

know, Washington, D.C., has a spending addiction, and it has proven to be an addiction that the Congress cannot control without a balanced budget amendment requiring that it make the difficult decisions to balance it each and every year. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars and we're printing money at an unprecedented pace, which presents risks of inflation, the likes of which we have never seen. Our debt is mounting rapidly and so is the waste associated with paying the interest on that debt, yet Congress has so far refused to address these unsettling problems.

This is not a partisan addiction. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force us to rein in this out-of-control behavior. We need a balanced budget amendment to the United States Constitution. Families across our country understand what it means to make tough decisions each day about what they can and cannot afford. According to a recent Zogby Interactive survey, approximately 70 percent of Americans said they have reduced spending on entertainment in the past year; 40 percent have limited or canceled vacation plans due to the economic environment; 40 percent have decreased spending on food or groceries; almost 10 percent have either changed their education plans or have chosen not to pursue education plans at all. Most troubling, 16 percent have foregone medical treatment or prescription drugs.

These numbers show how sobering our economic recession is, but they also show something more. They demonstrate a basic principle that honest, hardworking American citizens understand: When your income drops, your spending must drop, one way or the other. Yet, far too frequently this fundamental principle has been lost on a Congress that is too busy spending to pay attention to the bottom line. If Americans must exercise restraint with their own funds, then government officials must be required to exercise an even higher standard when spending other people's hard-earned income.

I urge my colleagues to support the balanced budget amendment to the United States Constitution, House Joint Resolution 1, and I yield back my time.

HEALTH CARE

The SPEAKER pro tempore (Ms. CHU). 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. I appreciate the honor to be recognized to address you here on the floor of the House. I appreciate the previous hour, the gentleman from Virginia leading it, talking about the responsibility that we all have to

provide a balanced budget here in this Congress and recognizing that the political forces that are at play here, let's say in Congress and across the country, everybody wants their measure. It has been something where Federal dollars have been distributed on down through the chain from the Federal Government to the State to the counties to the cities, other political subdivisions, parishes. Other examples of that, individual organizations get appropriations.

It has been very, very difficult for this Congress to find the discipline to produce a balanced budget. So that's one of the reasons why I believe strongly that we have got to amend the Constitution so that we have real strict constraints, because Congress hasn't shown the discipline to balance the budget.

That would not be the case for the individuals that are here on the floor tonight that are pushing so hard for this constitutional amendment. Every one of us that are cosponsors of the resolution led by Mr. GOODLATTE would vote for a balanced budget, of course, and we would also and have supported a constitutional amendment.

I wanted to transition the discussion just a little bit tonight, Madam Speaker, from this fiscal responsibility on over to the health care responsibility. First, I'd take us back to the President's statements and throughout the campaign and into his Presidency and after he was inaugurated as President over here on the west portico of the Capitol building, and that was January 20th of last year. That first anniversary just rolled around last Wednesday, Madam Speaker.

The President of the United States, President Obama, said that we are in an economic problem—I don't want to overstate the language he used, but we couldn't fix the economy without first fixing health care, that health care is apparently a contributor. Too much health care spending is a contributor to the economic problems that we are in. So it didn't make sense to me and it didn't connect that when you have what was described as an economic meltdown, a chance that we might be losing the fiscal structure of currency and trade between the countries and the global financial structure, if we're risking a meltdown of the global financial structure, I don't know how we could think the problem of spending too much money on health care, solving that is going to solve the economic potential meltdown. But that was the position that the President took, Madam Speaker, when he said over and over again we can't fix the economy without first fixing health care.

So, even though it didn't make sense, that was the position that President Obama took, and here we are. The average industrialized country spends about 9.5 percent of their GDP on health care. Our numbers are about 14.5 percent of our GDP. Some will say a little over 16 percent of our gross do-

mestic product on health care. So the President's proposal is we spend too much on health care, but his proposed solution is spend more on health care. In fact, spend a lot more on health care, even to the point where he drew a line and said, I won't sign a bill that costs more than \$900 billion.

So the House went through a lot of logical contortionism and contrived a bill that tried to stay underneath that level and then sent it over to the Senate, where they went through a few more, let me say, accounting contortionist activities to try to be able to proscribe their bill from going over \$900 billion, why? Because the President said he didn't want to sign a bill that costs more than \$900 billion.

□ 2220

Well, it turns out that the accounting gimmicks were so stark that anybody else would have been laughed out of the Econ 101 classroom if they had proposed such a thing as, let's say, 10 years of revenue and 5½ to 6 years of cost to get down to a number that's just slightly under \$900 billion. When you look at the first real 10 years, according to Senator JUDD GREGG from down this hallway in the Senate, the first real 10 years is \$2.5 trillion. We have some other numbers out of the House side that shows around \$2.1 trillion in cost for the first 10 years. And when you look at what JOHN SHADEGG has put together, you really see some numbers that escalate all the way up to \$6 trillion.

So the President's problem is, we have an economic problem that he wants to solve by, first, fixing health care because we spend too much money, and we're going to fix it by spending a lot more money, trillions of dollars more, \$1 trillion to \$2 trillion to \$3 trillion to maybe as much as \$6 trillion more. Illogical? As I said, you'd be laughed out of an Econ 101 classroom to come up with an argument that you could do an accounting that showed 5½ years of cost and 10 years of revenue and then claim that it only costs \$900 billion under that.

So we know that's, number one, a flawed premise, a flawed result. The American people understood that, even though the people in the echo chamber in the White House and the leadership chambers here in the House and in the Senate didn't seem to understand that. The second thing, the President of the United States consistently said that we need more competition in health insurance, that the insurance companies aren't competing, they don't have competition. So in order to do that, he proposed that we create a Federal health insurance program. A Federal health insurance program, that the Federal Government get in the business of competing against the private sector health insurance industry.

Now I wonder if the President was briefed on how many health insurance companies we have in the United States. That number is 1,300. There are

1,300 health insurance companies in the United States. Now that would seem to be a lot of competition to me, to have 1,300 companies and have the Federal Government get into this and create one more company—the Federal Government, as big as it is, as much advantage as it would have. Then we would have, though, 1,301 companies in the United States selling health insurance. How many policy varieties do we have? Well, Madam Speaker, that number falls in the area of 100,000 possible policy varieties out there in the marketplace.

So 1,300 companies, 100,000 policy varieties that one could choose from if they could buy insurance across State lines. The President wouldn't go for allowing people to buy insurance across State lines. That would be a little bit too much liberty for an American to have. So instead, he would want to impose a single-payer—he said he was for single-payer many times during the campaign—a single-payer plan, which would be a Federal health insurance plan to supplant or replace all 1,300 companies and 100,000 policies with the beautiful, wonderful Federal Government offerings that would surely be adequate for anybody in America and satisfy all of us, unless we just weren't quite enlightened yet. That seems to be the message I'm hearing from the White House.

So we find out that we had two flawed premises. One was, if we spend too much money on health care, spending more doesn't solve that problem. The second premise was, if health insurance companies need more competition, the way to get it is not to put the Federal Government in the business and try to replace them and drive them out of business. The way to get it is to open up sales across State lines so that that young man that is paying \$6,000 a year for health insurance in New Jersey can buy his health insurance from Kentucky, where a similar policy would cost him \$1,000 a year, not \$6,000. That would be an example of what's going on. If we took the House version of the health care bill, a young man in Indiana, would see his health insurance premiums go up 300 percent. His \$84 a month would be \$252 a month, almost exactly a 300 percent greater health insurance premium because of the mandates and the language that is in the House bill or in the Senate bill.

So the American people watched this, Madam Speaker. They watched it all across America. We watched the reaction, the rejection of the American people of this irresponsible spending. It was discussed pretty deeply in the previous hour. The nationalization of these huge entities, which was discussed by the Democrats in the hour before. It sounded to me like George Bush had nationalized all of these companies and had taken over the private sector, and now here we are, President Obama is stuck with all of that, and that they don't really have any choice, except to go do a lot more of what it

was that they said that George Bush did that was wrong.

Well, I'm not here to make a statement into the RECORD that George Bush got it all right, Madam Speaker. He got a lot of it right. A few of the things history will judge that he didn't get quite as right. But what we have seen in the last 16 or 17 months—and at least 12 of them have been under the Obama presidency—we have seen the nationalization of eight huge formerly private-sector entities, entities that are making a profit and competing in the private sector. That's three large investment banks, AIG the insurance company, Fannie Mae, Freddie Mac, General Motors, Chrysler. And throughout all of that, put on one end the \$700 billion worth of TARP and on the other end the \$787 billion worth of economic stimulus plan that looks like maybe only about a third of that has been spent at this point, but they still want another \$150 billion or more dollars in Son of Stimulus, or Stim II, some call it.

This is Keynesian economics on steroids, and I have heard the President say—and I doubt if he will make this statement from this Well, Madam Speaker, tomorrow night—I have heard him say that Franklin Delano Roosevelt's New Deal actually did work, but the problem that he had was in the second half of the decade of the 1930s. He failed to spend enough money. If he would have just spent a lot more money, then the New Deal would have actually been a good deal, but FDR got a little nervous about spending too much money, so he pulled back. Those were the words the President used, "pulled back." And then what we had, according to his description, was a recession within a depression, and it was brought about by the Federal Government not spending enough money. Well, this wild program, these Keynesian economics on steroids have been driven by this presidency—not driven by George Bush—driven by President Obama.

And by the way, every nickel and dime, every nationalization, every single move that was taken in the last months of the Presidential campaign and in the last months of the Bush presidency, were all things that were approved by and supported by President Obama. He voted for TARP. He spoke for TARP. He sat at the table in the White House and spoke in favor of TARP. That's \$700 billion, and you can't hardly say that it was not President Obama's responsibility when he spoke for, went to the White House and negotiated for it, voted for it and took it over—and by the way, that TARP was only—and I say only, Madam Speaker. The original TARP was \$350 billion. That's half of what Henry Paulson asked for. The other \$350 billion had to be approved and authorized by a President to be elected later, by a Congress to be elected later. That's this Congress, this 111th Congress. That's this President, President

Obama. It's the Pelosi Congress, the Reid Senate, and the Obama presidency, all of this except \$350 billion in spending.

So it brings us to this point where the American people have seen that they thought that they had elected people that were responsible, that understood high finance and the whole big picture that a government has to do so well—that is this constitutional Republic, this representative form of government, Madam Speaker. And so when we saw the TARP plan come through and the nationalizations of a couple large banks and then AIG, and we watched how some of those insider deals worked out pretty good in the long run for those people that were inside, as we marched down this line—Fannie Mae and Freddie Mac—the American people were getting ever more nervous at the spending and the nationalization, the government takeover of private business.

But when they got to the takeover of the car companies, Madam Speaker, that, for sure, wasn't George Bush. That was all President Obama. When that happened, the American people's lightbulbs came on because they know cars. And when the car czar turned out to be a 31-year-old fellow that had never sold or made a car—we don't know if he actually ever fixed one or what he drove—but in any case, he was not qualified to be the car czar, and I think that that was a universal opinion or he wouldn't have been gone.

But the American people saw with that example that the Federal Government, that they really didn't know what they were doing inside the White House echo chamber, and they got ever more uneasy, ever closer to the civil type of a revolt that took place. We saw it happen in Virginia, and then we saw it happen again in New Jersey, and then in Massachusetts a little over a week ago when SCOTT BROWN was elected to the United States Senate—the most improbable place. And when the exit polling was tabulated, and they asked people, Why did you go vote for SCOTT BROWN? Over 70 percent said, I did so because I want to kill the bill.

□ 2230

I want to kill the socialized medicine bill. Madam Speaker, that bill may be dead. On the other hand, it might be a—I know it's a monster. It might be a cold-blooded monster. And on a cold day, and it is a cold day here, you can't tell if a cold-blooded monster is alive or dead. But I want to make sure that it's dead and that bill stays dead and that the American people are glad that it is dead, and they don't want to see it resurrected by the White House, by the Speaker of the House, by the majority leader of the United States Senate or anybody else.

They breathed a big sigh of relief and a shout of joy went up all over America when Massachusetts elected SCOTT BROWN, because people are going to be allowed to keep their liberty. And we

want to make sure they're allowed to keep their liberty. And for that reason, some of us, and my colleague from Texas certainly in the middle of this, worked to put together a declaration of health care independence. We want to put a marker down that we all adhere to, that we can keep our word on because there remain people in government, I mean, at least in Congress, that do give their word and keep their word.

As cavalier as it's been dealt with here in the last few months coming out of the White House, those of us that'll sign on this declaration of health care independence, we intend to lay our word down and keep our word. And I say that here, and I haven't backed up on mine. Neither has the gentleman from Texas. I think I'd get along pretty good in east Texas. There's some times I'd like to go down there and visit those folks because it's quite interesting the people that they send up here from that territory. And I'd like to yield so much time as he may consume to my friend, the gentleman from Texas, Judge GOHMERT.

Mr. GOHMERT. Well, I thank my friend from Iowa (Mr. KING). And I know from having visited Iowa, it's composed of extraordinary people as well. And I tell you, just in the last month we have seen extraordinary things across the country, from Massachusetts, for one, for, we saw when we had a Senator take—basically hold up the health care bill, many of us hoped it was going to be on good principle, but it turned out it was just for money to take back to his State.

But here, again, you had to love the people in America's heartland. I think the gentleman from Iowa knows where Nebraska is. And here the Senator comes back and says, you know, gee, I negotiated hundreds of millions of dollars for you here in this State at the expense of the whole rest of the country. And what did Nebraskans say? The vast majority said, we don't want that dirty money. That's not ours. We don't want extorted money. We don't want dirty money. We just want fairness. And you've just got to love folks that have that sense of equity and fairness and justice and understand where the country came from.

And so it's that spirit, that same spirit that started a revolution back in—going back to 1775 and 1776, with the production, as we know, in July, of the Declaration of Independence. And what a historic time that was. What a powerful time that was. And we know, going back to those days, that now we have the letter that John Adams wrote Abigail after the signing of the Declaration of Independence. In the last part of the letter he says, talking about the celebration and the incredible event that had occurred, the coming together, the first draft of course that Jefferson did, and of course the first person he showed it to was then John Adams.

They politically were at odds, but they were friends at that time, very

close friends, even though they fussed and argued over political issues. And then Adams was just taken aback with how fantastic the document was. He may or may not have made some minor changes. And then second to see it was Benjamin Franklin. Now, Benjamin Franklin made more changes, the editor and publisher that he was. And then that was brought to the body, and they debated and they fussed and they came up with this, the final declaration. And after they had come together, they signed it.

The last part of John Adams' letter to his wife, Abigail, was this, his words: I'm apt to believe that it, the day of the signing of the declaration, will be celebrated by succeeding generations as the great anniversary festival. We call it July 4, Independence Day. It ought to be commemorated as the day of deliverance by solemn acts of devotion to God Almighty. John Adams' words. It ought to be solemnized with pomp and parade, with shows, games, sports, guns—of course we use fireworks instead of guns quite so much now—bells, bonfires, illumination from one end of this continent to the other from this time forward forever more.

Then he goes on very seriously to Abigail, and he says, You will think me transported with enthusiasm, but I am not. I am well aware of the toil and blood and treasure that it will cost us to maintain this declaration and to support and defend these States. Yet, through all the gloom, I can see the rays of ravishing light and glory. I can see that the end is more than worth all the means, and that posterity will triumph in that day's transaction which I trust in God we will not rue.

So that's basically the gist of the end of the letter, and that was quite an occasion. In other correspondence he had said, you know, we have within our grasp the opportunity to govern ourselves that people have only dreamed about, that theologians have written and talked about, but it's within our grasp to govern ourselves. But then we also know that one of Thomas Jefferson's great lines was, The normal course of things is for liberty to yield and government to gain. And that's what we've been seeing, particularly for the last year or so.

Liberty has been yielding and government has been gaining. We know that government is where the jobs have been gained, not in the private sector, not liberty jobs, not jobs of freedom, but government taking more and more away from the private sector. And then we see this health care monstrosity, 2,000 pages, not about health care. You know, we've heard people say, it's about the government taking over one-sixth of the economy. But I like the way our friend, TOM PRICE, put it. It's not about taking over one-sixth of the economy. It's about taking over 100 percent of every individual. That's what it's about.

And so, as my friend from Iowa knows, we've spent many, many hours

with friends like MICHELLE BACHMANN and others, so many others up here on Capitol Hill, putting our heads together and working, giving and take, to come up with a document that really declares what we believe about health care. And I imagine my friend from Iowa is as sick as I am of hearing people, even here on the floor, come in and say, well, Republicans, they don't want reform. They're the party of no, no, no. We have over 40 bills that are good solutions to health care problems.

And I know that my friend from Iowa agrees: we need reform. We want reform to health care. We cannot have the costs continue to skyrocket like nothing else in this country. We can't have that. We need reform, but we don't need more government. We need health care reform. And it was in that spirit of coming together, not with something as dramatic as John Adams and Thomas Jefferson and Ben Franklin and those incredible intellects came up with with the original Declaration of Independence, but really with that, just a modicum of that great spirit of independence that they had and not wanting government to gain and liberty to yield, but wanting liberty to triumph and yet everyone have the opportunity for life, liberty and pursuit of happiness.

□ 2240

So in that spirit, the Declaration of Health Care Independence was put together. No one got shot. No one lost their fortunes, as did so many of those 56 signers of the original Declaration. We owe them so much. But we also owe them not to continue to allow liberty to yield and government to gain. They told us what would happen. Read their writings. Read their quotes. We owe them better than that.

And that is why it's going to be so great to have so many people coming together and say, I am making this declaration. I am pledging that we are going to adhere to those principles of liberty and yet providing a better chance for health care with affordable health care under patient control where the relationship between a doctor and patient doesn't have a government intermediary, doesn't have an insurance company getting in between the patient and doctor.

It gets us back to something that has been missing for so long, and that is a regular doctor-patient relationship. And to think in that 2,000 pages, one of the biggest parts of it is we're going to bring all of the health care records to Washington and we're going to store them here for you because that way we will know all of your deepest, darkest, private secrets. There is nothing your government won't know once we get holed up every one of your most private medical records. That was a big deal.

You hear them say, well, we'll cut this out, we'll cut that out, because they know when they have every person's medical records in Washington,

D.C.—and under both the Senate and the House bill you make the Internal Revenue Service the enforcement arm for a health care bill, the worst of all world's—the government knowing all of your most private secrets about your own body and the Internal Revenue Service having access to them and to your finances to bring about, as TOM PRICE says, a hundred percent control over your body, that is something that should be intolerable. That is why we need a Declaration of Health Care Independence.

And I know there are friends across the aisle who believe abortion is just fine; it's just tearing the tissue out. I know we have other friends like BART STUPAK who know what abortion is, that it's taking a life. But surely, surely we can get the vast majority in this body to agree that taxpayers should be protected from being forced to pay for abortion when they know and believe in their hearts it is taking the life of our most vulnerable people.

There is just so much that needs to be done to drive a stake through the heart of this terrible monstrosity called the health care reform bill.

With that, I yield back to my friend from Iowa.

Mr. KING of Iowa. Reclaiming my time, listening to the gentleman from Texas recount the circumstances by which the Declaration of Independence was written, and I recall reading through a fair amount of that history and watching a movie or two, some of the frustration that Thomas Jefferson felt with John Adams' scrutiny of his language and later on Ben Franklin's and then the broader Congress, I've never been in a position where I could so sympathize with Thomas Jefferson as I do. But also I so much more appreciate the artful work of the Declaration of Independence because it was a product of a lot of fruitful minds that had to come together and to be able to take all of the ideas and patch them together and then turn it into something that is beautifully eloquent at the same time. It's pretty hard to do. It's like a piece of sheet music and trying to patch in different stanzas here and there and have it come out and have it actually play right before the orchestra.

And the Declaration of Independence has stood up under the tests of time as one of the most beautifully written documents anywhere. But part of the reason is not just its eloquence but because it speaks to the heart of humanity. We know we hold these truths to be self-evident, that we are endowed by our Creator with certain unalienable rights.

I wonder what Thomas Jefferson would think if he could go down to do the Jefferson Memorial and realize that of the four panels inside of the memorial, three of them—the quotes of Jefferson—three of them referenced his belief in God. It's hard for the people on this side to argue that Jefferson was a Deist when three of his quotes referenced God.

And, by the way, there are two typos in there, Madam Speaker, that I would challenge the historians to go down there and check on them. One of them comes to mind right away. The other one I'll think of when I go back down there to read it.

I wanted to take up this issue of our Declaration of Health Care Independence which will be rolled out tomorrow, and we will lay it out in more of a clear, concise form. But it's laid out on these principles that you've heard Mr. GOHMERT talk about and the prediction of what would happen—let me say what would have happened if that horrible socialized medicine bill would have been sent to the President's desk where, if he could sign his name at all, he certainly would have signed the bill. He had no reservations about what was coming out of the Pelosi House and Reid Senate. The people of Massachusetts did; the President did not. And the American people line up against this in any form, any of these forms that have been proposed, at least 70 percent in opposition.

And so here's why first the American people lined up against this socialized medicine proposal, either the House or Senate version or the ObamaCare as it's sometimes described, because we know that a Washington takeover—and the American people know, Madam Speaker, that a Washington takeover of American health care would deny fundamental personal and economic liberties, and it would devalue our individual liberties, and it would reduce the principle of limited government as established by the Constitution. That's number one.

It would have increased costs and taxes upon every entity that we could possibly mention, and it would have crippled our American economy, and it would have created inescapable new taxes, mandates. If the Federal Government were for the first time in the history of the United States to produce or approve a product and then require every American to purchase that product—the people that couldn't afford it, send them a check and then say, Use this voucher to buy yourself some health insurance, or, by the way, If your employer has 50 or more employees, they have to provide your health insurance for you. Unless you're in the construction business, then it's five or more employees because of the exemption that was written in by the construction labor union. So all of these little construction companies that are sitting here with five and maybe tomorrow are going to have six employees, they're only going to have five—those that have six through 49 would be treated differently than every other employer because they were in the construction business, because somebody in the construction business had unions that were strong enough to leverage a piece of favoritism into the legislation.

But if there is a mandate there, it is a tax. Whether it is a tax that is levied

and you have to pay the tax to the IRS and they go out and buy your insurance for you or if the Federal Government mandates you go out and buy that insurance, the only difference is who actually handles the transaction. You handle it yourself to avoid the IRS levy against you, which would be the fine. The punishment for not paying it, the same thing. A mandate to buy insurance, to compel people to buy a product produced or approved by the Federal Government for the first time in history that that has ever been done is a tax, a new tax, and it's a new tax on everybody that has to participate that wasn't otherwise or wouldn't otherwise have been participating.

That is one of the other bad things about this. It would institutionalize, Madam Speaker, a massive, ever-expanding Federal bureaucracy that is impersonal and impractical. And that bureaucracy would devise new ways to grow and get more power and diminish the liberties of the American people. That's the nature of bureaucracies. They've always done that. And we've put people in white shirts and ties and sent them off in an expensive Federal building, and then they set about building empire. And they'll come back here and say, We need a little more empire, and they'll write rules that we'll never see. And those rules will have the full force and effect of law, because this Congress has abdicated a lot of our responsibility when it comes to rules.

So the bureaucracy grows. The huge administration state grows.

And it also would have—and I say "have" because I believe this bill is dead and I want to make sure it stays dead—it would have empowered bureaucrats to interfere with a doctor-patient relationship and that the process of doing so would have undermined quality, would have limited choice, would have increased the costs.

These were the downsides that were coming at the American people that caused them to rise up and express themselves in two Governor races. Those were nationalized races in Virginia and in New Jersey. And when they had the opportunity to have a national election for a United States Senator in Massachusetts, they took it.

□ 2250

The American people appealed to the decency of the elected majorities. And their leaders here in this Congress did not respond, except to do more force-feeding of liberal, social engineering policies, expensive policies and things that people don't want. The level of elitism and arrogance is breathtaking. And I don't think it has ever reached this high in the history of America. That cavalier disregard for the Constitution, when someone would ask Speaker PELOSI, where in the Constitution do you see the constitutional authority to pass a national health care act such as you have done here out on the floor of the House of Representatives? A cavalier attitude, Madam Speaker.

We take an oath to this Constitution. And people will take the oath. They will do so with their hand on a Bible, and they will walk out with no other thought to it at all. There is a whole movement over on this side of this Congress that believes the Constitution doesn't mean what it says. They will make that argument. I sit on the Constitution Subcommittee. I have heard the argument over and over again, a living, breathing Constitution. Some time back in the 1930s, the Supreme Court had some language threaded into a decision that says that the Constitution is living and breathing.

If the Constitution is living and breathing, if it doesn't mean what it says, then, Madam Speaker, I would ask the question, what is it for? Who is protected by a Constitution that is living and breathing and changing and can be amended by the whim of any judge in any Federal courtroom anywhere in America? I had an attorney tell me once, if you give me a favorable judge and a favorable jury, I will amend the Constitution in any courtroom in the land. And that happens by precedents that find their way up to the Supreme Court.

I take this stand, Madam Speaker. That's this: This Constitution does mean what it says. The text of it means what it says. And it means what it was understood to mean at the time of the ratification, either the base document, or the amendments if things flowed through. And if it's something else, then the Constitution is no guarantee whatsoever. It simply is an artifact of history, or else it can serve as a shield for someone in a black robe to hold up and make the argument that you're a layperson, so you can't begin to understand what this Constitution means. Leave it to us. We're the professionals in the black robes. We dropped the powdered wigs; we still have the black robes.

I don't think putting a robe on makes a person exclusive when it comes to understanding the English language. I think we have a lot of people—and I'm a ditchdigger by trade. A lot of people digging ditches can read this Constitution and understand what it means. I think we have a lot of TEA party patriots that do read the Constitution and understand what it means. We see a lot of people standing under American flags and yellow "Don't Tread on Me" flags with a Constitution in their pocket. They understand what it means better than some of the people who have taken an oath of the Constitution in this House of Representatives, Madam Speaker.

This Constitution is threatened by socialized medicine, the bill that has to stay dead.

We also offer solutions and a framework to go forward, a solution and framework to go forward, and we say, we the people and representatives of the United States, make this declaration, that as a matter of principle, we want to protect the doctor-patient re-

lationship which the gentleman from Texas talked about. And we want to reject this national debt that gets heaped up on us over and over again that was the subject of the previous hour. And we want to improve quality of care, and we want transparency in the negotiations. And we want to treat every American citizen in this same fashion that we treat our public officials, and vice versa. If it's good enough for an American citizen, it ought to be good enough for an elected public official, wherever they might be serving.

And I appreciate the discussion about the funding for abortion. When there's a policy that is seeking to be advanced by this side of the aisle in the United States Congress that would compel the taxpayers to fund abortions, something that is abhorrent to the value system of America, the majority value system of America, that is about as egregious as it can get, to be roped into being a citizen, held down to pay your taxes and have that money extracted out of your pocket to go to the Planned Parenthood or the abortion clinic.

When you think of conscientious objecting taxpayers, that is about as close as you can get to having a complete revolt on your hands. And when I looked out last Friday at the March for Life, the numbers in the Mall here and standing on that stage, people as far as the eye could see. It was reported to be in the neighborhood of 200,000 pro-life people bussed from all over this country, and some flew in to come and stand up and march, pray and speak for life, as they do every year, as they do every day in these United States. That is the largest continuing demonstration in the history of this country. There's no movement that has brought those numbers of people here to Washington, D.C., year after year after year for 37 years. And to think what they would have had to say and do if there had been a socialized medicine bill passed that compels people to fund abortions or brokers policies that pay for abortions. Those people that came, I among them, would have been in even greater numbers than 200,000. And at some point they aren't going to be as polite as this good group of people are when they see that happening.

So I'm glad that marker has been put down. The new mandates that are being proposed on patients, employers, on States—we've heard from the States. In fact, that is the Corn Husker Kickback. "Exempt me from the cost of the new mandates" is what that statement was. But in reality, there was a moral portion that was negotiated in that, too, and it was language that didn't hold up to the standard of the Stupak amendment, which wasn't good enough for me. I supported it, but I would have liked to have done more and better.

It was an eroded standard that was offered in the United States Senate. And it was rejected by the pro-life organizations in the country. That moral position appeared to have been traded

off for a monetary one, which is an exemption from paying the increases in Medicaid that would come about because of the socialized medicine bill in the Senate that brought about these special deals. Special deals, Madam Speaker, for—let's see, let's go to Maine. Was that \$11 billion for community health clinics in Maine? Eleven billion dollars. Well, there's a kickback there. That didn't get a lot of publicity. But that is part of the deal.

The exemption from the—say the elimination of the Medicare Advantage programs in Florida for that Senator NELSON, the Corn Husker Kickback in Nebraska, the Louisiana Purchase in Louisiana, the list goes on. We don't know what all is in the bill. Those we do know about. Those are all special deals. All those special deals are completely rejected by this declaration.

Another one of those mandates that came would be setting up health insurance policies in the country that are funded by the taxpayer and that compel employers to insure their employees or individuals to buy the insurance if they are not working or if they have an employer that is not mandated to buy. And within all of that we would fund illegals, give them their own health insurance policies so we could put another, bigger magnet out here, a jobs magnet, a welfare magnet, and now your own private health insurance policy magnet, argued and defended for by LUIS GUTIERREZ, for example, and Mr. HONDA of California. Many others believe that it's a matter of social justice that American people would owe a health insurance policy, an individual health insurance policy, to people that break into the United States illegally.

What a reach that is from a justice standpoint.

We cannot be expanding any further benefits, health care benefits to illegals in America. We provide emergency services by law. And a lot of times, we don't backfill the bank accounts of the health care providers. For example, if you go down to Arizona, in Arizona the most southerly trauma center is the University of Tucson Hospital. That is at least 70 miles north of the Mexican border because the rest of those hospitals have closed. They can't afford to provide free health care services to the illegals. And the American taxpayers can't afford to pay them either. So those are some of the things that are on the list here and things that are important for us to talk about.

I'm happy to yield to the gentleman from Texas to pick up where I left off.

Mr. GOHMERT. I appreciate the gentleman from Iowa pointing these things out. And I do recall in the President's address here in this very Chamber back in September, I believe he said in that speech that there would be no funding abortion. Now the trouble for us was that some people in this body actually read and had been reading the House bill. And there was one section there, and I don't have the bill

with me, I have got a copy all tabbed that I have gone through because I was reading the bill. And shockingly, even though, the President said there won't be a penny going for abortions, you turn right there, and there's a section title that says "abortions," for which Federal funding can be spent or approved. And you go, whoa, I guess the President didn't know about that.

□ 2300

We heard the President say there is no money in this health care bill that is going to go for illegal aliens, and I think one of our friends hollered out about that time. When the fact is, as we know, when the House health care bill passed, one of the things that had been written up in the local papers were there were Members across the aisle that said: if you put a requirement in this bill that people show identification to show that they are legally here, they are legal residents and therefore legally getting the health care insurance benefits, then we are voting against the bill.

Some of us think that should have been the motion to recommit, and that would have of course either gotten the bill pulled or it would have gone down in defeat if our friends across the aisle who said they would vote "no" if that was in there had been voted for and approved.

But the way it stood, I think most everybody in here knew, except for the President—we know he wouldn't lie because the Parliamentarians told us that—but when he said that there would be no funding for illegal aliens, he didn't know, apparently, because if he did, it would have been a lie. So, obviously he didn't know that unless there was a requirement for identification in order to get the proceeds, then they are entitled to get the proceeds, illegally here or not. And obviously he didn't know that, or he wouldn't have said it.

I have a dream that one day the President's promises are going to be kept. I have a dream it is going to happen. And I know when the President told America eight different times on television that we are going to have all these negotiations on C-SPAN, I know some day we are going to have all these negotiations on C-SPAN. It hasn't happened yet, because I have been trying to find out where the negotiations are going on so we could have true transparency.

It was a great idea when the President said it, so that people all over the country can see who is negotiating for them, who is negotiating for the pharmaceuticals, who is negotiating for the insurance companies, who is negotiating for the plaintiffs' lawyers, who is negotiating for AARP, and who is really standing on the side of the retired folks. We would be able to see all that and it would be transparent.

When I heard him saying that over and over on television throughout the Presidential campaign, I have to say, I

thought, now, that is not a bad idea. That is a good idea. We will make this totally transparent. And even though I am a Republican, I have to say, the President had a good idea.

Now, the trouble is we have got to get him to follow through. Once he won the election based on things he promised, we need to get him to follow through, because he did have some good ideas and the American people liked those ideas.

If you go back and look at the exit polling data from 2008, November, when the President won, indications are two-thirds of the people in America said they voted for President Obama, and jobs and the economy was the number one issue. I believe it was about 10 percent who said that health care was a big deal to them, health care reform. So I think he misread the results.

People wanted job assistance, get jobs going. We know that 70 percent of the jobs come from small business; yet his stimulus bill provided less than 1 percent in loans and assistance for small business.

He told America, well, this is going to create infrastructure. Might as well do that. And it turns out less than about 7 percent of that bill went for infrastructure.

So I think it is important that when the President has a good idea, this body follow through, whether the President wants to follow through or not. And these things should be transparent. It should be open.

The 40 bills that we have as solutions and great ideas to helping reform health care, because we want reform, we need reform, they ought to be listened to. There are some great ideas. And one of them would be complete transparency, and that is one of the things we want people to pledge, that you need transparency.

The President was right when he was a candidate. He hasn't been right on that point since he has been President, but he was sure right as a candidate. And you look at the Declaration of Health Care Independence that we hope that lots of folks will sign tomorrow, transparency is a critical issue.

Now, when you have a health care system where the big insurance companies, whether it is Blue Cross or Aetna or any of them, where they get one really, really cheap price and the government pays a small amount, but if you come in and pay cash because you are a hardworking, lower-middle class person that is struggling to make every dime and to make every dime stretch, and then you come in and you pay several times what the insurance company or the government pays when you are paying cash, the system is upside down. It needs reform.

And we do need to say, as candidate, now President, said, you have got to have transparency. You have got to see who is selling out whom. And so if there were a group that said, We are for retired persons, and yet they didn't care what their members said, and they

were losing members right and left who were dropping their dues, but you found out they make a lot more money from selling insurance than they do from people paying dues and they are getting a special deal and have millions more buying their insurance, then you would have some idea.

And they also maybe negotiate that their executives will not be under the same pay cap that most other executives under the Federal insurance exchange part of it, people would notice that if they are watching it on C-SPAN, and they might get upset at anybody who says, I am representing retired persons, publicly, but in negotiations they cut deals for their executives and not for their retired people.

Those are the things that need to be brought out. Those are the kinds of things that I know folks tomorrow, when they sign the Declaration of Health Care Independence, will be thinking about. You need transparency. You need accountability and oversight.

One of the things we saw with the Madoff scandal, with the credit default swaps scandal, with AIG overextending on selling those, Goldman Sachs selling themselves in with AIG, and then their former chairman getting them the massive bailouts so that they could have the biggest, most healthy profiting year in history this last year, all these kinds of things going on, you need transparency and you need somebody standing up for the people. You need reform. And the government should be about oversight. It should be about making sure there is a fair, level playing field.

And then the government doesn't play. They are referees. We don't need them as players. We need them as referees. That is an obligation this body has fallen down on badly in the preceding years, and it is time we got back to it.

Those are things that need to be part of reform. The government should be about making sure people play fair, not being the bully player on the field that muscles everybody else off of it. Those are the kinds of things we need to be about.

And when you think of the things that have been represented and what turned out to be true, people were told, well, this group came out with a study that said if you are between 40 and 50 and you are a woman, you shouldn't get a mammogram. And then they are told, well, that wouldn't have the power of law. Then they get to finding out, well, gee, if this bill passes, what that body just said is going to be part of the law. And if you are 40 to 50, you don't get a mammogram.

How many women have had their lives saved because they were able to get a mammogram between 40 and 50, and they found that little tumor early while it was still localized, at a time where they were allowed in the United States to have a 98 percent chance of success and no cancer at 5 years;

whereas, in England, where they have the socialized medicine that some of our friends across the aisle are trying to drive us to, they have about 20 percent less success, and about 20 percent more die of cancer. They don't need to if you let them have the mammogram when they need it.

And those are the kinds of things that need to come out. People need to know those. I yield back.

Mr. KING of Iowa. Reclaiming my time, I thank the judge from Texas.

On the transparency side of this discussion, too, to broaden that out, Madam Speaker, when I address transparency, I am speaking of two things. One is transparency in the negotiations, so everything is out there in sunlight. And the other is transparency in billing, so people know what is being paid for health care services.

The part about the negotiations that is so important, if they took place on C-SPAN out in the open, out in the light of day, if it is a big negotiating table that is there and in comes Big Pharma and here comes AARP, here is the health insurance companies, here is a doctor sitting over here. The patients, I would like to think they have a place at the table, but I am not sure just what entity speaks up so well for them.

□ 2310

But here's how a piece of legislation gets passed in this Congress today. This is what happens. Think of the scales of justice, blindfolded. Justice is blind, and here they are balancing these scales of justice. That's what I see. There's an image in that; that image of justice and equity. I'm reluctant to use the word "fair."

But in legislation, it works out this way. It's kind of a scale, and somebody comes up with a bad idea. Let's just say it's cap-and-trade or it's socialized medicine. They put all their ideas over here and, clink, here's the way the scale sits. All the bad ideas weigh it down. And then people start to say, Well, wait a minute. I've got a couple of ideas that are pretty bad. Let's take them off the table and put an idea over here you think is a good idea. And then it starts to weigh a little bit. You don't see that scale move. It's still sitting there.

Then one large entity after another starts to come to a conclusion that passage of this bad bill is inevitable. So they take away their opposition to a bad bill and they begin to negotiate for their own carve-outs and exemptions in a bad bill so it damages everybody but them. When they get their carve-out, the political capital over here that is on the "no" side either goes to neutral or over here on the plus side because they've agreed to support a bill now because they've got their exemptions so they're not affected by the bill. That might be the Cornhusker Kickback. That might be the Florida exemption for Medicare Advantage or the \$11 billion in clinics in Maine or the Lou-

isiana Purchase or it might be exemptions from executive pay controls in Big Pharma. It could be anything. They will add and add and add over on this side until all of this "no" political capital that knew it was a bad idea when it began, enough that has moved over to the plus side or moved to neutral to where if you put that final little weight on the scales—I like to call it the straw that breaks the camel's back—clink, it goes over this way.

Now there's enough support to pass a bill. And that's when they ram it through and they don't let you up for air because they're afraid they will lose votes. When that little moment comes when they think they've got the votes, it comes through. That's why the United States Senate was doing business for 3 constant weeks without a break and that's why they were doing business on Christmas Eve, to pass socialized medicine with a 60–40 majority on December 24, Christmas Eve, because they finally stacked the scales to the point where, clink, it would go over on the side where they could barely pass the bill. That's what they did.

If those kind of negotiations are taking place out in the open where the American people understand it, they would be revolted by the concept of how this is business, how very little of it is a discussion about what is the best policy for America and how much of it is a discussion about how you get the support of this group or that group or how you leverage to get the vote of a Member of Congress or United States Senator. Instead of evaluating the policy and stepping back and looking at it objectively and coming up with new ways to make something right for the American people, it becomes a political equation.

If we could get it out in the sunlight, we could get rid of some of those political equations and come a lot closer to getting the right policy for the American people. That's why transparency matters so much. That's why C-SPAN in those negotiation rooms would matter so much. That is actually a very big part of this Declaration of Health Care Independence. And I am proud to be part of it, and I'm looking forward to our press conference tomorrow.

I'd be happy to yield just a moment to the gentleman from Texas.

Mr. GOHMERT. I understand we just have 1 minute left, but I appreciate so much Mr. KING from Iowa taking this time to point out what we need in the way of health care reform. It isn't the massive 2,000-page monstrosity. It's true transparency. It's true accountability. And I appreciate this discussion with my friend from Iowa tonight.

Mr. KING of Iowa. Reclaiming my time, I thank my friend from Texas for being up late at night and coming down here. When you have a friend that will stand with you like Judge GOHMERT, in the end we can, I think, together, do some good things for the American people, Madam Speaker. So we'll be working to get to that point.

We want to empower rather than limit an open and accessible marketplace of health care choice and opportunity. And if we're going to do business now, the rules have changed. There are new rules for the road. These are the new rules for road, and we're going to find out when people are serious. If they're ready to address lawsuit abuse, the people that are advocating for socialized medicine, if they're ready to address lawsuit abuse, we're ready to do business. If not, there's a new sheriff in town.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Mr. HOYER) for today on account of travel problems.

Mr. ORTIZ (at the request of Mr. HOYER) for today on account of health reasons.

Mr. CRENSHAW (at the request of Mr. BOEHNER) for January 19 through 27 on account of medical reasons.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GRAYSON, 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. FORTENBERRY, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, February 2.

Mr. MORAN of Kansas, for 5 minutes, February 2.

Mr. DREIER, for 5 minutes, today.

Mr. JONES, for 5 minutes, February 2.

Mr. CAO, for 5 minutes, today.

Mr. MCCLINTOCK, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2950. An act to extend the pilot program for volunteer groups to obtain criminal history background checks, to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

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

S. 2949. An act to amend section 1113 of the Social Security Act to provide authority for