

Republican Leader Boehner's Floor Speech – November 7, 2009

Let me thank my colleague for yielding, and thank him and our ranking members for the job they have done putting our substitute together.

Ladies and gentlemen, before I came here, I ran a small business. While I was running my small business, it became pretty clear to me that government was growing in my view out of control. More regulations, more taxes, more compliance costs, both for my suppliers, for my customers, and for my own little small business. It seemed to me that government was choking the goose that was laying the golden egg.

You know, we were all lucky enough to be raised in America, most of us born in America, the greatest country in the world. And it is a great country because Americans have had the freedom, the freedom to succeed, the freedom of opportunity. But I think all of us can understand that the bigger government gets, the more that it takes from the American people, the more money that individuals have to spend to comply with all of these regulations, is less money that is left in American families' pockets, small business's pockets, and as a result the opportunities, the opportunities available for our citizens get diminished.

We live in a great country. But it can only be great if we are willing to allow the freedom that Americans have had to succeed to remain. That freedom has been dimming. The bright lights of freedom have been dimming for decades because government continues to grow. One only has to look at what has happened this year to wonder why we are here tonight doing this. We all know we have had a difficult economic shock in our country over the last year.

So we see a stimulus bill that came to this floor with a promise that we were going to create jobs, jobs, jobs. And unemployment wasn't going to exceed 8 percent. Now we have unemployment rates at 10.2 percent and over 3 million Americans have lost their jobs. So all of a sudden we have a budget on the floor, a trillion-and-a-half-dollar deficit this year, and trillion-dollar deficits on average for as far as the eye can see. And I don't think there is a Member on either side of the aisle who doesn't realize that this is unsustainable, that this will wreak havoc on our country and wreak havoc on the future for our kids and our grandkids.

If there is one obligation that we have, it is to ensure that the American dream that is available to all of us is available for our kids and our grandkids. And trillion-dollar deficits for as far as the eye can see are not sustainable and will ruin their future.

But no, it wasn't enough. All of a sudden we have to have this national energy tax on the floor in June. It is called cap-and-trade because no one in America really knows what that means, but it is a giant energy tax. And it would tax anybody who drives a car, anybody who works at a place that uses electricity. Anyone who would have the audacity to flip on a light switch is going to pay a higher tax.

Not only are we going to pay higher taxes and have less energy and higher energy costs in America, it will ship millions of American jobs overseas at a time when Americans are asking,

Where are the jobs? And the policies that have been coming down the pike all year have done nothing more than diminish the possibility that we will be creating the jobs that Americans so desperately want. That still wasn't enough. Now we are going to bring this 2,000-page bill to the floor of the House. It's going to cost over \$1.3 trillion and will kill millions more American jobs.

The American people want us to focus on getting our economy moving again because they are looking for work. They want to make sure that those who have their job can keep it. What has happened here all year is we're moving policies that are going to destroy the ability of the private sector to create those jobs. But I don't think there is anything that will diminish the job prospect in America more, of all the things that have happened this year, than this health care bill.

Now, you just think about this bill that we have in front of us. It is going to raise taxes. It is going to raise insurance premiums for those who have insurance. It's full of mandates. And as if that's not enough, we are going to cut Medicare.

Now, the President said that if you like the health insurance you have, you can keep it. And I know the President was sincere in that, but that is not what this bill represents and there's not a Member in this Chamber that doesn't understand that. Because if you're a Medicare Advantage enrollee, like 27,000 of my constituents, the Congressional Budget Office says that 80 percent of them are going to lose their Medicare Advantage.

If you look at this bill and you look at the employer mandate in this bill, you will find out that if employers don't provide health insurance, there is a tax. And for many employers, the tax will be cheaper than the actual cost of health insurance. A lot of employers in America are going to look up and say, Listen, I'd rather pay the tax, and my employees are going to have to go fend for themselves and end up in the government plan.

But it doesn't stop there. This bill also requires that every employer plan that is offered today has to be approved once again by the Department of Labor and the health choices czar; big compliance cost there. Some employers are going to say, Listen, this isn't worth it. Because it's not just getting the plan reapproved again. It has to go through the health choices czar so that the health choices czar can determine whether your plan is adequate according to some Federal bureaucrat. And so a lot of employers, they're just going to get out of it. They're not going to do it. And what is going to happen to those employees who like the coverage they have today? They are going to end up in the government plan.

But no, no, it doesn't stop there. We have an individual mandate in this bill in front of us that says every American is going to buy health insurance whether you want it or not. And if you don't want it, you're going to pay a tax. And if you don't pay the tax—listen to this. If you don't pay the tax, you're going to be subject to a fine of up to \$250,000 and imprisonment up to 5 years. Now, this is the most unconstitutional thing I've ever seen in my life. The idea that we can tell Americans, force Americans by some law that they have to buy health insurance or we're going to fine you and send you to jail.

But there has been all this focus on the employer mandate and on the individual mandate, on the government option, but let me tell you where there hasn't been much attention, and that is the giant bureaucracy that is being built here in Washington in the Federal Government to take

control of Americans' health care system and force you out of the insurance you have and into some government-run plan.

I know most of my colleagues, they might think this is hyperbole or it might sound political. Let me tell you, it isn't. Well, just listen to this. Most of my colleagues on the left have been down here today. They are for this because it does in fact set up this big infrastructure for the government to eventually take control of all of our health care and just go to a single-payer system.

Now, it starts with the exchange that's in this bill. Once it takes effect, the health exchange, you can't buy private insurance on your own. You can't go out and buy insurance. You have to go to the exchange, and the exchange will decide for you which plans are offered to you. So, if you change your job or you don't like what you have, guess what? You get to go to the government's health exchange to get your insurance.

But it's just not the government option that I'm talking about. When you look at this infrastructure that's there, it is going to require tens of thousands of new Federal employees. The American people want two things from health care reform: They want lower cost and they want more choices. I think the underlying bill here tonight does exactly the opposite. It raises the cost of health insurance and creates this new megabureaucracy to make health care decisions that should be left to doctors and their patients.

So let's talk about this bureaucracy for a moment. If you go to page 131, section 241 provides for an unelected "Health Choices Commissioner" who would run a "Health Choices Administration," an independent agency of the executive branch.

Now, here are some of the examples of the powers of this new health choice commissioner—let's just call him the health czar. On page 167 through 172, in section 303, the health czar will decide which treatment patients could receive and at what cost. Or you can go to page 132, section 242, the health choices czar would decide which private plans would be allowed to participate in the exchange.

Then you go to page 127, section 234. This new health czar will regulate all insurance plans both in and out of the exchange.

Then you go to page 162 to 165, section 302, the health choices czar will determine which employers are going to be allowed to participate in the exchange.

Then you go to page 174 to 178, section 304(b), the health choices czar will decide which physicians and hospitals get to participate in the government-run plan.

Then you go to page 197 to 202, section 308, the health choices czar will determine which States are allowed to operate their own exchange and to terminate any previously approved State exchange at any time.

Then you go to page 170 and 171, section 303(d), the health choices czar can override State laws regarding covered health benefits. It's in the bill. Go read it.

Page 133, section 242(a)(2). This person will determine how trillions of taxpayer and employer dollars would be spent within the exchange.

And page 133, section 242, “conduct random compliant audits.” The person still has more powers here.

Page 183, section 305, automatically enroll Americans into the exchange if they don’t have coverage, including potentially forcing these individuals into the government-run plan. Now, this is referred to as “random assignment.”

This commissioner is charged with establishing “waiting lists” and defining such terms as “dependent,” “service area,” “premium rating area,” “employee,” “part-time employee,” and “full-time employee.”

Let’s all be honest, this is the czar to end all czars.

But it doesn’t stop there. When you look at this expanding bureaucracy created in the Federal Government, on page 1322, section 2401, it creates a new Center for Quality Improvement to prioritize areas for identification, development, evaluation, and implementation of best practices for quality improvement of best practices for the delivery of health care services. We’ve already got Centers for Quality Improvement. We’ve got doctors, nurses, surgeons, hospitals, laboratories, rehab facilities. But no, no, we’re going to have more bureaucracy than that. We’re not even close to the end of this bureaucracy.

Page 1183, section 1904 provides for \$750 million in Federal funding for a new entitlement program to offer “knowledge of realistic expectations of age-appropriate child behaviors” and “skills to interact with their child.” So not only is the Federal Government going to legislate what’s good for medical practices, now we’re going to put \$750 million into a program to help legislate how parents should parent.

Page 1198, section 1907, we establish a Center for Medicare and Medicaid innovation within the Centers for Medicare and Medicaid Services to legislate innovation as part of a bill that cuts, I think, the most innovative Medicare program we have, that’s Medicare Advantage. But we still have more.

Page 25, section 101 authorizes the Secretary of Health and Human Services to reduce benefits, increase premiums, and establish waiting lists to make up for funding in the shortfalls of high-risk pools. That’s right there in the bill, “establish waiting lists.”

Pages 734, 738, and 1162, sections 1401 and 1802 create the Center for Comparative Effectiveness Research and the Comparative Effectiveness Research Commission and the Comparative Effectiveness Research Trust Fund. These are bureaucracies that will decide which treatments are most effective. But the bill does not provide any protection to doctors and patients that they all get to decide what’s in their own best interest.

Then we get into a lot more duplicative Federal programs. Page 1432, section 2531 provides for incentive payments to States that enact new medical liability laws, but only if such laws do “not limit attorneys’ fees or impose caps on damages.” So we’re telling States to solve the problems,

but also telling them not to use the tools that work most effectively in the States that are using them.

Page 1624, section 2589 creates a new Personal Care Attendant Workforce Advisory Panel. Let me say that again, a Personal Care Attendant Workforce Advisory Panel made up in part by personal care workers, including their union representatives, to study working conditions and salaries of these workers. What does this have to do with lowering health care costs?

Page 1968, section 3103 establishes a “Committee for the Establishment of the Native American Health and Wellness Foundation.” So we’re going to set up a committee whose job it is to set up a foundation, and we’re going to take half a million dollars of Americans’ money to do this.

Page 1330, section 2402 creates a new Assistant Secretary for Health Information. I guess this is another job saved or created.

Page 1391, section 2524 creates a “No Child Left Unimmunized Against Influenza” demonstration grant program to test the feasibility of using the Nation’s elementary schools and secondary schools as influenza vaccination centers. Aren’t we doing this already?

Page 1253, section 2231 creates a new Public Health Workforce Corps for the purpose of “ensuring an adequate supply of health professionals.” The bill also creates a “Public Health Workforce Scholarship Program” and a “Public Health Workforce Loan Forgiveness Program.” All of this duplicates the existing National Health Services Corps.

Page 1478, section 2552, the bill creates an Emergency Care Coordination Center in the Office of the Assistant Secretary for Preparedness and Response charged with working in coordination with the Federal Interagency Committee on Emergency Medical Services. And the Emergency Care Coordinator Center seeks out the advice of a Council of Emergency Care.

We’re not finished yet. How about this one? Page 1515, section 2572(b) imposes a labeling requirement on all vending machines nationwide. In addition to that, we require all restaurants with more than 20 locations to post the calorie count exactly next to—and we spell this out in the law—right next to the menu, whether it’s the drive-in menu, the menu on the board, the one they hand out to you. Oh, yeah. We’re going to require every restaurant with more than 20 locations to do this. Oh, but that’s not enough.

Page 872, section 1433 requires the director of food services at nursing facilities that participate in Medicare or Medicaid to hold “military, academic, or other qualifications” as determined by Federal bureaucrats. So now we are going to legislate the work requirements in the background of all this off.

But I think this is the best part of the bureaucracy: on page 122, section 233(a)(3) of this 2,032-page bill, it requires the commissioner to “issue guidance on best practices of plain language writing.” Oh, yes, it’s right here in the bill. Go look at it.

Ladies and gentlemen, we know what’s going on here. There are problems in our current health care system that we all want to address. I heard all the criticisms of our bill and the fact that it doesn’t do everything that everybody wants it to do.

But do you know what it does do?

It lowers the cost of health insurance, and it solves the problem of those with preexisting conditions, and it begins to insure more Americans. That's what the American people want, a step-by-step approach to making the best health care system in the world better.

We can do that. What we don't need to do is to create this giant bureaucracy, spend all of this tax money, and imprison our children's future by passing this 2,000-page bill.

So, I think we do have a better solution, a commonsense solution that Americans will support.

So, tonight, here we are. We have a choice. We can pass the 2,000-page bill. We can raise taxes. We can cut Medicare. We can impose all of these mandates on employers that are going to drive employment down and unemployment up, or we can take some commonsense approach.

As I said during my remarks, our job is to do our best to make sure that our kids and grandkids have a better chance of the American Dream than we did. I understand that we've got some tough choices to make, but that's what the American people sent us here to do is to make those tough choices. I'm not going to put my kids further in debt. I'm not going to dim the lights of freedom for my kids and theirs nor for anyone's in this country if I can avoid it.

So we have a choice. We can do what's right for the future, or we can continue down this path toward bigger and bigger government. I came here to fight for freedom. I came here to renew the American Dream for our kids and our grandkids.

So I would ask my colleagues to think about that choice. Vote for the Republican alternative, and whatever you do, please vote "no" for the underlying bill.