



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, THURSDAY, NOVEMBER 14, 2013

No. 162

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 14, 2013.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SPECIAL IMMIGRATION VISAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, since 2006, when I offered the first legislation that ultimately became the Iraqi special immigrant visa, I have been haunted by the prospect of the brave Iraqi and Afghan nationals that risked their lives to help American efforts in these troubled countries, that they themselves would be victims because of their trust in us.

As my friend Kirk Johnson eloquently stated in the title of his recent

book, "To Be a Friend is Fatal: The Fight to Save the Iraqis America Left Behind":

For 7 years, it has been a battle to have the United States honor its obligations to those who put their trust in us when they helped us.

As the United States has withdrawn from Iraq and is winding down in Afghanistan, people with very long memories are searching out, hunting down, and killing people they regard as traitors because they helped America as interpreters, as guides, as drivers.

We have seen some bright spots. One was where the program we fought so hard to establish was going to expire September 30, at the height of the government shutdown. In a reaffirmation of our ability to get something important done, we were able, on a bipartisan basis, to secure unanimous consent to keep the special immigrant visa program alive, at least through the end of the year, so we can work the problems out.

Another bright spot for me was being able to be at National Airport a couple of weeks ago, late at night, watching Janis Shinwari, the Afghan interpreter who saved the life of Captain Matt Keller, walk out of that causeway with his young wife and two children. It was a storybook effort of the will of Captain Keller, whose life Janis saved in a firefight, who wouldn't give up after 5 years. At times we didn't think it was possible, but after false starts and great danger to the family, they are now safe in America. This is an illustration of what can happen with effort and, candidly, a little media attention.

But now we are watching the State Department drag its feet on these visas for Afghans who risked their lives, creating impossible burdens for them to establish whether or not they are actually at risk.

Recent news accounts make it clear that there is a committee at the U.S. Embassy in Kabul that is placing inor-

dinate roadblocks for people who we know are at risk, some of whom have already been hunted down and killed. We failed to establish a process that works for them.

We have only approved a trickle of the special immigrant visas out of the almost 9,000 that were authorized. It is unnecessary, it is shameful, and it is dangerous to long-term American interests. Who is going to trust us in the future if we need their help?

I was able to congratulate Secretary Kerry a few weeks ago for the State Department's rapid action to save the life of Janis, but every one of these thousands of cases should not require congressional intervention, extraordinary news coverage, and a major 5-year commitment from people like Captain Matt Keller.

There is no excuse to fail to make the SIV program work. Innocent lives are at stake, American honor is on the line, and our future actions could be compromised.

I would urge my colleagues to attend a session we are having next week to meet Kirk Johnson, who has dedicated his life for years to help these desperate people and for America to restore its honor. Join us next week in room 2168 in Rayburn on Wednesday for a special screening and discussion of the documentary "The List."

It is our duty now to save those who risked so much to help us when we needed them. They must not be left behind to the tender mercies of the Taliban and Al Qaeda.

PULSE OF TEXAS: OBCARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the health of the Nation is now in the hands of government. Let's see how it is working out for people who work for a living. Many Americans are feeling

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H7055

the pain of government health care, and here is what some of them have sent me from my congressional district in Texas.

Billie from Spring, Texas, writes:

I can't afford what ObamaCare will cost. How can they say it is better? My company pays part of my insurance, and the insurance is good. Why do I have to change to something I cannot afford? It doesn't make any sense. My doctor told me a lot of them will retire rather than deal with this horrible health care law. The quality of doctors will diminish. I thought the government was for the people.

Well, Billie, apparently the government is for the government and not for the people.

James from Humble, Texas, says:

Please defund ObamaCare. My employer has already informed us our health care will be changing, and this comes at a very bad time for my family. We will be forced into exchanges and employer informs us the company has the right to end subsidized retiree health care in the future. Higher costs, higher deductibles, and total confusion. This will have a negative impact on our economic future as we enter our retirement years.

Small business owner Terrence Wolfe from Humble says:

Defund ObamaCare before we collapse our entire economy. We cannot afford it as a Nation, and I cannot afford it as a small business owner. I cover 80 percent of the premium for all 10 of my employees. All of us are bracing for at least a 20 percent to 40 percent increase.

Shannon Rudd from Humble, Texas, says:

I cannot believe ObamaCare is still a reality. The government has no business managing health care insurance. Furthermore, they have no right to tell Americans if they can or cannot have a procedure performed once the insurance is forced on individuals. Forcing people to pay a fine if they choose not to have health care is asinine and the furthest thing from democracy.

Unfortunately, Mr. Speaker, Shannon is wrong about it being a fine. It is not a criminal penalty; it is a tax. If it were a fine, you could have due process, your day in court, your jury trial, but under a tax, you have to pay the tax first and then fight the IRS to try to get it back. Good luck with that.

Sharon Coyle from Spring, Texas, says:

Now what? We may get the delay in ObamaCare mandate after all because of the cluster it has turned out to be, but what about those of us who have insurance through our employers?

My gold level of my insurance no longer allows me to participate in the flex spending account. I ultimately ended up having to go to a lower plan because it was cost-prohibited. My deductible is higher and now my copays are higher.

I will be paying at least \$2,000 to \$3,000 more per year on top of the \$7,200 I already pay. We were told it is because of ObamaCare.

This is a big dupe to America. Obama wanted everything to be more fair. Sure, we all have insurance now, but no one can afford to go to the doctor.

Well said, Sharon.

Robert Arnold from Humble, Texas, says this:

It is incomprehensible that we put men on the Moon in 1969, but we can't get into a \$400 million Web site to purchase insurance.

Yes, Mr. Speaker, those glitches seem to be a real problem.

Kenneth Earl Beene from Kingwood, Texas, says:

Now when I look at what is available with OBCare, the plan that is closest to ours is going to cost \$745 a month. This is absurd. It does not look like we will be able to keep our current policy, so we are being forced to pay \$400 per month for coverage and the deductible will be \$12,000.

I really like my current policy and the premium fits our budget. What can be done?

Mr. Speaker, this is bad news for the middle class.

Merin Porter from Houston, Texas, says:

I am the sole breadwinner for a family of five. I am eligible for affordable insurance through my employer; however, my family coverage is prohibitively expensive—\$18,000 per year, or more than 30 percent of my take-home pay. As you can imagine, it is only affordable to us if food, shelter, and clothing were a luxury and not a necessity.

Mr. Speaker, Merin should not have to choose between feeding the family and being forced into ObamaCare. Why has the government done this to the people? As Billie says and said it best, "I thought the government was for the people." Well, apparently not.

And that's just the way it is.

HONORING TOM GARDNER III

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the outstanding career and acknowledge the retirement of Tom Gardner III.

A community leader, pastor, and family man, Tom served as chief executive officer of the Montgomery Community Action Committee for the past 39 years. For his dedicated service to the city of Montgomery and the State of Alabama, I pay tribute today to the life work of Tom Gardner III.

Tom was born to Reverend Tom Gardner, Jr., and Mrs. Effie Nell Gardner on January 22, 1946, in Hope Hull, Alabama.

Tom served his country in the United States Army in Vietnam from 1966 to 1968. As a result of his exemplary service and sacrifice, he received the Purple Heart in 1967 and the Bronze Star in 1968.

Tom received a bachelor's of science degree from Alabama State University and a master's of public administration from Troy University.

Tom is married to Mrs. Estella Gardner and is the loving father of two children, Debriena and Jonathan, and three grandchildren, Jaeda, Londyn, and Gavin.

In addition to his strong commitment to family, Tom has also demonstrated an enduring dedication to his faith in God. Carrying on the pastoral legacy of his father, Tom currently serves as pastor of Beulah Primitive

Baptist Church in his hometown of Hope Hull, Alabama.

Tom has over 30 years of managerial experience and oversight of Federal, State, and local grants. He administered the Emergency Shelter Grant Homeless Assistance Program, the Community Housing Development Organization, the Housing Counseling Agency, and the Affordable Housing Development Program.

Tom has demonstrated an exemplary commitment to community service throughout his life by his participation in community organizations. Tom has dedicated the past 39 years of his career to the Montgomery Community Action Committee. He began his career at the Montgomery Community Action Committee in 1974 as director of personnel and served as the equal opportunity officer until 1975. He was promoted to chief executive officer of the Montgomery Community Action Committee in 1975, where he served until his retirement in October of 2013.

On a personal note, I know Tom Gardner as my beloved "Uncle Sonny" and my mother's youngest brother. I am blessed to have grown up with his wise counsel and guidance. Since the death of my grandfather, Uncle Sonny has served as the patriarch of the Gardner family. There is not a problem, nor a challenge, nor a concern that my cousins and I have not sought his wisdom and comfort. I am so proud of his 39-year career heading the Montgomery Community Action Committee, and I am equally proud of my Uncle Sonny's continued dedication to the well-being and spiritual health of our family. Thank you, Uncle Sonny.

On behalf of the Seventh Congressional District, the State of Alabama, and this Nation, I ask my colleagues to join me in celebrating the career and retirement of Tom Gardner III. His life is a testament to his strong work ethic and passion for faith, family, and community.

□ 1015

OBAMACARE VIOLATES THE ORIGINATION CLAUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, in a bold and agile display of legal sophistry, United States Supreme Court Justice John Roberts upheld the Affordable Care Act by declaring it a tax, while failing to address whether the tax complied with the Origination Clause of our Constitution.

The case of *Sissel v. The United States Department of Health and Human Services* is pending before the D.C. Court of Appeals and headed to the Supreme Court. *Sissel* challenges the constitutionality of roughly 20 tax increases that fund government-run health care.

Constitution article I, section 7 is the Origination Clause. It states, in part, that "all Bills for raising Revenue shall originate in the House."