

## PROGRESSIVES OR SOCIALISTS

The SPEAKER pro tempore (Mr. HIMES). 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. Thank you, Mr. Speaker. I appreciate being recognized finally here on the floor of the House of Representatives. Frankly, it's astonishing to me that a fellow Member of Congress has so little confidence in things that he says are facts that he refuses to yield and deal with the actual facts that he knew were before him.

To make the statement that Republicans did nothing on health care during those years of 2000 to 2006 is flat-out false, Mr. Speaker. It's a fact that we moved on health care. We moved some significant policy. And in particular, we passed the repair to the abuse of lawsuits, which today it was published by the Government Reform Committee—actually, was published 2 days ago—that the annual costs of lawsuit abuse and health care in America is \$210 billion. That's over \$2 trillion for the course of a bill, and there isn't one dime that would be taken out of the pockets of that \$2 trillion—a lot of which goes to the trial lawyers—that is offered by the President or the Democrats, and certainly not the gentleman from Minnesota.

And for him to stand here on the floor of the House of Representatives and very much deny the very fact that is a fact of record and then refuse to politely allow for a correction of that record so you, Mr. Speaker and, by extension, the American people have an opportunity to be honestly and truthfully informed is an affront to the dignity of the dialogue on the floor of the House. So that's just a start on my answers. And I didn't come here to provide a rebuttal for the previous hour.

But the American people need to know, Mr. Speaker, that there is a Progressive Caucus here and it's 78 members strong, the last time I counted the names on the list on the Web site. The Web site was put up on a poster over here, and they're pretty proud of the policy that they have. You can go on that Web site and read and learn that. One of them is a Senator; the others are House Members. They are the most liberal Members of the House.

And when you look at the history of the Progressives, you will recognize that that Web site, that now with Mr. GRIJALVA's name in the Web site, was the Web site managed by the Socialists. The Democratic Socialists of America managed the Web site for the Progressives. They put it up. They took care of it. They maintained it. They put the information on. They wrote some of the language that went on there—a lot of it for all I know—and carried their philosophy from the Democratic Socialists—that is the Socialists in America, by the way—on over to the Progressives' Web site. And when that linkage was uncovered and the pressure came up, then the Pro-

gressives decided, well, we'll manage our own Web site because we really don't want to have to put up with the criticism of our brethren, the Socialists. It's completely the brethren.

When you read the Socialists' Web site, it says clearly on the Democratic Socialist Web site, dsausa.org, Mr. Speaker. It says clearly on there, it starts out with, We are not Communists. I always had a little trouble trusting somebody starting out their dialogue with, well, I'm not a Communist, because you know there behind that there's a "but."

Democratic Socialists, the brethren of the Progressives, linked together with their Web sites until a few years ago to declare that they are not Communists but they believe in a lot of the same things that the Communists believe in.

But the difference, according to the Socialist Web site linked to the Progressives' Web site—proudly by the Socialists anyway, and I think proudly by the Progressives—they say, We are not Communists. But the difference is Communists want to nationalize everything. Communists want to have the State own all property and own all of everyone's labor and everything exists for the State. And the Communists want to do central planning to manage the butcher, the baker, and the candlestick maker, let alone labor.

The Communists are the ones that want to introduce a national health care act that's completely a single-payer plan paid for by the government. Nobody has to pay for anything. And it would require that everyone working within health care in America would be a salaried employee.

Oh, let me see. Where would I come up with that? Well, not necessarily on the Democratic Socialist Web site. Not necessarily on—let me see—the CPUSA Web site. I read that in a bill that was introduced by some of the Progressives here in this Congress in 1981. They believe and still believe in single payer. They think that health care should be free, that it's a right, not a privilege—not just your own health care, but everybody's own private health insurance policy; that the government ought to run all health care; that they would set up boards as central planning management boards that would tell everything how to operate.

But no one could be anything except a salaried or an hourly employee. You couldn't do fee-for-service. So if you're a super excellent brain surgeon, you get paid whatever they decide. You don't get paid for the number or the quality of the brain surgery that you perform.

But I am back to Democratic Socialists of America. What are they? Well, they're not Communists. That's what they say. And the difference is they don't want to nationalize everything. The Socialists, the, slash, Progressives, don't want to nationalize the butcher, the baker, and the candlestick maker—not right away, anyway.

□ 2220

But when you read their Web site, it says, we want to nationalize the major corporations in America. I take that to mean the Fortune 500 companies and probably some more, and they write that they don't have to do it all right at once, they can do it incrementally. They want to nationalize the oil refinery business so they can control the energy in America, and they want to nationalize the utilities in America so they can control the energy in America.

This could happen incrementally, they don't have to do it all at once. Socialist Web site. They say we don't elect candidates on our banner. We don't send candidates and get their names on the ballot under the Socialist ballot. We advance these candidates as Progressives because Progressives doesn't have quite the harsh connotation of the hardcore left that Socialist has.

So they hide under the Progressive banner and they advance the Socialist agenda, and it's on both of their Web sites. I wondered when I heard MAXINE WATERS from California a few years ago say, I think we should nationalize the oil refinery business. I mean, I had to take a breath, catch my breath for a minute, because nobody would say that in the society where I live. They don't want to nationalize the private sector. They believe in free enterprise and in competition. They understand the vitality, this robust economy that we have. But that was said. Where did that come from. MAURICE HINCHEY made a remark also about the nationalizing of the energy industry.

Where did that come from? How does anyone have the chutzpah to make such a statement as a Member of Congress that they want to start taking over the private sector. This is before our economy started in this downward spiral. So I heard these words that came from them, and I am reading off the Web site, Democratic Socialist Web site, and the echo comes back to be the same.

I look over at the Progressives, of which each of those Members I mentioned are listed on the Progressives Web site, and it's the same agenda. Then we have a candidate for President called Barack Obama, and he has this artful way of using ambiguities so that the left hears him say something that they want him to say, and the right doesn't hear the same thing. They might actually even hear what they want him to say.

But where does the President govern? He is elected on hope and change. Well, hope and change is not working so good right now, but where does the President govern? Way over to the left.

And I stand here, Mr. Speaker, on the floor of the House, after this 6½-hour health care summit today, and I am wondering, what is this about bipartisanship? What was this argument that came from the President when he heard the criticism you are not working in a

bipartisan way? You need to reach out to the Republicans, this closing the door and locking Republicans out, and it happened. It's been happening here since September.

They met today to talk for the first time about health care in a meaningful way since last September, when Democrats shut Republicans out of their health care negotiating rooms. And, yes, they had guards outside the doors, they were there to provide security for the leaders. But think of the image, the doors go closed behind the Democrat leaders and they sit in there in the formerly smoke-filled rooms and they negotiate what they want to do to America without any eyes or ears of the press or anybody from the opposing party or any real conscience or conservatism inside the room.

So they cook up their deal. They cooked it up upstairs—well, let me say they cooked it up in the Speaker's office, and they cooked it up in HARRY REID's office, and they ran separate bills in the House and in the Senate. On November 7, here on a Saturday, the House of Representatives by the barest of margins passed a national health care act bill that takes away the liberty of the American people.

Then it went over to the Senate, where even the 60 votes that they had to have in the Senate with the liberals they had over there, they couldn't get the votes to pass the House version, so they put together a Senate version and by the barest of margins, with the, let me say the most repulsive of sweet-heart deals, put together barely the 60 votes they needed to break the filibuster and have it be successful on a cloture vote.

On Christmas Eve, Mr. Speaker, HARRY REID's Scrooge gift to the American people was the Senate version of socialized medicine, their national health care act, complete with funding for abortion and illegals, out of the Senate. Merry Christmas, American people. HARRY REID and the 60 votes they had in the Senate at the time delivered a Christmas present to the American people with 60 votes, which pretty much demonstrated that all the demonstrations that took place since August weren't counting for much in the mind of HARRY REID and the 59 other Democrats over there in the Senate, and that was Christmas Eve. So a lot of people went home for Christmas. In fact, most of us did go home for Christmas.

Over Christmas and New Year's, most of the public life goes dormant and some of the people thought that going dormant was the right thing to do, that nobody would pay any attention anyway. So why would you keep a press shop up and why would Members of Congress go out on the stump and give a lot of speeches and do town hall meetings and do a lot of press and talk about how bad the House bill is, how bad the Senate bill is, and how unbelievably bad it would be if they would do what one might have expected them

to do, and that is appoint a conference committee that would try to merge the two bills and resolve their differences.

But the Democrats didn't really think that the American people would be paying any attention to what they did. That's one of the reasons why they passed the bill on Christmas Eve in the United States Senate. I actually wished it would have been as late as possible on that day. I think it could have been pushed up to 9 o'clock that night when Santa was actually delivering presents, rather than when the elves were going to bed in the morning.

But that's what happened, Mr. Speaker. The American people were appalled at what they saw. They were appalled at how tone deaf the majorities were in the House of Representatives and how tone deaf the majorities were in the United States Senate, and they were talking.

It isn't that the American people go dormant. They go see their family, and, yes, they go to work. And they get on the phone, and they get a little time to send their email lists out. What happened was, there was a national dialogue.

I can tell you what happens when our family gets together, and it takes three or four family reunions to get us all completely processed in their right, faithful way over Christmas vacation, but we will meet three or four times, and we will have other little individual meetings with friends and neighbors and do those things, there is a lot of dialogue going on between Christmas and New Year's. In my neighborhood we talk about probably four things, but three things in particular. We talk about the weather, and we talk about religion, and we talk about the markets, and we talk about politics. That's four, and politics moved up on the list.

It actually sat there, number one, and it was at the dinner table, and it was in the living room, and it was all across America. People were talking about what was happening to our country. While that was going on, SCOTT BROWN was campaigning intensively in Massachusetts. You had people waking up in Massachusetts. The polling that showed on that day, the 23rd of December, when the timing schedule for adjournment of the Senate and that final cloture vote was scheduled, on that day the poll I saw showed SCOTT down 20 points. There was another one that had him down 30 points.

But not a single pundit before Christmas predicted that SCOTT BROWN could be the next United States Senator from Massachusetts. That was 2 days before Christmas. No one predicted it before Christmas. It started to come out some days after Christmas, near, I think, the first of the year, if I remember correctly, when the first little hint that something might be going on in Massachusetts started to leak out to the rest of the world.

But I have every confidence that the faithful people in Massachusetts were sitting around their dinner tables and

their Christmas trees and they were talking about the same things that we talk about, the weather, the religion and politics, probably not the markets the same way we do. As that position was coalescing in Massachusetts, some of the people were thinking, I have had enough. They thought, some of them thought we have our version of health care here, and it's not our job or our business to impose another version of a government-run health care on everybody else in America.

Some of them thought enough money had been spent, that this \$700 billion in TARP, and all of these companies that have been nationalized, much of it by this administration, and the \$787 billion stimulus plan, that made everybody really nervous to see trillions of dollars, at least \$1.6 trillion, moving on up to \$2-plus trillion dollars when you look at all the money the Fed has advanced.

They saw that happening, Mr. Speaker, and every increment of nationalization made the American people more nervous indeed, having less confidence in the government that they had elected and the decisions that were made by their elected representatives. And as we march down through the murderous row of the nationalization of three large investment banks and AIG, the insurance company, and Fannie Mae and Freddie Mac, where it took on \$5.5 trillion in contingent liabilities with Fannie and Freddie, for the taxpayers to take on that contingent kind of a risk, then the Federal Government turned to the car companies and decided, the White House, the Obama White House could run General Motors and Chrysler better than General Motors and Chrysler could be run by those who are approved by the shareholders.

□ 2230

And so the President fired the CEO of General Motors and cleaned out the board of directors. He replaced himself all but two of the board members of General Motors and replaced the CEO of General Motors, put in place a car czar, a 31-year-old car czar that had never made a car and never sold a car; as far as I can determine never fixed a car. We don't even know if he owned a car. And if he did, the question I would ask him is, well, was it an American-made car or a foreign car?

All of this was undermining the confidence of the American people as we race toward this political climax that after we saw socialized medicine pass in the House on November 7 and after we saw it pass on Christmas Eve in the United States Senate—unprecedented to be in the session on Christmas Eve doing something that had never been done before in the history of this country, trying to set a new standard of the socialization, the nationalization of our bodies—all of that going on, and the American people were repulsed that all of their voices, all that they had to say, everything that they

weighed in with hit only just the deafness of the leaders in this Congress, Mr. Speaker.

And so they went to work. They went to work in Massachusetts. They went out into the streets and put up signs and walked the streets and knocked on doors. As I went down through Massachusetts, I recall being in the Vietnamese section in Boston, and as I went down through that section—it's really a small business section of Boston—window after window had SCOTT BROWN signs in the Vietnamese section of Boston, and certainly did many of the residential areas. There was a tremendous outpouring for SCOTT BROWN.

As I went into the call centers, I had people come up to me and say, I'm a union member and my husband is a union member. We've always walked the streets for the Democrats, but this time we're here to work for SCOTT BROWN. We've had enough. The irresponsible overspending is at its core and the taking over private business is a big part of this, and trying to push a national health care act down our throats like you give a pill to a horse is more than they could tolerate.

And so in that sea change from 21 percent down to 5 percent up—it actually was a 24, 25 percent turnaround that took place in an unpredicted way in Massachusetts—SCOTT BROWN rose forward to a victory in Massachusetts and had a lead that was about the same for the last, I'm going to say in the polls that I saw the last 4 or 5 days at least in the race. So I don't think that there was more than about 20 days for him to close the gap of 21 points. And he will know that a lot better than me, Mr. Speaker. But that message that came from the election of SCOTT BROWN, that resounding noise out of Massachusetts—and there were a lot of people that went to Massachusetts to help. Tea party patriots went. Also people from many of the States in the Union went up to see what they could do because that's where the fight was, that's where people could preserve their liberty and they were committed to that cause. That election result came out, and it shifted the dynamics in the United States Senate, because SCOTT BROWN promised to deliver the vote against cloture that would change the dynamics.

And so the President of the United States, who has not done very well in some of his endeavors—let me see. What did he do? He went to Virginia to engage in the Governor's race in Virginia and he went 0-for-1 in Virginia. He went to New Jersey and did several appearances in New Jersey, as I recall, to reelect John Corzine in New Jersey. Chris Christie won in New Jersey. Bob McDonnell won in Virginia. So President Obama went 0-for-1 in Virginia. He went 0-for-1 in New Jersey.

He went to Copenhagen twice, once to win the Olympics for Chicago and another time to see if he could seek some kind of a global green agreement on climate change. Now, they came out

of Copenhagen with something they pointed to that said was a victory, but not much of anybody thought so. It is a mild little fig leaf of a victory.

So I'm going to describe it this way: President 0-for-1 in Virginia, 0-for-1 in New Jersey, 0-for-2 in Copenhagen, and—completely a goose egg—0-for-1 in Massachusetts. And now the “SCOTT heard around the world” has echoed through this place. The White House, after that election, had to pull back. They had to stop and see if they could get a lay of the land and figure out what to do.

Senator HARKIN said within a few days of that election that they had an agreement that they had negotiated with the House, and they had an agreement that would bring reconciliation through. It is a bit convoluted and I won't explain it in detail here tonight, Mr. Speaker, but that was the first we heard that they were meeting behind closed doors to put together a reconciliation package. I know it had been rumored out there since September, but that was the first I recall of a legislator saying, Oh, yeah, we have that deal put together. That was Senator TOM HARKIN from my State, my junior Senator that said that.

So they moved on looking to see what they could do. In normal circumstances, you would take the differences, the Senate bill and the House bill, and appoint a conference committee that would have Democrats and Republicans on it. What would happen would be the Democrats who were in the majority—NANCY PELOSI and HARRY REID and their people—would go behind closed doors—even with a conference committee—and they would make their deal behind closed doors. They would negotiate their package behind closed doors. Once they decided they could get the votes in the House and in the Senate to pass their package, their socialized medicine version of what they want to do to America's freedom today when it comes to health care, then they would have announced the conference committee.

The members of the conference committee on their side would have been committed to voting for the package that was already pre-negotiated. The Republicans would then appoint their conference committee, and at an appointed date and time they would all file out into the room, sit down in their chairs, call the conference committee to order, and then they would go through the charade of debating the different changes, somebody would offer a change here and offer a change there and they would vote it up or down. After a while, they would have it ratified—the very deal that was put together behind closed doors—and pushed a conference committee report out here that would have gone then to the House and Senate, one side taking it up first and then over to the other side. The last one to pass the identical piece of legislation that was negotiated behind closed doors would go to the

President, where he would have already pre-agreed to sign the bill. He would have been in the room, too, or he and his representatives, doing those negotiations.

So, Mr. Speaker, what I have put together here is a description of what actually happens and the functionality if they had gone to the conference committee instead of this reconciliation nuclear option. But they didn't want the conference committee because they would have to then put up with Republican criticism, Republican motions, Republican efforts to at least let the world know that there are many logical alternatives. And so they circumvented the conference committee. I believe, Mr. Speaker, that this is the first time in the history of this country, at least on a major bill, that the White House has stepped in to put together a negotiation that has—it's a de facto conference committee. The White House has replaced them, and they're the de facto conference committee. They've put this together and tried to propose something.

What was interesting was the White House planned and announced that they would release a bill on Monday of this week. The White House also said that any bill, we would have 72 hours to examine it. So they called a meeting for today that was scheduled for 6 hours, started at 10 o'clock this morning and, interestingly, the time that they released their document—that a lot of us thought was going to be a health care bill, a third bill, a Reid bill, a Pelosi bill, and an Obama bill, it only turned out to be 12 pages or so of bullet points—all of this time and the White House can't produce a bill, but they at least filed the bullet points of what they thought should be in a bill at 10 o'clock on Monday, so exactly 72 hours before the meeting was to convene and did convene at the Blair House today in this town. So they timed it to have their 72 hours as they promised. It just wasn't a bill. The President didn't present a bill, Mr. Speaker.

But they negotiated today and they had a discussion, and it went on about 6½ hours of discussion altogether. How do you analyze that? Well, did anybody take anything off the table? Did anybody offer anything? Were there any changes? Were there any agreements? Was there any proposal, any amendment, any specific language, or even a concept that was agreed to by either side? I am hard-pressed to say that there was, Mr. Speaker.

We can, perhaps, get into some of those things a little bit, but I have several of these pieces of data here. This is the health care fact check. It doesn't quite match my numbers, but it's pretty close to what I have. As I watched this happen, as soon as the meeting opened up, it appeared to me that if a Republican would speak, the President would interrupt him. And then that individual might reclaim their time and try to speak again and the President

would interrupt him again. Then that individual would make a quick statement and yield the floor, in which case the President would speak, a Democrat would speak—generally uninterrupted—and then the President would take the time back and speak, then a Republican would speak and get interrupted again.

And so what is this? Give me the count on this, will you? I have them here, and I don't think anybody else has counted them—I have not heard that they have. Six and a half hours of meeting, we have the President interrupting speakers 70 times in 6½ hours. Seventy interruptions. And out of those 70 interruptions, he was rude to the Democrats 20 times. He wasn't always rude, actually. Sometimes it needed to be said also with Republicans. But you would think it would be equal or proportional. And you would think it would be respectful of people that care a lot about policy and know a lot of this policy. And presumably, according to the White House and the Democrats in leadership here and in the Senate, this would have been the first time they had heard Republican ideas because they said we didn't have any. Well, we had plenty and they knew it, but they repeated that we didn't have any ideas.

So you would think they wouldn't have interrupted. You would think, if they were actually telling the truth when they said Republicans didn't have ideas, that they would have leaned forward in a very interested fashion and listened carefully to the proposals that at least they would like to convince the American people it was the first time they had heard such things.

□ 2240

Well, in fact, they'd heard it all before, because we'd produced those bills all before. We'd introduced them all before. They were introduced, many of them as amendments in the markups of the bills that came through the House in the Ways and Means Committee and in the Energy and Commerce Committee. They were just all voted down on a party line vote with very few exceptions.

So the President interrupted Democrats 20 times. He interrupted Republicans 50 times. That's 2½ times more. I have here that President Obama alone was 1 minute short of 2 hours on his own. It was a 6½-hour meeting. He claimed essentially a third of the talking time. The Democrats, including President Obama, burned not quite 4 hours. The Republicans altogether used up 1 hour and 50 minutes. So that's at least 2-1. Actually, when you add it up, it comes to 3.5-1 or so. My numbers come to actually 3.5-1 when I look at the time the Democrats spoke compared to Republicans speaking. It's about—oh, it's a number that originally was about 25 percent. It's probably a little more than that, Mr. Speaker.

We have a number here that shows that 52 percent of the American people

don't think that they should go forward with a reconciliation. Now, that's one of the things that should have been a deal breaker. If the President of the United States takes the position that he wants to invite people to negotiate on health care in a bipartisan fashion and if he is sensitive to the criticism that we haven't had negotiations on C-SPAN and that they haven't been bipartisan, then that's what this was designed to do. It was to send a message to the American people that the President was on C-SPAN and that they were bipartisan. Well, that's all true, but the President has intimidated and has directly said that the Republicans don't have open minds and that he has already accepted our good ideas and has incorporated them into the legislation that was written this past November and December.

I recall the President standing in Baltimore before us when he said, "I am not an ideologue. I am not. I am a centrist." You have to put a couple of ellipses in there, but that is a contextual statement. It is the message he intended to deliver. It is the message he did deliver. I don't know anybody who thinks the President is not an ideologue nor do I know anybody who thinks the President is a centrist. He is, by record, in fact, the most liberal President we have ever elected in the history of this country. He has the largest liberal majority, Progressive majority—the people who build common cause with the Democratic Socialists of America majority—that I have seen in my lifetime.

The political center of this Congress is way to the left. I don't know when they've had a filibuster-proof majority in the United States Senate, which just disappeared last month; but of all the tools they had to work with to pass their agenda, they pointed their bony fingers at the Republicans and said, You are obstructionists. You are just the Party of No. You are standing in the way of progress. If you could just see the rationale for us and go with us so that we could have some Republican votes, we could actually pass this legislation and give Americans socialized medicine.

Well, the problem is Democrats can't agree among themselves. NANCY PELOSI—the Speaker—Mr. Speaker, has 40 votes to burn. That is four-zero. That is three dozen plus four votes to burn. She can give them all up and still pass a health care bill in their own conference, in their own caucus. Yet they point their fingers at Republicans and say, You're obstructionists. You're only the Party of No.

Well, we're the Party of No—"no" to socialized medicine, "no" to breaking the budget, "no" to taking away the liberty of our children, grandchildren and of every succeeding generation in America, and "no" to passing the debt along and the interest along to those same people. Yes, we say "no" to such things. The American people said "no," and they want help saying "no" in this

Congress. It's not a function of the Republicans' failure to help Democrats with a bad idea that should be criticized.

If they can't agree among themselves, then could it just be they have a bad bill? Could it be that the bill has been rejected by enough of the constituents of the Democrats?

How about the Blue Dogs? Where are the Blue Dogs on this? They seem to have gone underground on me this time, and I wonder if they haven't become groundhogs and seen their shadows instead of Blue Dogs who used to be for balanced budget, fiscal responsibility and for excoriating anybody who didn't produce the same. Now that they have a President of their very own, it's a different equation for the Blue Dogs. They aren't nearly as vocal.

This reconciliation package, this idea to put together a bill that would circumvent the very rules of the Senate which require a 60-vote majority to break a filibuster and a vote of cloture, is something that has been rejected by many of the Senators who would be making the decision to go forward with this. This reconciliation, this "nuclear option" that it used to be called by Democrats when it was contemplated by Republicans, was opposed by Democrat after Democrat back in those years, mostly in 2005, when we needed to confirm some judges.

By the way, Senator REID said today that nobody was talking about reconciliation. Huh. Yes, they were. BEN CARDIN was talking about it while HARRY REID was talking about it. Only he was saying they need to go forward with reconciliation. So that's been going on for some time. As I said, that argument has been going on since September—the nuclear option, as Democrats called it. Now they call it reconciliation—nice, warm, and fuzzy.

The President had an opportunity to take the reconciliation/nuclear option off the table. He did not do so today. It would have been an extension of an open handshake to at least say, We aren't going to blow this thing through over the filibuster rules of the United States Senate, but the President didn't do that. It must mean he is still for the nuclear option.

Even though HARRY REID said they weren't talking about it, they are. The American people know that. The people in this House know this—Democrats and Republicans—even though it has been rejected by the President, then-Senator Obama, Senator SCHUMER, Senator REID, then-Senator Biden and now Vice President, Senator DODD, Senator FEINSTEIN, then-Senator Clinton, and Senator MAX BAUCUS. All of them have rejected the idea of reconciliation. They called it a "nuclear option" when Republicans were contemplating the same.

This is on a video, but I happen to have the text. So we should know what the President said about this plan that, I think, comes to this House and that, I think, comes to the Senate. I think

they're going to try the tactic, and it will blow the place up in the Senate, and it will bring the people to the streets in America. I think they're going to try it because it appears to me it is their last option to push this on us.

In 2005, then-Senator Obama said of reconciliation, A change in the Senate rules that really, I think, would change the character of the Senate forever.

He often pauses for a long time.

He picks up and he says, And what I worry about would be you essentially still have two Chambers—the House and the Senate—but you would have simply majoritarian absolute power on either side.

No check and balance on the majority power is what the President is saying there. Only he was a Senator at the time.

He concludes with, And that's just not what the Founders intended.

President Obama was opposed to reconciliation as a Senator. It was a philosophical position for him, presumably, and now it looks like he is salivating over knowing his agenda might fail if they can't violate a principle that he believes he stood on then, which I disagreed with, by the way.

Senator SCHUMER, who was in the discussions today, said, We are on the precipice of a crisis, a constitutional crisis.

This is of reconciliation, Mr. Speaker.

The checks and balances which have been at the core of the Republic are about to be evaporated, the checks and balances which say, if you get 51 percent of the vote, you don't get your way 100 percent of the time.

□ 2250

"It is amazing. It's almost a temper tantrum. They want their way every single time, and they will change the rules, break the rules, misread the Constitution so that they will get their way." Senator SCHUMER of the nuclear option that is being contemplated by this White House and the leadership in the Senate and in the House in order to force-feed socialized medicine on America.

Well, the majority leader in the United States Senate had some things to say also about the nuclear option back in those years, which I believe was still 2005, when HARRY REID said, "The right to extend debate is never more important than when one party controls Congress and the White House. In these cases a filibuster serves as a check on power and preserves our limited government." HARRY REID. What did he think? He thought they shouldn't use the nuclear option, the reconciliation package, because the filibuster is necessary as a check on power and it preserves our limited government.

Now, Mr. Speaker, it brings me to then-Senator, now Vice President JOE BIDEN, who said of the reconciliation-nuclear option: "Ultimately an exam-

ple of the arrogance of power, it is a fundamental power grab. I pray God when the Democrats take back control, we don't make the kind of naked power grab you are doing." Vice President JOE BIDEN. Presumably that's also a philosophical conviction. He's praying to God that they don't do the same thing that he alleged Republicans were about to do—and did not, by the way, at least on that occasion.

Now I have on reconciliation Senator CHRIS DODD, Democrat from Connecticut, who said, "I've never passed a single bill worth talking about that didn't have as a lead cosponsor a Republican, and I don't know of a single piece of legislation that's ever been adopted here that didn't have a Republican and a Democrat in the lead. That's because we need to sit down and work with each other. The rules of this institution have required that. That's why they exist. Why have a bicameral legislative body? Why have two Chambers? What were the Framers thinking about? They understood, Mr. President, that there is a tyranny of the majority." Senator CHRIS DODD speaking of reconciliation.

Now, that's a list of some of them, but I think it would be instructive to go the rest of the way through, Mr. Speaker, and go to Senator DIANNE FEINSTEIN and what she had to say of reconciliation, which was: "The Senate becomes ipso-facto the House of Representatives, where the majority rules supreme and the party in power can dominate and control the agenda with absolute power." Senator DIANNE FEINSTEIN. And that is an accurate analysis of the function of what's going on right now. We will see if she'll participate in this and go back on her position.

But at least then-Senator and now Secretary of State Hillary Clinton won't have to be engaged in this because she happens to be now the Secretary of State and out of this loop. But Hillary Clinton said of reconciliation: "You've got majority rule, and then you've got this Senate here where people can slow things down, where they can debate, where they have something called the filibuster. You know, it seems like a little less than efficient. Well, that's right it is and deliberately designed to be so. The Senate is being asked to turn itself inside out. Ignore the precedent to ignore the way our system has worked. The delicate balance that we have obtained that has kept this constitutional system going for immediate gratification of the present President." Hillary Clinton, opposed to the nuclear option-reconciliation.

Now, the last quote that I have in front of me is Senator MAX BACHUS, who was actively engaged in the negotiations on this bill for a time with my senior Senator CHUCK GRASSLEY, who essentially was shut out of these negotiations last September. MAX BACHUS said of the nuclear option-reconciliation: "This is the way democracy

ends, not with a bomb but with a gavel."

That's what we're looking at, Mr. Speaker. But all of these people are in a position to flip around and change their position. I'd remind the American people that Thomas Jefferson once said that large initiatives should not be advanced on slender majorities. And that's an important point, and I don't know that Jefferson was talking about bipartisan majorities being broader than slender, but he surely would have rejected the idea that very slender, exclusively partisan majorities are not conducive to the good future of our country.

And then I would make another point with regard to these negotiations and discussions, Mr. Speaker, and that is the President of the United States has had kind words to say to some of the people that we've viewed as our enemies. One of them would be Ahmadinejad, who is the President of Iran. And he said in his State of the Union address—this is an interesting thing to come from the President. This is speaking almost directly to Ahmadinejad in Iran, standing back where you are, very close in front of where you are, Mr. Speaker. President Obama said this: "To those who cling to power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history, but that we will extend a hand if you are willing to unclench your fist." That was the President's statement in the State of the Union address, and no doubt he's speaking to Ahmadinejad, someone who has sworn that he is an enemy of the United States and wants to annihilate the "Great Satan." And he defines Ahmadinejad as one who is clinging to power through corruption and deceit and the silencing of dissent. It sounds a lot like what we're going through here in this Congress. It sounds a lot like the silencing of dissent that's taking place in the House of Representatives, with no amendments allowed unless they make Republicans look bad, a shutdown of the open rules process, a shutdown of the debates process, and a driving through of legislation in a partisan way.

So I'm going to suggest this, Mr. Speaker, that I would appreciate it if the President today would offer the Republicans the same thing that he offered Ahmadinejad, and that would be that we would extend our hand if he would have just unclenched his fist. We would have been happy to meet with the President without preconditions, but the President insisted on preconditions. So did Ahmadinejad. He insisted on preconditions, and the President said, I don't insist on any. I offer my hand. Here is a blank piece of paper. Let's negotiate regardless of what your conditions are. But instead the President on health care said to Republicans, I'm going to hang on to my ObamaCare bills, House and Senate. I'll pick my choice because I couldn't write a bill of my own, and

I'm going to hang on to the reconciliation-nuclear option because that's the gun to the head of Republicans, and you can figure out if you're going to blink and concede something to us today and bring some votes over to our side of the aisle so we can claim that this albatross is something that belongs to Democrats and Republicans. And when we rightfully refuse, they will pull the trigger on reconciliation, the nuclear option. And it won't be because we didn't offer an open hand. It will be because their clenched fist squeezed the trigger of the round of the nuclear option and sets off a food fight in America that will be ugly in the streets if they force this thing on this country.

I have been joined by the gentleman and my very good and close friend from Texas (Mr. GOHMERT), whom I would be very happy to yield to.

Mr. GOHMERT. I appreciate my friend from Iowa, and I appreciate the points that he's been making.

You heard so much information today. It was a bit mind-boggling when you think about the number of people that were in the so-called summit today, and not only did they not have a copy of the bills that they were going to try to ram down America's throat, they seemed to be a little miffed when people like ERIC CANTOR and PAUL RYAN had data right at their fingertips to talk about, because it's very discomfiting, I would imagine, if you get very indignant and say there's no money in any of these bills for abortion.

We heard the same thing right here on this floor just within feet of where my friend from Iowa is. We heard people say when we debated the House bill that there is no money in this bill for abortion. And I don't infer any evil intent or intent to deceive, but I know when people say that, since clearly they have no intent to deceive, they just hadn't read the bill before they came to the floor or went to the summit to try to convince people about.

And let's face it. It was called a summit today. Summit meaning height. It was the height of something. And we'll let the Speaker figure out for us what that height was, but it was the height of something, the summit of something.

□ 2300

But the President himself, I think he was within maybe 1 minute of taking 2 hours of all that time by himself. And I was certified as a mediator. I went through training and certification as an international arbitrator. I know something about coming together and mediating. And when you have one side sitting here and another side sitting over here and you say I am going to be fair-handed between the time, and you take individually more time beating up on the poor little guys over here who got even less time among that whole group. I am not sure how many there were on each side, but certainly over a

dozen. And the one mediator takes 2 hours of the time just pushing his position, belittling the position of others. And any time he is corrected, since obviously he has no intent to deceive, so when he makes a mistake on exactly what the facts are, having somebody try to correct it and then having them interrupted, as my friend points out.

But like we had the discussion here on the floor, our friend BART STUPAK across the aisle had an amendment to take out the abortion provisions that would allow Federal funding for abortion. So gee, why in the world would you need an amendment to take out the abortion funding if there were no abortion funding in the bill? But, as I am sure my friend from Iowa knows, if you went to page 110 of the House bill, there is, and, of course, I have been through, I got tags all through this stuff as you can see, because I was trying to go through to see what was fact and what was fiction. But right here on page 110, subsection capital B, "Abortions"—this is the topic—"Abortions for which public funding is allowed." And then it goes on and sets things out like that.

So when somebody comes to the floor and says there is no public funding for abortion in this bill at all, and we know also that the Senate refused to allow anything close to the Stupak amendment to cut out Federal funding, then we know that this same kind of language was in the bill that was going to survive and that they were going to work from. Because as I have heard my friend Mr. STUPAK say, if that language is not taken out with a Stupak-type amendment, he can't vote for it, nor can maybe 40 of our friends across the aisle. But "Abortions for which the public funding is allowed." Now, you know people did not read that on the floor. And our Speaker did not know that that language was there. I am sure she didn't prepare the bill.

And we also know that they didn't read some of the other provisions. Because I am sure that when people from the President on down say, "If you like your health care you are going to get to keep it," I am sure they didn't intend to deceive anybody. I am sure they didn't. But it also tells me they hadn't read the bill that is before us. And this language, from the best I can tell, as my friend pointed out earlier, from the 11-page summary and then the 19-page summary of the summary. Both of those can be obtained, of course, from the White House Web site. You can either look at their 11-page summary or their 19-page summary of the summary. But I can't find that this language is removed in their summary or summary of the summary. So if you look at page 91 of the bill, it's entitled, "Protecting the Choice to Keep Current Coverage."

This is the provision that will allow you to keep your coverage if you like it. So, being an old judge, chief justice, I kind of feel like I appreciate the representations, but as I used to tell the

lawyers that argued before me, I appreciate your opinion, but I would really rather see the language for myself so I can read it and figure out what it really says.

So, you go look at the language itself, and voila, subsection A, "Grandfathered Health Insurance Coverage." And it describes that, "The term grandfathered health insurance coverage means individual health insurance coverage that is offered and in force and effect before the first day of Y1." That is the first date that the bill goes into effect. And then you have got two basic subparagraphs, number one, "Limitation on new enrollment." And that says, and I will quote from that subsection, in order to keep your coverage if you like it, it says, "The individual health insurance issuer offering such coverage does not enroll any individual in such coverage."

Now, you get what that means. It means the two different gentlemen I have had over the last few weeks that approached me back in my district, and one of them said, "I am not concerned at all about what you're doing about health care because I was part of a union and a part of a big corporation. I retired. They got me a great health care plan, and I'm pleased with it. And I'm not worried about anybody else." The other, as it turned out, had been part of the same union, part of the same company and retired. He was concerned, and he said, "Tell me more about how I can keep my policy."

For people like that, all they would have to do is read this individual provision. So the gentleman who said, I'm really not worried, I said, "Well, let me ask you, since this says here that you can't keep your coverage even if you like it if another individual is enrolled in such coverage, I have to ask, does anybody ever get added to your health care coverage from your union that you were part of and retired from and now have this great retired medical policy?" And he says, "Well, yeah, people retire all the time." Bad news. That is really bad news, because that means they get added to the policy. That means under "Limitation on New Enrollment," number one, you're eliminated from keeping your coverage and you get bounced over onto the Federal insurance exchange program.

The second limitation might affect some other Americans who like their insurance and would like to keep it. It is this. The title is, "Limitation on changes in terms or conditions." I am just reading from the bill. I'm not making this up. "The issuer does not change any of its terms or conditions, including benefits and cost sharing." You get that? If the insurance company that has the policy you like, like these two gentlemen that retired from a major company after having their union negotiate a good policy, if any term or condition in their policy changes, if the benefits change at all, they add benefits, they take any benefits away, they say, well, you know



what, we found out this treatment was not safe so we're removing it from something we'll provide coverage for, you find out something is a brand new treatment that works, we add that, well, you've changed your benefits. And it says here you can't change your benefits if you're going to keep it. And if you change the copay, if you change the deductible, if you change the price of the policy, bad news. Under number two, you lose your policy and you get kicked over under the Federal insurance exchange program.

Now, I was intrigued today to hear one of our Democratic friends there at the White House summit give a wonderful example about the Federal insurance exchange program. He gave this example or something like this. I was listening to two or three things at the same time, I had hearings and meetings and things going on. But as I understood it, he said, "Well, like when I want to go look for a flight or make travel arrangements, I will go onto Orbitz or Expedia or something like that. Well, that's all this Federal insurance program is. You know, it helps you find the best policy."

Well, that is a wonderful point. I have been trying to find where the government owns Orbitz and Expedia. I can't find that they own those programs. The best I can determine, whether it's Travelocity, Orbitz, Expedia, whatever, I can't find the government owns any of those. I can't find that it is a Federal Orbitz, a Federal Expedia, Travelocity, whatever it is. I can't find that. Apparently, these are private companies. And apparently, from what he said, he likes what the private companies are doing.

Well, we want people in America to have choice. We want them to have the best choice. And I bet you if you asked Americans, and said, "We're thinking about creating a travel agency, and the government will make all your travel arrangements for you. You just contact our government office. We're going to give you an option to all the other airlines, all the other travel agencies. We're just going to let the government do that because we feel like you are owed a public option when you travel." I wonder how many people would ever go to the Federal option, because it is not competitive.

□ 2310

The Federal Government never has to compete. It can run in the red. They don't care. Their salaries are not dependent on how well the company does.

And so I also want to point out that if you look here at section 501, the title of section 501 is "Tax on Individuals Without Acceptable Health Care Coverage." "Tax on Individuals Without Acceptable Health Care Coverage." And this place is supposed to care about the little guys, the guys that are

out there working from dawn until dusk and some of them into the night to try to make enough money and then go to another job and moonlight to try to help the family, help the kids have what they need to get through school? And you're going to say, You know what? You make a little too much to be under the poverty line that will allow us to just give you free health insurance or health care, so under section 501, we're just going to have to tax you because you're not buying a Cadillac insurance policy.

But then again, we also know if you have a Cadillac insurance policy—which to me, Cadillacs are great cars. I used to have one before I ever came to Congress. I can't afford one now, but they were good cars. And, unfortunately, Cadillacs may not be what they used to be now that the government motors owns them or makes them.

But nonetheless, can you imagine the arrogance of a government that tells people, You're not buying as expensive of an insurance policy that I think you ought to have so I am going to tax you for it?

And in the summary, the President's plan points out—or the changes to the House and Senate bill says, in the summary, You know what? The medical device tax—what some of us referred to as the wheelchair tax. Of course, they initially stuck the medical device tax in there, and there was no threshold above which you had to be to pay an extra tax if you had the misfortune of needing a medical device. And so some began to refer to it as the tampon tax, because that meets the requirements of a medical device and it could be taxed. And the threshold of a hundred dollars is put in there.

So the President says, You know what? We may just create a whole new excise tax that everybody is going to have to pay. Sorry about that \$250,000 exclusion I told you about at one time, but you're still going to have to pay more taxes. This is chock full of this stuff. That is why most Americans do not want this bill.

And if you look, there are all kinds of, still, pot sweeteners for Senators or Representatives that were reluctant. They changed some of those, but the pot sweeteners were in there to try to get their vote. They don't help all Americans. They sweeten the pot only for those votes that they think they need to get it passed. That is not right. That is not good for all Americans. That's not consistent with the equal protection that is promised to all Americans under the Constitution. You ought to have equal opportunity, and they don't have it.

I appreciate so much the time as my friend has yielded.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of New York (at the request of Mr. HOYER) for today.

Mr. DENT (at the request of Mr. BOEHNER) for today after 3 p.m. and for the balance of the week on account of a death in the family.

#### 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. ETHERIDGE) to revise and extend their remarks and include extraneous material:)

Mr. ETHERIDGE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, 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. POE of Texas, for 5 minutes, March 4.

Mr. JONES, for 5 minutes, March 4.

Mr. MORAN of Kansas, for 5 minutes, March 4.

Mr. THOMPSON of Pennsylvania, for 5 minutes, today.

#### BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on February 25, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 4532. To provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Friday, February 26, 2010, at 9 a.m.

#### BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111-139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 4691, the Temporary Extension Act of 2010, for printing in the CONGRESSIONAL RECORD.