

CMS REPORT ON HEALTH CARE  
BILL

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

Mr. SMITH of Nebraska. Mr. Speaker, despite assurances the health care bill would actually lower costs for the American people, actually things are quite different. An independent CMS report released last week concluded America will spend \$311 billion more on health care under the new law than we would have without it. It increases taxes on the middle class. About 3 million people will have to pay the insurance mandate penalty tax. It also kills jobs through mandates on small businesses.

The American people have said this is not the direction in which they would choose to go. Health care reform should be patient-centered to increase access to care and reduce costs without bankrupting our Nation and limiting our liberties. We should, rather, allow individuals to band together across State lines to allow deductibility to everyone for the cost of premiums, and to crack down on junk lawsuits.

## WALL STREET REFORM

(Mr. MILLER of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MILLER of North Carolina. Senator McCONNELL said yesterday about Wall Street reform that "as you look at the bill closer and closer, it is mostly about Main Street." Yes, Wall Street reform is about Main Street because Americans trying to make an honest living on Main Street are being bled dry by Wall Street.

The vulgar excesses of Wall Street, the bonuses, and the profits, and all the rest are at the expense of working and middle class American families. Ordinary Americans know that the fine print that big banks' lawyers wrote in their credit card contracts, and their mortgages, and their overdraft agreements were filled with traps to take their income, and their life savings, and who knows what worthless junk Wall Street unloaded on their pension funds.

Every issue I have worked on I've compromised, but there comes a time to pick a side. I pick the side of working and middle class Americans trying to make an honest living to support themselves and their families.

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## HEALTH CARE REFORM

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

Mr. STUPAK. Mr. Speaker, I am pleased health care reform passed the House of Representatives and the Congress on March 21 so 32 million more

Americans will have access to health insurance.

Americans are already realizing the benefits of this legislation. For instance, for the past few years, as chairman of the Oversight and Investigations Subcommittee, we have investigated the industry practice of rescission. Rescission occurs when the insurance company pores through your policy application to find any excuse to drop you from coverage when you become ill. So when you need the insurance the most, they look for an excuse to abandon you. This rescission practice used by insurance companies employ up to 1,400 different computer entries to kick out claims of people who may become seriously ill, to drop them when they are sick, and will cost the insurance companies some money.

As chair of Oversight and Investigations, I have written to the largest insurance companies to stop this practice of rescission now. Under the health care legislation we passed, it says rescission practice will stop in September, but I urge the insurance companies to stop this unconscionable practice now. In America health care is a right; it's not a privilege.

## WALL STREET REFORM

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

Mr. WALZ. Mr. Speaker, 2 years ago, our Nation experienced the beginning of the worst financial crisis since the stock market crash of 1929, resulting in the longest, deepest financial downturn since the Great Depression.

While the factors that contributed to the crash were numerous and complicated, there's one simple underlying cause: Unchecked greed. Our history teaches us the best way to focus this greed into something constructive is to have rules to protect consumers and investors and to put cops on the beat to ensure those rules are enforced. But for decades, this country has pursued a policy of deregulation and lax enforcement, believing that "greed is good" and the "invisible hand of the market" would protect hardworking Americans.

Well, that invisible hand did something. It gave billions in bonuses to those who used other people's money like poker chips. When that game went bust, it slapped the American taxpayers to the tune of 8 million jobs and billions in bailouts. Now that this Congress is moving to restore fairness and accountability, there are those among us who would prefer to huddle with Wall Street and delay or dilute our efforts. The status quo is bailouts for too-big-to-fail banks.

I urge my colleagues, both here and in the Senate, to stand with the American people, pass reform, end bailouts.

## WORKERS' MEMORIAL DAY

(Ms. TITUS asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. TITUS. Today I join with people across the country to commemorate Workers' Memorial Day, honoring workers killed, injured, or harmed at work.

Unfortunately, workers in Nevada are all too aware of the dangers they face in the workplace. A number of deaths on the job in recent years led to Nevada's being the first State in the country to undergo an in-depth review that highlighted the problems facing the State's OSHA program. This review made it clear to me that Federal OSHA needs an additional option to work with States that are not meeting Federal standards. Currently, OSHA can only suggest improvements or completely take over the State's program.

That's why I introduced the Ensuring Worker Safety Act. This legislation aims to protect both workers and States' rights by giving Federal OSHA additional tools to make sure that State OSHA plans like Nevada's are at least as effective as Federal standards and enforcement.

The slogan of Workers' Memorial Day is "Remember the Dead and Fight for the Living." That's what I intend to do in Congress.

## PARTY OF "NO"

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

Mr. YARMUTH. Mr. Speaker, I know our Republican friends don't like it when we call them the party of "no," but let's review the score for just a minute.

On health care reform, 177 noes, no yeses. On Wall Street reform, 175 noes, no yeses. On the American Recovery and Reinvestment Act, 177 noes, no yeses.

Let's look at the Senate. In two consecutive votes whether to bring Wall Street reform to the floor for a debate, 40 noes, no yeses.

They're not just the party of "no"; they're the party of no jobs for America, for no energy security, for no Wall Street reform, for no consumer protections against predatory practices, for no equal pay for women in the workplace, and the party of "no" for tax relief for middle class families.

If the Republicans don't want to be called the party of "no," they'd better learn to say "yes."

## WALL STREET REFORM

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

Mr. DEUTCH. Mr. Speaker, as the newest Member of Congress, I just spent 6 months talking to voters every day, and I can say with confidence that there are a lot of partisan issues out there. However, there was one issue that united people of all political persuasions. That was our urgent need to

prevent an economic meltdown from happening again.

I have only been in Congress for a week, but I can say that the actions of those turning Wall Street reform into a political issue are no less appalling in person than they are on TV. For the millions of seniors who lost so much of their life savings, Wall Street reform is not a political issue. For the 8 million workers who lost their jobs, Wall Street reform is not a political issue. And for the 2.2 million families who lost their homes, Wall Street reform is not a political issue. For them Wall Street reform is about financial security. It is about oversight and honesty. And, most importantly, it is about accountability.

Let's put politics aside and do the job that the American people sent us here to do by passing Wall Street reform and sending a tough bill to the President's desk.

### COMPREHENSIVE IMMIGRATION REFORM

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I join my good friend from Florida in acknowledging that many of the issues that we debate on this floor are not political issues.

So I ask America and I ask my friends on the other side of the aisle, let us not internally implode over a decent human rights issue of immigration reform. While the economy is failing and questions are being asked about the integrity of Wall Street, let us look to a reasoned response to immigration reform. Not troops on the border, not the National Guard on the border, but a real comprehensive immigration reform that provides access to this country, legalization, and the picking up of the criminals. We understand that. There is no time for politicking and grandstanding on the question of students and families who want to be reunited.

I am ashamed of the action of the Governor of Arizona, but I sympathize with the people. Let us have real border security. I will be reintroducing my legislation that asks for ramping up of Customs and Border Patrol agents, more technology to secure the border. Let's do this the right way. The faith community, the business community of America, let's talk reasonably. The business community should be talking across America about the importance of comprehensive immigration reform.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

### IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2009

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3393) to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3393

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Improper Payments Elimination and Recovery Act of 2010".

#### SEC. 2. IMPROPER PAYMENTS ELIMINATION AND RECOVERY.

(a) SUSCEPTIBLE PROGRAMS AND ACTIVITIES.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking subsection (a) and inserting the following:

"(a) IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES.—

"(1) IN GENERAL.—The head of each agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget, periodically review all programs and activities that the relevant agency head administers and identify all programs and activities that may be susceptible to significant improper payments.

"(2) FREQUENCY.—Reviews under paragraph (1) shall be performed for each program and activity that the relevant agency head administers during the year after which the Improper Payments Elimination and Recovery Act of 2010 is enacted and at least once every 3 fiscal years thereafter. For those agencies already performing a risk assessment every 3 years, agencies may apply to the Director of the Office of Management and Budget for a waiver from the requirement of the preceding sentence and continue their 3-year risk assessment cycle.

"(3) RISK ASSESSMENTS.—

"(A) DEFINITION.—In this subsection the term 'significant' means—

"(i) except as provided under clause (ii), that improper payments in the program or activity in the preceding fiscal year may have exceeded—

"(I) \$10,000,000 of all program or activity payments made during that fiscal year reported and 2.5 percent of program outlays; or

"(II) \$100,000,000; and

"(ii) with respect to fiscal years following September 30th of a fiscal year beginning before fiscal year 2013 as determined by the Office of Management and Budget, that improper payments in the program or activity in the preceding fiscal year may have exceeded—

"(I) \$10,000,000 of all program or activity payments made during that fiscal year reported and 1.5 percent of program outlays; or

"(II) \$100,000,000.

"(B) SCOPE.—In conducting the reviews under paragraph (1), the head of each agency shall take into account those risk factors that are likely to contribute to a susceptibility to significant improper payments, such as—

"(i) whether the program or activity reviewed is new to the agency;

"(ii) the complexity of the program or activity reviewed;

"(iii) the volume of payments made through the program or activity reviewed;

"(iv) whether payments or payment eligibility decisions are made outside of the agency, such as by a State or local government;

"(v) recent major changes in program funding, authorities, practices, or procedures;

"(vi) the level, experience, and quality of training for personnel responsible for making program eligibility determinations or certifying that payments are accurate; and

"(vii) significant deficiencies in the audit report of the agency or other relevant management findings that might hinder accurate payment certification."

(b) ESTIMATION OF IMPROPER PAYMENTS.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking subsection (b) and inserting the following:

"(b) ESTIMATION OF IMPROPER PAYMENTS.—With respect to each program and activity identified under subsection (a), the head of the relevant agency shall—

"(1) produce a statistically valid estimate, or an estimate that is otherwise appropriate using a methodology approved by the Director of the Office of Management and Budget, of the improper payments made by each program and activity; and

"(2) include those estimates in the accompanying materials to the annual financial statement of the agency required under section 3515 of title 31, United States Code, or similar provision of law and applicable guidance of the Office of Management and Budget."

(c) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking subsection (c) and inserting the following:

"(c) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an agency with estimated improper payments under subsection (b), the head of the agency shall provide with the estimate under subsection (b) a report on what actions the agency is taking to reduce improper payments, including—

"(1) a description of the causes of the improper payments, actions planned or taken to correct those causes, and the planned or actual completion date of the actions taken to address those causes;

"(2) in order to reduce improper payments to a level below which further expenditures to reduce improper payments would cost more than the amount such expenditures would save in prevented or recovered improper payments, a statement of whether the agency has what is needed with respect to—

"(A) internal controls;

"(B) human capital; and

"(C) information systems and other infrastructure;

"(3) if the agency does not have sufficient resources to establish and maintain effective internal controls under paragraph (2)(A), a description of the resources the agency has requested in its budget submission to establish and maintain such internal controls;

"(4) program-specific and activity-specific improper payments reduction targets that have been approved by the Director of the Office of Management and Budget; and

"(5) a description of the steps the agency has taken to ensure that agency managers, programs, and, where appropriate, States and localities are held accountable through annual performance appraisal criteria for—

"(A) meeting applicable improper payments reduction targets; and

"(B) establishing and maintaining sufficient internal controls, including an appropriate control environment, that effectively—