PRESS CONFERENCE WITH MAJORITY LEADER,

STENY H. HOYER,

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Tuesday, May 19, 2009

11:04 a.m.

Mr. Hoyer. Good morning, everybody.

Okay. We are going in at 12:00 today. We'll consider a number of bills on dispensing the rules, including the Helping Families Save Their Homes Act. We expect the last votes to be around 3:00 or 4:00 today.

Wednesday we'll meet at 10:00, expect to do the Job Creation through Entrepreneurship Act, which is a bill by Representative Shuler out of the Small Business Committee, which seeks in a number of ways to enhance the ability of small business to be successful.

Thursday we'll meet at 10:00. We expect to consider the FAA reauthorization bill. That is out of Mr. Oberstar's committee. And we also may consider, if it is ready, the TSA, Transportation Security Administration, authorization out of Homeland Security.

Additionally, we may well consider the credit card conference report, hopefully do that Wednesday, depending upon the Senate; procurement reform conference, which is a very, very substantial bill, but, as I told you, is not very controversial, but both the Senate and the House have pretty much agreed on that. Hopefully we can do that conference on Thursday.

And as you know, the Senate has taken up today or is taking up today, whether they've actually started it on the floor, the supplemental. If they can get the supplemental done in time, we would hope to consider that supplemental so we could pass it

before we leave on Friday.

Let me open up. There has been a lot of debate about the Speaker and the CIA over the past week. I want to be very clear, because I think there has been some misinterpretation of my views as to whether we lean generally to the CIA or the Speaker. I believe the Speaker. I believe the Speaker when she says that she was not specifically briefed on the types of -- very polite term -- enhanced interrogation techniques that were being employed. Senator Bob Graham says exactly the same thing. Although he was not in that briefing, he was in a contemporaneous briefing about the same time. So I think that his recollections comport with the Speaker's recollection, and I think both of them are accurate.

I think I'll leave it at that. I believe the Speaker. And I think that it continues to be a Republican tactic to distract the public from viewing what -- focusing on what was done, what the justification for doing it was, and for the President's comment, President Bush's comment, that we don't torture, we're not using torture. And the point of fact, obviously, is there is substantial disagreement as to whether or not that was, in fact, the case.

I agree with Mr. Zelikow, who testified before the Judiciary Committee last week, and who was involved in this. You may recall that Mr. Zelikow and I worked very closely together on the Help America Vote Act when he was representing President Ford on

that -- in that effort, working with us on the committee. His point is that we need to look at this to determine why we went forward and whether or not we can make sure that we preclude violations of international law and domestic law in the future, and I agree with him.

This week, we have an energy markup. Moving forward, the American Clean Energy Security Act of 2009, Mr. Markey and Mr. Waxman, the Chairman of the committee, have done an excellent job. Mr. Dingell has worked with them; obviously others have worked with them, including Mr. Boucher and Mr. Gordon, as well as other members of the committee. I want to congratulate both of them.

The bill, as it is moving forward, has a 20 percent renewable electricity standard; refinements in the 2007 smart grid; new efficiency requirements in building codes, manufacturing, housing, lighting and appliances; and a plan to reduce carbon emissions, which we think is critically important in terms of the challenge that global warming poses to us.

In addition to that, it is my understanding Mr. Dingell, the Chairman emeritus of the committee, will offer an important amendment to facilitate investment in the development of new alternative energy sources, namely through enhanced loan guarantees and the creation of an energy bank. I believe that is an excellent proposal that he is making.

These provisions, in addition, will help boost investment in

all alternatives, including nuclear energy. I'm a strong proponent of nuclear energy along with Jim Clyburn, our Democratic Whip, because we believe if you're going to get to an energy-independent, clean-environment mode, nuclear energy must be a part of that.

Now, unfortunately, it is my understanding the Republicans have indicated that they want to bring this to a halt, and there are some 450 amendments, I'm told, that may be offered. And Mr. Barton, the Chairman -- the Ranking Member, the former Chairman of the committee, has said, and I quote, “This is not going to be one of gentlemanly pro forma markups. We're prepared for it to take weeks or months.”

I think that is unfortunate and not constructive. I would hope the Republicans would engage in a constructive way, offer, obviously, substantive amendments that they believe would change and improve the legislation. But it is not helpful to simply have filibuster by amendment. This Congress, and I'll stand with this, has been, I think, off to a very fast start. I've indicated that before.

This will be our last pen and pad before we go on the Memorial Day break this week. We passed yesterday the Fraud Enforcement Recovery Act to provide law enforcement with the tools to go after those who committed mortgage and corporate fraud; Helping Families Save Their Homes Act, which we'll do today; Credit Card Bill of Rights, which we hope will come from the

Senate when passed today. Very significant week. If we do the supplemental, that will add to the -- this bill that is on the record that we have made in -- I don't know whether it is 150 days or what the number of days. Does anybody know what the number of days is that this Friday will be? We'll have to count that.

In any event, American Recovery and Reinvestment obviously was a huge piece of legislation that sought to bring our economy back, not only bring it back, but to invest in growing it in the future; budget resolution; Edward Kennedy Serve America Act, which will add hundreds of thousands of people into community service; Children's Health Insurance Program; Lilly Ledbetter; mortgage reform; hate crimes prevention; the Family Smoking Prevention and Tobacco Control language is currently pending in the Senate; the Lilly Ledbetter Act; Mortgage Reform and Antipredatory Lending Act.

So we believe that we have had a very substantial, important agenda to date, and we are going to continue that agenda as we come back. You may want to discuss what we are going to do when I come back. I'll leave it to you to ask the questions, and I'll answer.

Q Mr. Leader, what does the Speaker need to do to put this past her?

Mr. Hoyer. Well, first of all, I think -- as I said, I think she is telling exactly what happened. Bob Graham agrees with her that --

Q That's not putting it past her so far at this point.

Mr. Hoyer. The Republicans are going to stay on it as long as you guys keep printing it, as long as it keeps to be a television item, not about the substance, but about the distraction, and as long as you want to feed on it, the Republicans will continue to feed you. That's the way it is, because they would much prefer for you to be talking about whether Speaker Pelosi, who I believe is accurate, or whether somebody else is accurate.

I think she is accurate. My experience with Speaker Pelosi, I will tell you, over a very long period of time, we've known each other 40 years plus, she has an extraordinarily good memory and remembers a lot of things of meetings that I have forgotten, and when she says them, I say, yeah, that has happened. So I don't doubt her ability to remember what she was told and when she was told it. But I think the Republicans will continue to beat on this because they don't want to talk about the substance.

Q What is the support among the Democratic Congress?

Mr. Hoyer. Solid. Nobody talked to me about it on the floor last night. Nobody mentioned it. We had a leadership meeting. Nobody mentioned it. I think the Members -- the Democratic Caucus see this for what it is, a political tactic to distract from the substance of what was done.

Q What about the CIA? We've heard Members of Congress criticize the CIA's intelligence before saying that the CIA lied.

Is it different, or is that separate from criticizing their analysis or their intelligence in the past?

Mr. Hoyer. What the Speaker said was that --

Q How does this change the Congress' relationship with the CIA? What can be done? Do you worry about --

Mr. Hoyer. I think that you have seen Republicans and Democrats over the last 8 years now make it clear that they wanted to have good communication with the Intelligence Community generally, not just the CIA, and to make sure that they're getting accurate information, that they understood to be accurate. There is obviously an ongoing issue of how that information is disseminated and how it is responded to.

But again, I believe this is a distraction. The Speaker has made it very clear that she supports the Central Intelligence Agency and people working at the Central Intelligence Agency. She has dealt with them for a long period of time, and she believes that they are people to be respected, and she appreciates their service to the country.

Q Sir, when you say you believe her, her exact words were that the CIA misleads Congress all the time. Do you believe that the CIA has misled Congress all the time?

Mr. Hoyer. You guys want to hang on this like a laser, and I think that is unfortunate. What the Speaker said was she was not specifically advised as to the specific enhanced interrogation techniques that were being utilized. I believe her when she says

that. I'm not going to go into every other facet of this that you -- well, I'm not going to go into other facets. I made my statement. I think it is pretty clear. I hope nobody here misinterprets what I was just said.

Q Was Leon Panetta's statement correct?

Mr. Hoyer. Well, as I understand, Mr. Panetta is -- the notes don't reflect that. Mr. Panetta was not there. He wasn't Director, and he says the notes don't reflect it. I haven't seen the notes. I can't comment on that.

Mark, what do you want to ask about?

Q I know I'm going to get over this once you pass the bill. I promise I'll ask another question.

Mr. Hoyer. I think substantively it is important to pass the bill, but one other incentive I have is to get it past you.

Q You're not alone.

Mr. Hoyer. I know. We have not met my --

Q Can I frame my question?

Mr. Hoyer. Of course.

Q You said by Memorial Day.

Mr. Hoyer. I did.

Q Unfortunately I'm very literal. Memorial Day, it is not scheduled, and people feel that it is not going to happen. And I know an elected official in Maryland offered to you an idea which was to change the amendments, make them comparable to the Maryland law, and then that would be acceptable.

Don't we -- don't residents of D.C. have a further problem in that -- and it was listed as many as 80 Democrats are in some way obligated to the NRA, and they're going to rate this bill, and we should just kiss it goodbye because it is not going to happen because so many Democrats in your party are afraid to vote against the NRA.

Mr. Hoyer. Well, if all the Republicans weren't afraid to do so, we wouldn't be in any problem. So again, focus, as you know -- I think we -- our high point has been 25 or 30 Republicans.

Q Twenty-two.

Mr. Hoyer. Twenty-two.

We've had overwhelming Democratic support for the proposition the District of Columbia Representative ought to have a vote for Congress of the United States as does every other American citizen. I continue to be focused on that. I'm going to focus on that.

Q You haven't given up on it?

Mr. Hoyer. Absolutely not. It is going to happen.

Q Is it going to happen this year?

Mr. Hoyer. Yes. I didn't make Memorial Day because, as you know, as you probably talk to about as many people about this issue, maybe even more, than I do, there is a conflict as to how this ought to pass and what are acceptable tradeoffs. And we continue to work with that, and I'm going to be working on it,

frankly, this week with a view towards moving this ahead. I didn't make the Memorial Day. I'm not pleased with that.

Q Can I --

Mr. Hoyer. But I intend to continue to work for this until we pass it in one form or another.

Q It doesn't --

Mr. Hoyer. I'm working with the administration. I'm working with advocates. My staff has been talking to Ms. Norton's staff and the staffs of other people, and continue to work with a number of the Democrats who have concerns about the issue that was raised in the Senate, passed handily in the Senate, and it is a complicating factor, obviously.

The credit card bill has been subjected to the same kind of complication. We are going to move the credit card bill forward in one form or another.

And, Mark, as I sit here, I will tell you this bill will be on the floor this first session of the Congress of the United States, maybe earlier rather than later, and I'm very focused on this. I feel very passionately about this, as you know. I think it is a travesty of democracy that the District of Columbia is being subjected not only to not having a vote, but being subjected to being second-guessed in the policies that it wants to promote on behalf of its own citizens here in the District of Columbia.

Q On guns, can --

Mr. Hoyer. About what?

Q About guns and the NRA. It appears that there is now a pro-gun majority in the House and the Senate. Is there anything that leadership, that the President, anyone can do about this? Can you stand up to NRA, or is the NRA going to get what they want on any bill at any time?

Mr. Hoyer. Let me respond to your question, but also reference what Mark said. I don't think there are 82 Members who feel obligated to the NRA. There may be 82 Members who agree with them, but I would not use the word and don't want to accept by not responding to it that they feel obligated to the NRA. They may agree with them, but there is a vast difference in those two positions.

There clearly is, demonstrably, a majority in both Houses that believe that in regards to the Second Amendment that there are -- that some of the restrictions that have been adopted in the national parks as it relates to the Coburn amendment on the credit card bill in the District of Columbia are too restrictive, and the reality is Dick Durbin and I have spent a lot of time talking about this. The reality is that you have a majority in both Houses that agree with that position, and there are obviously a number who disagree with that position. The tactic that is being employed is to attach issues related to the Second Amendment to legislation which is not dealing with guns or the Second Amendment per se. But that is the reality we are dealing with.

Q Can they get anything they want any time they want?

Mr. Hoyer. No, I don't think they have gotten what they want any time they want it. But clearly there is a -- you know, in the Senate there is no germaneness rule. Here there is a germaneness rule. I will tell you, I think I've mentioned this before, but I want to mention it again so that nobody is disabused of what I think of myself. I think I made a mistake in not moving the bill through the House first. The Senate moved much more quickly on this bill than I thought they were going to move, by the way, and the fact that it moved in the Senate, which allows extraneous amendments, was, I think, in retrospect a mistake. But we are where we are.

Q On the supplemental, there are two key differences between the Senate version and the House version. In the House version, they have included the Gitmo funding with the condition, and they've included the IMF funding. How do you foresee those shaping up in Congress?

Mr. Hoyer. Well, I want to see what they pass without anticipating -- I haven't talked to Mr. Obey about those two specific amendments. I mean, we'll have to see what they have in them, and then we'll have to discuss it with the Chairman. Obviously we would like to pass the supplemental.

The Guantanamo issue, the President has clearly indicated and clearly indicated to the American people, and a large number of Republicans agree, including Secretary Powell, former Chairman of the Joint Staff and Secretary of State under George Bush, that

Guantanamo ought to be shut immediately. The President has, I think, very thoughtfully approached this issue in an attempt to close down a facility that obviously has very substantially adversely affected the image of the United States around the world, and he is doing so as he does everything, in a thoughtful manner, trying to look at what options are available and how they would be implemented and the time frame in which they could implement them. And I think he is going to continue to do that.

We'll look at the amendment when the bill -- the supplemental is just on the floor now, so it hasn't been adopted yet. I don't want to anticipate what they are going to adopt or not adopt. We'll have to deal with it, and we want to pass the supplemental if we can. I want to say there is no deadline on Friday. If we can't resolve the supplemental, we'll resolve it the first week we come back.

Q On this issue with the CIA and the Speaker, obviously it is all happening in the context of a disagreement between a lot of leading Democrats, including the Speaker and the White House, about whether or not there should be a full review, a truth commission, looking back, whatever you want to call it. Part of the interpretation of all these event s is that the Speaker, the Democratic leadership would like to up the ante and stoke this debate and have this debate.

Does the Democratic leadership want to do that? Can we interpret the Speaker's remarks at all that she would like to

bring this debate of a truth commission or a more specific look back about what happened with torture, authorizing torture and getting to torture, that that is something that you all would like to do, and this is part of that?

Mr. Hoyer. I don't think anybody is trying to up the ante. As I have said, and the Speaker said, I think that this is a very substantive issue. It is not just a substantive issue for today, it is a substantive issue for tomorrow.

General Krulak, the Commandant of the Marines, with whom I served on the Board of Visitors of the U.S. Naval Academy, wrote an op-ed piece about a year ago saying that we ought not to utilize torture. He was mainly concerned about the use of torture generally as inconsistent with law, but also as a precedent for how our own troops would be treated.

So -- and mentioning Mr. Zelikow's testimony -- I don't know whether you saw his testimony, but essentially his view is the reason you need to look at this is to determine how did this happen, what happened, and how do we preclude it happening in the future, and make sure everybody understands what the law is as well? I think that is the importance of looking at this issue.

Q But the President hasn't been interested in looking at it, and I wonder if the Speaker saying the CIA misled us is part of getting to the point where you can have that review.

Mr. Hoyer. No. I don't think so.

Q A follow-up on the credit card bill. Given that the

President is asking to sign this bill by Memorial Day, what is the plan for the House to vote on this? Are you going to have to split it so you separate out the gun vote, or how are you going to deal with that in the House?

Mr. Hoyer. That is one alternative. So you can have a vote on both and send it forward. I think that -- you know, I think both have an overwhelming majority. They may be different majorities.

Q Following up on what you said earlier, you mentioned it would be a conference report. So will it --

Mr. Hoyer. As I was -- on the credit card, it may be -- it may not pong. It may be a ping with a two-track ping-ping.

This is getting out of hand, I understand that. But all of you followed that, I'm sure, very closely as to what that process is.

Q Mr. Leader, on the health care front --

Mr. Hoyer. Do you understand what I said? I answered your question. I think that is one option clearly. There may be different majorities for both, but I think they are majorities for the bill.

Q But you list the bill, and you wouldn't have to have another vote?

Mr. Hoyer. Right.

Q On the health care front, some details are beginning to trickle out of the committee level here on the House side about

what might be included.

Mr. Hoyer. And you want me to trickle more.

Q If you would, please, on that one front. And then another follow-up: Where do you personally stand on the public health plan option?

Mr. Hoyer. I think a public option needs to be a part of the bill. How you fashion a public option, I think, is a critical issue. Mr. Schumer has -- Senator Schumer has talked about that, and I think that is going to be a significant part of the discussion.

Q Just a quick follow-up. The Republican Members have become increasingly vocal about not being included in the process. I was wondering how you address that. And also, several Members plan to introduce legislation this week from the GOP side on health reform.

Mr. Hoyer. I hear they say that, but they didn't talk much details, so I don't know what they're going to introduce.

I've had discussions with Mr. Blunt. My staff has had ongoing discussions with his staff. It is my understanding Mr. Rangel and Mr. Camp -- Mr. Rangel invited Mr. Camp to sit down, and something happened with Mr. Camp's schedule, and they couldn't, and I think they are now scheduled to meet this week. Mr. Waxman has indicated he has talked to Republicans in his committee. Mr. Miller indicated he was going to do so as well.

The Speaker and I both urged the committee Chairmen to -- and

the subcommittee chairmen to reach out to their counterparts to discuss -- to discuss the component parts of a health bill. As you know, the President is very committed to passing such a bill. We are as well. We are going to be working very hard on that. And to the extent that we can get Republicans to participate in that process, we hope we can do that. There are going to be differences.

Okay. Thank you very much.

[Whereupon, at 11:30 a.m., the press conference was concluded.]