explain that, Mr. Speaker? Okay, I will.

I'm glad that you nodded in the affirmative. And that would be this: back in the sixties—I think the year would have been '62 and '63—we had at that time all of the property and casualty flood insurance in America was private, not government. And because we had had some floods, there was an argument made in this Congress that the Federal Government should provide all the flood insurance—or should provide, excuse me, competition in the flood insurance business. And so the Federal Flood Insurance Program began just to keep the insurance companies honest and make sure they could provide the flood insurance that was necessary in the flood plains that we had.

So one would think that the Federal Government would set up a little com-

pany and sell flood insurance and these other companies would just get more competitive, leaner and meaner, and more of them, perhaps, and we would have good flood insurance in America. But what happened was the Federal Government squeezed out 100 percent of the private sector property and casualty flood insurance so that today, Mr. Speaker, if you want to buy flood insurance for your home or your office or your factory or your farm, or whatever it might be, you have no choice but to buy that flood insurance that's provided by the Federal Government. That's what has happened. One hundred percent of the private sector in 1962, and over a number of years the Federal Government swallowed up all of the private sector flood insurance.

Now, one might say this is an anomaly, it really isn't a pattern, it was a circumstance, it had special circumstances involved with it so we can't anticipate that the Federal Government will swallow up the health insurance industry. Well, here is the definitive irony, and that is this: years ago—about the time that I was going to college anyway—I believe that all of our student loans were private, not government. And then government decided they wanted to get into the business, so they took a chunk of the student loans over. But they said, oh, we don't want to own it all, we don't want to run the whole thing, we just simply want to provide some competition here because that will make everybody better. I don't know why anyone would think that the private sector doesn't provide enough competition, and I will talk about that in a moment, Mr. Speaker.

So when the Federal Government got involved in the student loan business only to provide some competition and do a segment of the market and let them compete against each other, a lot of us said, no, the Federal Government is positioning themselves to take over 100 percent of the student loans program. And however that was denied for some time, it hasn't been denied in this Congress since Speaker PELOSI picked up the gavel, not by the other side of the aisle, not by GEORGE MILLER. It was his goal all along, and he will tell you that he's been honest about that. But in any case, that's what happened. Written into the reconciliation package of ObamaCare was the final nail in the coffin to anything except Federal student loan programs. The private stuff was all swallowed up, it's wrapped up, it's packaged up, and it's wiped out.

So we have examples before us: flood insurance, formerly 100 percent private, Federal Government got involved in that, now it's 100 percent government. You have the student loan program that was formerly 100 percent private, the Federal Government got involved in that, now it's 100 percent government. And here we are, the health

insurance program, where the President of the United States has consistently said we don't have enough competition in the health insurance industry so he just wanted to start one more company, a Federal health insurance company, just to provide some competition. No, it would never replace all those other companies, just to provide some competition. Now, here are some facts that I mentioned that I would bring out a few minutes ago:

When ObamaCare passed, we had 1,100 health insurance companies in America, 1,100. That's not a mistake; it's not a decimal point out of line. We have—or at least a couple, 3 weeks ago had that many companies, 1,100 health insurance companies selling right in the neighborhood of 100,000 possible health insurance policy variations. So if you go shopping out there, 1,100 companies, 100,000 policies and 50 States—and, yes, you can't buy in all those because buying insurance across State lines is not something that has been accepted.

So, simply, if you wanted more competition, you would allow people to buy insurance across State lines and you would end this question. But the President's idea was create some Federal competition because what happens is when the Federal Government gets involved, then they turn in and they subsidize. And when they subsidize, then no private sector can compete with them. Oh, and by the way, a little known tidbit fact, the Federal Flood Insurance Program that they run 100 percent of now is \$19 billion in the red. So the premiums don't reflect the risk, and people continue to build in the flood plains out of proportion to the high risk that's there, and we have more and more property that we have to protect with Federal taxpayer dollars, and it just snowballs, and it gets worse and worse and worse.

Well, ObamaCare drives up cost, it discourages research and development, it will reduce quality, it discourages doctors and health care providers. I said that our doctors in America, they may not be on suicide watch, but they are assigned to only use plastic silverware, and it's kind of hard to conduct surgery with that, so it has been real hard on the health care providers.

□ 2240

The freedom and the liberty component of this is the worst part when we think, Mr. Speaker, that, ever since 1973, the people on that side of the aisle—I'll call it the left side of the aisle—primarily, and a few on our side made the argument that *Roe v. Wade* is settled law, that a woman has a right to an elective abortion under any circumstances and that the government has no business telling a woman what she can or can't do with her body. That argument was made by men and women—by almost everybody on that side of the aisle and by a few of the people on this side of the aisle. It's a pretty interesting point. The Federal Government has no business telling a

woman what she can or can't do with her body.

Now look at it. The very same people who have made this argument since 1973 are saying to us, Well, the Federal Government has every right to tell everyone in America what they can or can't do with their bodies, and that includes thou shalt buy a government-approved health insurance policy or sign up for Medicaid. We'll make sure we can give you a stipend if you don't have the money, and we'll tax you if you do have the money. If you're an employer with 50 or more employees, you'll have to make sure they all have government-approved health insurance. If you're an employer with 49 employees, thou would be stupid to hire the 50th one.

So we'll see a lot of small businesses that will reach that level of growth, and they'll stop. They might go out and create another entity and roll some employees into that and stop. We will not just see all kinds of machinations of business configurations for the purposes of tax delay or avoidance that is driven by this Tax Day and the IRS, but we are going to see, also, business models that will be configured in order to avoid the Federal mandate because the Federal mandate requiring people to provide health insurance because they're employers is immoral and is unjust and is impractical, and it will create convoluted business arrangements.

I am for, Mr. Speaker, abolishing ObamaCare, for repealing ObamaCare. I have introduced a bill that repeals ObamaCare. Congresswoman MICHELE BACHMANN has also introduced a bill that repeals ObamaCare. They happen to be verbatim in their language. PARKER GRIFFITH has one and, I believe, BOB INGLIS. They are a couple other names that come to mind. I am for all of them. I want to work with all of them and with everyone else who has a bill. It's interesting. Within the 2,700 pages of ObamaCare, nobody read it all, I don't believe. If they did, they didn't understand it all.

I have a bill that I drafted that addresses this, and it's far better than the one they put in. I asked the College Republicans to sit and listen while I read through my bill, every word of it, and I asked them to pay attention and not to lose their concentration. I read the 40 words, not 2,700 pages, not 40 titles, not 40 pages, not even a page. I read 40 words on a page that essentially say to repeal ObamaCare, every bit of it, to pull it out by the roots. Now I'm going to embellish beyond the language. Take it out. Repeal ObamaCare lock, stock and barrel. Pull it out root and branch. Make sure there is not a vestige or a remnant of any DNA particle of ObamaCare left in the Federal code, because this policy that was and had become a toxic stew that was now force-fed to the American people has become a malignant tumor in our society, and what we do with malignant tumors that are on the verge of metastasizing is we take them out, and we pull them out by the roots. We cut out the entire tumor. If there happens to be a little good tissue around the edges, it's better to err on that side than it is to leave some malignant cells.

There is not one single part of ObamaCare that should be retained by this new Congress, and I expect to have a discharge petition down here at the well sometime in the next few weeks asking Members to sign onto it, working our way towards 2018 so we can send a repeal bill out of the House of Representatives. Hopefully, the Senate will pick this up as well.

The sequence becomes this: Yes, if we could get it there—and it's a hard task to get it there, and I'm not predicting it's possible. Everything is possible. SCOTT BROWN is in the United States Senate today. So, with that optimism in mind and knowing that northern Iowa beat Kansas in the NCAA tournament, I'm pretty confident there is a chance that we can repeal ObamaCare in this Congress. There is a chance. We put the marker down, Mr. Speaker. Then we have an election in November.

The President is fond of saying, Push the reset button. I think what we have in America today is that millions of people are in a different place politically than the administration is. A lot of them didn't know what they voted for. They voted for change. They had Bush fatigue. They wanted to shift the way we do business. Some of them—and a lot of them now—have buyer's remorse for what they did. You have the newly activated constitutional conservatives across this full spectrum of people. You have the 9/12 Project Group, all of the patriot groups, the Independents who are newly activated, the Republicans who are in greater numbers, newly activated constitutional conservatives, and all of that.

Mr. Speaker, they intend to make a difference, and I intend to make a difference with them. The constitutional conservatives I've described represent the new majority makers in America, the heart of the heartland, and the values that flow from there which index from California to Massachusetts into the Northeast, the Northwest, the Southeast, and beyond.

This Congress today doesn't represent the will of the American people. By 2 to 1, they oppose ObamaCare. It's still the law of the land today, and it can and must be repealed, every single bit of it. There is no excuse for those who voted "no" on ObamaCare to be anything except in favor of a full repeal of ObamaCare.

After this Congress has reset at the election in November and after the swearing in of the new Congress on January 3 of 2011, we will exert the will of the American people, and ObamaCare will be repealed. I expect that the President will veto such a repeal. When that happens, we will have on record the will of this Congress, the will of the United States Senate.

We will have the opportunity then with the appropriations bills to refuse



to allow any of the appropriated funds to be used to implement ObamaCare. With simple majorities in this House, which is where all funding and spending has to start by Constitution, we will be able to shut off the implementation of ObamaCare. We can do that for all of 2011 and send another repeal bill to the President's desk, which he is likely going to veto. In 2012, we can do the same thing for the appropriations cycle so that there is not a shred of ObamaCare that gets implemented, not in 2011, not in 2012.

Then we will have a new Presidential election in 2012, and we will have a new President. We will have a President who will sign a repeal of ObamaCare, and we will put it on his desk in January or February of 2013. We can begin the process then of real health care reform.

We need to do it, Mr. Speaker, not with a big Republican bill, not like this 2,700-page ObamaCare bill. We need to set up our priorities for health care, and we need to move down the line, one after another after another, with clear, standalone pieces of legislation that actually fix this problem and reform it in a way that the free market and the doctor-patient relationship are improved. The trial lawyers are going to have to give up a lot. We'll just go right on down the line, one after another, with standalone pieces of legislation. We can actually implement real, logical free market reforms and have that all done before ObamaCare would be implemented under the plan that is laid out today, because those pieces don't come into place, in finalizing most of them, until the beginning of 2014.

So what we can do is go through the sequence of this: Repeal ObamaCare; win the majority; shut off the funding for the implementation of ObamaCare; run a new election; expand a new majority in the House and the Senate; elect a new President; and repeal ObamaCare; pull it completely out by the roots so there is not a vestige of it left behind, not one single particle of its DNA left behind.

We can do all of that, Mr. Speaker, and still bring real reforms and put them in place and have them up and running before ObamaCare would have even kicked in. The American people will have their freedom, and they will have their liberty. That is the most egregious violation. From a constitutional perspective, ObamaCare is unconstitutional in several ways:

One, there is nothing in the enumerated powers that grants this Congress authority to establish ObamaCare—we can go into that in more detail—and it's a violation of the Commerce Clause. There are people and have always been people who have been born, who have lived and died who have not participated in health care at all but who would be compelled to buy a product produced or approved by the Federal Government for the first time in history just to be an American. In spite

of what some of the people have tried to argue, there is no example to the contrary.

It is a violation of the Equal Protection Clause. People in Florida are treated differently than the people in Texas. It's not the Cornhusker Kick-back any longer, but there is a package in Louisiana that treats Louisianans differently than it does the people in all the rest of the country.

□ 2250

There's a strong argument on equal protection violation. And there's a 10th Amendment violation; these powers need to be reserved for the States or the people respectively, not the big reach of the Federal Government.

All of this needs to happen. We can do this and we will have the leadership in this country and in this Congress to get it done.

I see that we have a strong leader from east Texas, the Aggie, my friend, Judge LOUIE GOHMERT. I would be happy to yield so much time as the gentleman from Texas may consume.

Mr. GOHMERT. I appreciate my friend from Iowa yielding.

What was one of the most heart-breaking aspects of this health care bill that was crammed down the throats of Americans, a majority of whom were begging and pleading and demanding not to pass it, but it was the aspect of the increased taxes at a time when we're in a recession. We could not afford increased taxes which was going to bring about an end to more jobs. We couldn't afford what was in the bill which meant that people were going to be laid off. It meant that people were going to have salaries cut. It meant that people were going to lose their health care insurance. Because whoever's staffer or the special interest groups, all those folks that worked on this thing, they knew a number of things. First of all, of course, whoever's staffer in leadership helped draft it made sure the leadership staff was not included in the mandate for Members of Congress and their staffs to have to participate in the Federal program, so they knew they didn't want to be part of it.

But then here we are in a recession. It should be all about jobs. It should be about careers and helping people get back employment so that once they have the jobs, they've got employment, they can do the things they used to do that helped drive the economy: go back to the store and pick up something to wear; go back to a restaurant and get something to eat. And then that feeds those that work in the restaurant and the cycle goes on.

Instead, we increased taxes \$500 billion over 10 years; \$50 billion a year average. Employers were telling us in advance of the vote, If you do this, it's going to cost us billions of dollars across the country. We're going to have to either lay people off, we're going to have to cut people's salary, we're going to have to drop their health care insurance.

And so in the bill, you've got a provision that if you're considered not a small business, meaning less than 50 workers, then you've got a choice: you either provide the mandated health insurance at the level required or you pay a \$2,000 fine. There's a little gimmick in there. You deduct 30 from the number of employees, so if you've got 50, then you deduct 30 and you pay 20 times \$2,000, or \$40,000, or you buy health insurance for all 50 employees. \$40,000, less than a thousand dollars per employee, or health insurance for 50.

Well, it's a no-brainer. So many businesses with the added taxes that are in this bill are already saying, We've got to make cuts somewhere. If we can get away with only paying \$40,000 instead of paying many times that for health insurance for our 50 employees, that's what we're going to have to do so we can keep them employed. That doesn't insure the 30 million that we were told was the whole purpose of this bill. In fact, it will ultimately throw more than that off of their own health insurance.

"If you like your health insurance, you'll keep it." People all across America heard that over and over. Apparently it simply was not true. The only question is, did the person making those statements know that they were not true when they were made? Or did it become a matter of convenience to strip everybody's health insurance at a later date? Either way, it was grossly unfair to all the people who did like their health insurance.

Reforms needed to be made, there's no question. We all agree on that. We could have worked together to provide those reforms. Instead, we had a monstrosity of a bill that simply got crammed down everybody's throat. That is what's most troubling.

I've already gotten the calls, I've gotten emails, I'm hearing people say they've been laid off, a family member has been laid off, they've been told they're going to have to cut their salaries. Why? Because we rushed this health care bill and rammed it through without most of the people in this body bothering to read it. I read all I could in the short period of time and I read enough to know that this is a disaster for America.

But if you're into government controlling everything, then you've got to love it, because it's sure going to have more government: 17,000 more IRS agents monitoring everybody monthly to make sure they're complying with the insurance requirements. How amazing, though. We hear from our friends across the aisle, We're concerned about the hardworking poor in America.

Well, guess what: If you make under 133 percent of the poverty level when this disaster kicks in in 2013, 2014, you're not going to have a choice. When you need health care, you're going to be thrown into Medicaid. I heard that Walgreens said they're not going to take any more Medicaid prescriptions. Doctors are saying we can't

make enough money to pay for the care, much less make a profit, so they're not taking Medicaid.

What a disaster for America. This needs our attention. But the heart-breaking aspect I keep coming back to is, people didn't have to lose their job, lose their insurance. Businesses didn't have to pay this much more tax. But we rushed it through. And I come back to a quote by George Washington, who said, "Government is not reason, it is not eloquence, it is force; like fire, it is a dangerous servant and a fearful master."

When this government was designed by our Founders, it was never intended to be the master of people. The people were meant to be the masters of this government; and this bill has thrown that all out of whack just as George Washington and so many of our Founders anticipated, and it requires the actions of Americans running to the sound of legislation to help prevent any more from this fearful master, as George Washington put it.

Mr. KING of Iowa. Reclaiming my time, I very much thank my friend from east Texas, the Aggie, for coming to the floor this time of the night. I know it's been a long day, sustainful of lots of energy in rallies all across the city and the country and 700 plus of those.

We want a smaller government, not a larger government. We want a constitutional government. The number one priority that's being asked of us is to cite the sections of the Constitution that grant us the authority in every bill we introduce in this Congress. I've never done that, but I think it's a very good idea.

I'll say I have cited it when it comes to the time to pass a constitutional amendment or to repeal. I'm going to continue to pay attention to that. I think that's a very good idea. The thing that seems to draw the most emotion and the most mindset and the most thought is ObamaCare, the urge for the full repeal of ObamaCare, because we know intuitively that ObamaCare is unconstitutional, as I said; it's unfundable, it's unsustainable, and, Mr. Speaker, it's unforgivable to do this to the American people. The American people will not forget and they will not forgive and those that they do support in this new majority that's being driven by the constitutional conservatives, those that they do support had better keep their word. And when they give their oath here on the floor of this Congress, the new freshman class, which will be a large one, they better take their oath seriously to the Constitution. I continue to stand with it. I know the gentleman from Texas does. Many of my colleagues do the same. It's a serious oath.

Mr. Speaker, I appreciate the attention that you've given us this evening and the opportunity to address you here on the floor of the House. We covered a little bit of the subject matter

that's important and imperative to this country.

I would yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BORDALLO (at the request of Mr. HOYER) for today and the balance of the week on account of official business.

Mr. TOWNS (at the request of Mr. HOYER) for today on account of attending a funeral.

Ms. JACKSON LEE of Texas (at the request of Mr. HOYER) for today on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POLIS) to revise and extend their remarks and include extraneous material:)

Mr. ALTMIRE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today and April 22.

Mr. POE of Texas, for 5 minutes, April 22.

Mr. JONES, for 5 minutes, April 22.

Mrs. BLACKBURN, for 5 minutes, today.

Mr. POSEY, for 5 minutes, April 20.

Mr. ROHRBACHER, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

#### ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4851. An act to provide a temporary extension of certain programs, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S.J. Res. 25. Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 16, 2010, at 1 p.m.

#### OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 111th Congress, pursuant to the provisions of 2 U.S.C. 25:

THEODORE E. DEUTCH, Florida, Nineteenth.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7022. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Potato Research and Promotion Plan [Doc. No.: AMS-FV-09-0024; FV-09-706C] received April 1, 2010 to the Committee on Agriculture.

7023. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutolanil; Pesticide Tolerances [EPA-HQ-OPP-2009-0553; FRL-8817-9] received March 30, 2010 to the Committee on Agriculture.

7024. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding mobilization of reserve component service members to the Committee on Armed Services.

7025. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Housing Associates, Core Mission Activities and Standby Letters of Credit (RIN: 2590-AA33) received March 1, 2010 to the Committee on Financial Services.

7026. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Notice of Interpretation — Prevention of Significant Deterioration (PSD): Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by the Federal PSD Permit Program received April 8, 2010 to the Committee on Energy and Commerce.

7027. A letter from the Director, Regulatory Management Division, Environmental