

mission of the school. La Roche College is a tremendous asset to our community, and we look forward to many, many more years of continued success. I wish them nothing but the best, and congratulations on their 50th anniversary at La Roche College.

I yield back the balance of my time.

A GAME OF CAT AND MOUSE WITH THE ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Madam Speaker.

It's a pleasure to follow my friend from Pennsylvania (Mr. ALTMIRE) and before that my friend from Georgia (Mr. WOODALL). It made a lot of sense. In fact, the last vote we took today was to eliminate the word "lunatic" from our Federal law. I don't have a problem with lunatic being used in the Federal law. Apparently, I was the only one here on the floor that didn't have a problem with using the term "lunatic." In fact, it occurred to me that not only should we not eliminate the term lunatic at a time when we are facing national bankruptcy if we don't get serious about our issues but we should also use the term to identify those who want to continue doing business as usual around this town.

It's time we got serious. One of the things that would help the administration get serious, because it is a big deal and not because CBO has no clue what it's going to cost, as illustrated by them initially scoring, I believe, \$1.1 trillion, then \$800 billion, and now \$1.6 trillion taking effect. Maybe \$1.8 trillion. They don't have a clue. They're not allowed to use real historical reality, real rules to score. They use a fictitious static rule that is just so inaccurate. It would be a joke if it weren't so sad as to what it's done to good legislation.

Because of the emphasis on tax and all the people that are going to be hit with a tax because this administration and the Democratic Senators down the Hall—at least their leadership—continue to play games of cat and mouse and of chicken with the future of our financial stability and economy, I think it's important to look at taxes.

□ 1350

The President, for example, and Majority Leader REID in the Senate say they want to help the middle class, the poor working folks. So, apparently—and I know former Speaker PELOSI said we need to pass the bill so we can find out what's in it, but it's obvious from Leader REID's comments and the President's comments, those two people never read the ObamaCare bill.

It's a bit of interesting reading. I did go through it all before I voted against it; a lot of interesting stuff. I don't know why the President needs his own

commission, the Noncommissioned Officer Corps. There were toss-outs to the big pharmaceuticals, AARP. If you saw somebody endorse this bill, then you could find a provision in here, if you knew what to look for, where they got their little pound of pork. So it's quite interesting. But Mr. Speaker, I would encourage the President and HARRY REID, since they have slapped this bill on the backs of every American, they really ought to read what they've done to Americans. There are a lot of people that have.

There was a good article, it seemed to be—I don't know Guy Benson, but a political editor for Townhall.com wrote on September 20, 2012, he was talking about the President:

Barack Obama's re-election racket has been running millions of dollars worth of advertisements claiming that Mitt Romney's "plan" will raise taxes on middle class Americans. This isn't true; Romney promises precisely the opposite, and FactCheck.org has called out Democrats for repeating the debunked charge. But to paraphrase Bill Clinton's DNC speech in Charlotte, it takes some brass to preemptively criticize someone for doing what you've already done yourself. Before we get to the latest dreary punch line, let's go back to the video tape.

And online it had a video that could be punched, and it was President Barack Obama speaking. Part of his quote says:

I can make a firm pledge: Under my plan, no family making less than \$250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes.

The article goes on:

This man's "firm pledges" aren't worth very much, are they? Kate touched on this last night, but it's worth another spin, if only to marvel at the sheer hypocrisy of it all. The Congressional Budget Office has determined that millions of Americans will get socked by the ObamaCare mandate tax, 80 percent of whom are middle-income citizens. Nearly 6 million Americans—significantly more than first estimated—will face a tax penalty under President Barack Obama's health overhaul for not getting insurance, congressional analysts said Wednesday. Most would be in the middle class. The new estimate amounts to an inconvenient fact for the administration, a reminder of what critics see as broken promises. And the Budget Office analysis found that nearly 80 percent of those who'll face the penalty would be making up to or less than five times the Federal poverty level. Currently that would work out to \$55,850 or less for an individual and \$115,250 or less for a family of four. Average penalty: about \$1,200 in 2016.

It goes on to point out:

CBO also said there will be 30 million people without insurance, though all but the 6 million will be exempt from the tax. The exempt Americans are a combination of illegal immigrants and those with incomes too low to pay income tax.

The article says:

Just so we're clear: ObamaCare raids \$716 billion from almost-insolvent Medicare to chip in toward its own \$2 trillion price tag, raises premiums on average families, increases national health care spending faster than doing nothing would have, swells the deficit, exacerbates the national doctor shortage, is insanely costly and difficult to

comply with, and raises taxes by \$500 billion on the backs of millions of middle class families—and the country will still have 30 million people lacking health insurance. What a deal! And most of that dysfunction doesn't kick in until 2014.

If it had kicked in in 2012, you would have seen a different President elected, I'm sure. But in any event, what the ObamaCare bill requires—and one further comment. When a bill is based on a fraud, it's probably not going to end up being a good bill. The ObamaCare bill—and I hear people talk about 2,700 pages, 2,500, 2,600—let's see. My version here—this is one we got from the official printer—2,407 pages. But it's interesting, the title of the bill:

Resolved, That the bill from the House of Representatives (H.R. 3590) entitled "An Act to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes," do pass with the following amendments: Strike out all after the enacting clause and insert—ObamaCare.

So they took House bill 3590 that was an act to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes—this is a tax credit for our military members—they struck, as it says: "Strike out all after the enacting clause and insert" ObamaCare. That's a fraudulent bill. That bill did not originate in the House, it originated in the Senate. The Constitution requires that any bill that raises revenue must originate in the House. It started as a fraud. This bill became a fraud when it was enacted and it was asserted that this originated in the House. It did not.

We had a tax credit for first-time homebuyers for our military. There was nothing germane about ObamaCare to a tax credit for our military. That's why I say a bill that starts out as a fraud is probably not going to be real good for a lot of folks.

So, though the President promised people all across America over and over that if you make less than \$250,000 then you will not see your taxes go up, well, let's take a breather from the so-called fiscal cliff—the truth of the matter is we went off of that back in August 2011 when we passed that ridiculous debt ceiling bill that is going to further gut Medicare, on top of what ObamaCare did to it, and also gut our national security. But looking back at ObamaCare and the tax consequences—and Madam Speaker, that's why I keep saying the President really ought to read the bill that bears his name, that people refer to as ObamaCare. He really ought to read it. Majority Leader REID really ought to read the bill because he'll get to the part that has a mandatory provision that the Supreme Court had to take up: Is this mandate a penalty or a tax? And of course the intellectual gymnastics that our Chief Justice had to go through to say, between

pages 11 and 15 of the opinion, that this is a penalty, it's not a tax. Because under the anti-injunction statute, no Federal court would have jurisdiction to take up the case if it's a tax because you would have to wait until 2014. Because under the anti-injunction statute, under Federal law, no Federal court could take it up until the tax is actually imposed and the person filing suit is actually someone against whom that tax is imposed. So they would have to wait until 2014 in the intellectual gymnastics of the Chief Justice, he says, between pages 11 and 15.

□ 1400

So Congress called it a penalty. It is really a penalty. They knew what it was. It's a penalty. It's not a tax for these purposes because, you know, it's just being assessed against someone if they don't buy this basic health insurance policy. And it's estimated that will cost thousands and thousands of dollars.

Then, of course, you get on over to around page 60. And after he said, It's a penalty; therefore the anti-injunction statute doesn't prevent us from taking jurisdiction. And now that we have jurisdiction, we'll take it up. And now we take it up, and we say, It's really a tax, so it's okay. Boy, that kind of intellectual lack of integrity in any Federal entity is a danger to the ongoing of the Nation.

But for those of us that did read the bill, you will find that if someone is making 133 percent of the poverty level or more, they must buy the basic ObamaCare policy. Well, 133 percent of the poverty level for one person would be \$14,856. So anyone in America who makes more than \$14,856, as an individual—and in case those at the White House don't know, \$14,856 is less than and not even equal to \$250,000—but if you make \$14,856, as an individual, when the tax fully kicks in, you will pay an extra 2.5 percent income tax as a penalty for not buying the ObamaCare health insurance bill. And so you will get popped with an extra 2.5 percent tax, which will be \$371 slapped on the people that can afford it the least. This ObamaCare bill slaps \$371 extra on somebody that can't afford health insurance at a time when they can't afford to pay the extra tax. Well, congratulations.

That's why I really wish the Senate majority leader and the President themselves would read this bill so they know what they're doing to people so that when they say, This isn't going to hit anybody with any extra tax if you make less than \$250,000—if they continue to say it, they'll know that is simply not true.

If you are a couple and you make \$20,123 and you cannot afford—between the two of you, you are just scraping by with \$20,000; gas prices are up because of all the money flooded into the market created by our Federal Reserve; inflation is going to be kicking in big time this next year; and it's

going to be a struggle for any couple that's making \$20,000. It's going to be tough. Prices of everything are going to be going up.

So at a time when they will not be able, probably, to afford several thousand dollars for the ObamaCare basic policy—some estimates have been that it will be around \$12,000—well, then, you are going to pay an extra \$503 in a tax penalty because ObamaCare mandates it.

Let's go to a family of six. If you are a family of six and you make \$41,190 and you cannot afford thousands and thousands of dollars for the basic ObamaCare health insurance policy, then this poor family, struggling with six folks—I grew up in a family with four kids. When times were good, we ate beef. When times were not, we would have Beane Weenee. I happen to like it just fine, but it's still a struggle.

For those who continue to struggle, as I heard Jay Leno once say, Four words: Kraft Macaroni and Cheese, one of my favorite meals. But, nonetheless, it is going to be hard to afford even macaroni and cheese.

If you have a family of six, you are making \$41,190, and you can't afford thousands and thousands of dollars for the ObamaCare basic policy, then, hello, you are going to pay over \$1,000 additionally in your income tax.

I hope and pray that somebody in the majority—because I know the hearts of so many of my friends across the aisle. They care deeply about people suffering in America. I know they do. They really do care. That's why I want them to read ObamaCare, as I did, and see what you are doing to the poor and the downtrodden in America.

The President is still running around saying, you know, if you are making less than \$250,000, you are not going to have any extra tax. Wrong. Read your own bill. Speaker PELOSI said, We will pass the bill to find out what's in it. They still don't know what's in it. That's why somebody has got to stand up and tell them what's in this bill is taxes on people that cannot afford it.

If they cannot afford thousands of dollars for a health insurance policy, they're not going to be able to afford \$1,030 in extra income tax that our President and all the Democrats passed without a single Republican vote. They're not going to be able to afford that.

I guess that's why ObamaCare is going to provide for an additional 17,000 or so IRS agents. Because with this poor family of six making 133 percent of the poverty level, you are probably going to have to chase those two adults down in that family of six and get blood from a turnip because they don't have the \$1,030 to pay in extra income tax. If they did, they might try to buy some form of health insurance. But even if they spent \$1,030 on the health insurance policy, from the estimates we've seen, that still would not be anywhere near enough to buy the basic

policy required by ObamaCare. This is going to devastate the working poor in America.

And again, I go back. Any bill that starts as a fraud is probably not going to be good for America.

So we come back to all of the rhetoric about taxes. Look, too many people in the House and Senate have forgotten that in July of 2011—that's the real time we were facing a fiscal cliff. And S&P made clear, Look, if you don't cut at least \$4 trillion over 10 years, which is \$400 billion a year, we were running a deficit at that time around \$1.5 trillion over what we were bringing in. And they were saying—and I thought it was pretty modest—if you don't cut at least \$400 billion of the \$1.5 trillion you are overspending, then you are going to get downgraded.

Leaders in both parties really didn't take that seriously. So they came back with a proposal for a supercommittee; and if the supercommittee didn't reach an agreement on \$1.2 trillion over 10 years, a \$120 billion reduction from the overspending of \$1.5 trillion—that should have been a drop in the bucket. That's nothing. We should have been able to cut that much, and we didn't do it. So now the sequestration is looming, and we come back to this issue again. But I'm shocked that so many people have already forgotten.

When we failed to cut \$4 trillion over 10 years from our budget back in the summer of 2011, we got downgraded, and things got more expensive.

□ 1410

Tim Geithner back then was saying, August 2, the world comes to an end financially. We're going to hit the financial ceiling. It's going to be disastrous. Then, basically, the interpretation of what he was saying is, when we get to August 2, Just kidding. We're going to be okay for a little longer, but we're about to hit it anyway.

The financial cliff was approached, and we went over it. Now we're bouncing down the cliff from ledge to ledge. I'm hopeful that at some point we'll say we've fallen far enough. Let's not go all the way down to the bottom of the abyss. Let's start climbing out of this vast hole we've dug for ourselves that we've been plummeting down. Let's get back on top. You're never going to do that bringing in \$2.4 or \$2.5 trillion and spending over \$3.5 trillion. And we want to eliminate the word "lunatic" from the Federal code? That's lunacy to think you can keep spending over a trillion dollars more than you bring in, when you're bringing in about \$2.5 trillion, and not pay the price.

It is immoral for one generation to be spending money that the next generations haven't even had an opportunity to earn. It is narcissistic to say we are so important in our generation that we are going to lavish money on ourselves uncontrollably so that future generations will pay for our self-indulgence.

The history of America is one generation after another making sure that the generations that follow would have it better than they did. When we come to this generation, my generation—and it's embarrassing, but we've been so self-indulgent, so self-absorbed that we would spend future generations' money. They are kids, some of them are not even born, and they are going to have to bear the cost of what we're doing. As one of our Republican friends said just about an hour ago, Be quite sure any deficit spending now will be a tax on someone at some point. It's just the way it is.

We keep hearing that everybody needs to pay their fair share, and I hope that beginning now when people hear "fair share," they'll think about a flat tax. Steve Forbes has been talking about it for years. RAND PAUL had an article out a year or so ago proposing a flat tax. My friend, MIKE BURGESS, has a proposal. Many of us have proposals.

Look, you talk about wanting Warren Buffett to pay what his secretary does, yet you haven't made one proposal that will bring Warren Buffett to paying what his secretary does. That's crazy. That's why we shouldn't eliminate the word "lunatic." It really has application around this town.

Warren Buffett ought to take heed. He runs around telling people, yeah, rich people should pay more taxes. Well, he's not. He's not going to pay more, not on any of the proposals that the President has him running around endorsing. How about a flat tax that says 15 percent for capital gains tax, what Warren Buffett normally pays, 15 percent for his secretary in income tax, 15 percent for gift tax, and a 15 percent corporate tax. Let's just go 15 percent across the board. The irony is that the economy would so explode—so many more people would be employed, so many more people would be making more money—that the revenue would actually come in in greater amounts. We would actually get greater revenue, and there would be less pain and less suffering in America.

A couple of years or so ago, an 80-year-old lady in east Texas said:

I grew up here in east Texas in a home that had no electricity, no power. We had a wood-burning stove; and now the electricity, propane, everything is so expensive, my Social Security doesn't cover it. It looks like I'm going to have to go back to a wood-burning stove just to exist. This could be a cold winter.

It doesn't have to be like that. It ought to be an economic renaissance. The more fair we are here in Washington—you make more, you pay more; you make less, you pay less. I'm one of those that likes two deductions: one for charitable giving and the other for the mortgage interest deduction.

We can negotiate over numbers. That's not a problem. We could compromise. We can reach an agreement, a compromise over numbers, but let's don't compromise on a principle that is so basic and simply says, if you make

more, you pay more. It's an easy concept. You make more, you pay more; you make less, you pay less. That's fair.

For Heaven's sake, let's do this. Let's take that ObamaCare burden off the working poor in America that are going to get socked with that tax. We were told for so long, if we don't do something, there will be maybe 30 million people in America who won't have insurance. Then we get to the bottom of it and we find out, well, now we're going to have lots of people paying lots more taxes and we're still—oh, and we're gutting Medicare. Because of ObamaCare, we're gutting Medicare by \$716 billion so the seniors will have less health care. Oh, I know, some of our Democrat friends have said not to worry, we're only taking that from the health care providers—the doctors, the hospitals. We're taking that from them. We're not taking it from you, seniors. You don't have to worry. You will have Medicare. My foot.

Those health care providers who have \$716 billion sucked out of the system will not be able to provide service to all the seniors, and that's why we start hearing stories now about how ObamaCare is going to work. Some say the age may be 75 that is tossed out by the panel. It won't be a death panel, but it will be a panel that says, You're 75. No hip. No, no. You're too old. You don't get a hip. You don't get a knee. You're just going to have to suffer because you're not productive anymore.

That is outrageous. Every individual has value.

I would just like to conclude with words from my friend Dick Morris, who said:

I know there is a disagreement on when life begins in America, but for Heaven's sake, we ought to agree that life ends when you die.

That's why ObamaCare needs to go.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. CANTOR) for December 4 and today on account of family medical reasons.

Mr. BILBRAY (at the request of Mr. CANTOR) for today on account of personal reasons.

Ms. MATSUI (at the request of Ms. PELOSI) for today on account of attending funeral of longtime family friend Martin L. Friedman.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Friday, December 7, 2012, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

8589. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Halosulfuron-methyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0781; FRL-9370-6] received November 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8590. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alkyl(C8-C18) dimethylamidopropylamines; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0106; FRL-9369-2] received November 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8591. A letter from the Acting Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Christopher D. Miller, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

8592. A letter from the Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Consumer Leasing (Regulation M) [Docket No.: CFPB-2012-0042] received November 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8593. A letter from the Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth In Lending (Regulation Z) [Docket No.: CFPB-2012-0004] received November 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8594. A letter from the Attorney, Legal Division, Consumer Product Safety Commission, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) [Docket No.: CFPB-2012-0043] received November 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8595. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Indonesia, Singapore, and/or Malaysia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8596. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Ghana pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8597. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — Updating OSHA Standards Based on National Consensus Standards; Head Protection [Docket No.: OSHA-2011-0184] (RIN: 1218-AC65) received November 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8598. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County Incorporation by Reference of Pennsylvania's Control of NOx Emissions from Glass Melting Furnaces [EPA-R03-OAR-2012-0785; FRL-9755-4] received November 29, 2012, pursuant to 5