

PRESS CONFERENCE WITH MAJORITY LEADER,

STENY H. HOYER

Tuesday, November 3, 2009

9:30 a.m.

Mr. Hoyer. Good morning. Nice to see everybody on this beautiful fall day.

It is Election Day. It is a beautiful day for citizens to go out and vote.

Q Do you have any predictions?

Mr. Hoyer. No. I have a prediction that it is a beautiful day for citizens to go out and vote.

We are in session. We are going to go out -- or I guess we either have lights out, or there's a flame that signals. I am not sure what we are doing with that.

We are going to have a joint meeting, obviously. Chancellor Merkel will be addressing a joint session at 10:30.

Today we are going to consider several bills under suspension and the Goldstone resolution, which is sponsored by Representative Ros-Lehtinen and reported out of the Foreign Affairs Committee. Last votes will be around 4 to 5 p.m.

Wednesday, Thursday, and Friday, the balance of the week, we will consider the Expedited CARD Reform for Consumers Act for 2009, which is a follow-on to our credit card reform bill that was passed. Obviously we are concerned about companies taking advantage of the time between when we adopted the reforms and when they go into effect. And also that is Representative Maloney's bill. We are going to consider Chemical Facility Anti-Terrorism Act bill out of Representative Thompson's committee. And then

lastly we will consider the Affordable Health Care for America Act sponsored by Representative Dingell and others.

As you know, Representative Dingell -- I don't know how many of you were at the rollout -- but he used the gavel that he gaveled the Medicare bill through the House of Representatives. So it is a very historic action. We think this is going to be equally historic and have as positive an effect as well after months of debate.

We will have that bill on the floor later this week. The bill will make health care, as you know, affordable, quality health care for all Americans. And that is our intent, and that is what we think we have accomplished.

The Republicans will be given the opportunity to offer a substitute. They have been talking about a substitute for a very long period of time. They have now sent it over to CBO to be scored, and it is a relatively -- I haven't seen it fully fleshed out, but as I understand it, it is a compilation of some bills that they have already introduced.

In his address, his 5-minute response, Mr. Boehner mentioned four specific items. Insurance purchasing across State lines. We believe that could very possibly gut consumer protections and encourage a race to the bottom where insurance companies would go to the States that required the least amount of protection, and therefore the cheapest policies, and that everybody could go and purchase what they think is a cheap policy, but which, in a time

of health care crisis, does not protect them adequately.

We are going to be allowing interstate compacts to effect a competitive environment without abrogating the consumer protections that we think are essential.

They also, which they have been talking about for a long time, group pooling for individuals, business and trade groups. This again would lead to cherry-picking discrimination against certain Americans, which is why it hasn't passed to date. They have been suggesting this for a very long period of time.

I do, by the way, have a handout saying that Halloween is over for -- it's very clever; I am sure all of you were overwhelmed with that, but it is -- trick or treat, and this is sort of like trick, but the American public is getting the trick, not the treat.

They then proposed the incentives for States to establish reforms, but provide no guarantees or commonsense reforms Americans want, such as eliminating preexisting conditions. Many Republicans have said they are for that, but they don't include it in their legislation.

We, on the other hand, have tough insurance reforms in the bill so that not only will preexisting conditions be precluded as stopping people from getting insurance, but also we have caps on out-of-pocket expenses, caps -- eliminate caps on lifetime benefits, and precluding more than 5,000 or 10,000 out-of-pocket expenses for individuals and for families so we don't drive

families into bankruptcy as a result of health care costs. So we believe on that front that ours is vastly superior, and the American public will think that.

Then they talk about ending junk lawsuits. They don't say specifically what are junk lawsuits. As far as I know, again, all I have seen -- because as far as I know, their bill is not on line yet. Has anybody seen their bill? We haven't seen it on line.

But we have a provision in our bill that does a number of things which try to preclude -- by having certification that suits have merit, and also providing that suits will be overseen properly, to preclude what we think is defensive medicine, and we think that some of the provisions in the bill which deal with comparative effectiveness and best practices will also be of assistance.

The balance of their bill, as far as we are concerned, does little to provide security and stability for all Americans. It doesn't provide for insurance availability for all Americans, does little to expand access to coverage or address the \$1,000 to \$1,100 extra that every American is paying for people who do not have coverage, and therefore adds to the uncompensated care in hospitals.

They continue to allow insurance companies to deny coverage to people with preexisting conditions. They fail to lower costs or provide affordable health care options for low- and middle-income families. There is no assistance to families to get

health care, all of which, as you know, are included in our bill.

With respect to the credit card bill, I have mentioned that, and I won't take more time to discuss that, but it clearly moves up the implementation date so we don't have companies, credit card companies, gaming the system before the bill goes into effect. It bans rate hikes on existing balances and ends the practice of double-cycle billing, all of which we think are very important reforms.

Since that bill was signed into law, a report from Pew says that on average, 90 percent of balances have seen an average of 20 percent rate increase, which is why it is so important for us to move quickly.

Okay. Let me stop with that and go to your question.

Q If the bill's going to be on the floor this week, when will there be a manager's amendment?

Mr. Hoyer. I expect a manager's amendment to be done soon. We are still working on it. As you know, what the manager's amendment is trying to do is to make sure that we have the I's dotted, and the T's crossed so it is accurate and correct, and the bill is being reviewed. There are obviously other things that may well be in the manager's amendment. But I am hopeful that that consideration will be done by the end of the day. I am hopeful.

Q How are you going to settle the abortion issue, and will that be solved in the manager's amendment or settled in an alternative way?

Mr. Hoyer. We are still working on that, but I am reasonably confident. I have talked to people who have varying views on that. I am pretty confident that we can get there, essentially making very clear that any money spent on the issue of termination of pregnancy will be spent not by the government, but by the individuals.

Q Do you have a specific date that the health care bill will come up?

Mr. Hoyer. No. When it is ready.

Q Is there a chance that it might not be brought up this week?

Mr. Hoyer. I don't think so. I don't want to say absolutely not, but certainly our intention is either Friday or Saturday to have this bill on the floor.

Let me tell you, I am constrained somewhat, as you know, by my 72-hour pledge and by the Speaker's 72-hour pledge, and we are going to meet that.

Republicans have been somewhat critical -- and I am going to anticipate a question that might be asked. They are going to say this bill is a long bill. The prescription -- or Medicare Modernization Act -- you may have missed my colloquy on the floor, and so I want to remind you, because you ought to have this in the back of your heads as you hear my Republican colleagues carping about the timing of this bill and its length. The Medicare Modernization Act was over 800 pages long. They brought the bill

to the floor, one copy of the new text of the Medicare bill to Democratic Members, shortly before midnight on June 25, 2003. Fifty minutes later, the Rules Committee met. After several hours of testimony at night, they reported out a rule at 5 a.m. It was a closed rule, and they refused over 60 amendments.

The Republican leaders had scheduled the rule and bill for later the same morning after recessing to end the legislative day that they were still in so they could file their rule. And we considered the bill. No amendments obviously had passed, although it was a very close vote, as you know.

Then the conference report. So there's no confusion about the process under which they considered the major reform in Medicare in over a quarter of century, the report was filed in the House at 1:17 a.m., which is when they like to file their bills, on 11-21-2003, and the vote on the bill concluded at 6 a.m. on November 22, the next day. You recall that is the famous 3-hour vote that we had.

So when you hear my Republican colleagues wring their hands about this procedure, be reminded as well that we had 86 hours of hearings on this bill, 81 hours in committee markups, a total of almost 170 hours of consideration, 181 witnesses, 239 amendments offered and considered. Draft bill was available 25 days before H.R. 3200 was introduced. H.R. 3200 was posted on line for 30 days before the first committee markup, and H.R. 3200 has been on line for some 4 months now.

Now, while this is a new bill, clearly much of it are the component parts of H.R. 3200, and we have guaranteed 72 hours of notice on it.

Q When you say the bill will be on the floor this week, is that also a statement that there will be a final vote, and that you are confident on prevailing, let's say, before Veterans Day?

Mr. Hoyer. I am confident of prevailing, and I am confident of prevailing before Veterans Day. It is this week that caused the problems depending upon whether you're talking about a 7-day period -- from today until next Tuesday is a 7-day period, but I don't want to make too fine a point on it. But, as you know, I have indicated to Members that they ought to be available for Monday and Tuesday if we need that time. I am hopeful that we don't need that time, but I am confident that we are going to pass this bill.

Q The CBO estimated in its bill that the public option would charge premiums that are on average above those of the average of the private plans in the exchange. How is this going to become competitive if that's true, and also if they say that the pool will be sicker than private plans?

Mr. Hoyer. Obviously, one of the concerns the Senate has had and the Republicans have had, et cetera, et cetera, that this public plan is not going to be competitive, and we are going to drive private-sector insurance companies out of business.

Well, because, as you point out, the risk pool may be a

higher pool, which is why CBO says the premiums may be higher -- why? Because we mandated this be a competitive plan. So it belies two of the arguments that the Republicans make and opponents make that, A, it is going to drive the private sector out of business. Obviously if they're charging lower premiums, that is not going to happen. Secondly, CBO has found that they believe a minority, significant minority, one in five, maybe one in four, would choose the public option.

So that I think that answers that question.

Q It sounds as though you are not going to make the 72-hour requirement with whatever language is put into the compromise on the abortion question. If you put it in the rule, is that any violation of your promise if you put it in the rule?

Mr. Hoyer. No. We said the manager's amendment we would give 72 hours for, and the bill -- obviously, we have had 72 hours on the bill. So I don't think that is a violation.

Q But if you are going to put it in the rule, that is not the manager's amendment.

Mr. Hoyer. I don't know that that decision has been finally made, but I don't think it would be a violation of the 72-hour question.

Q How do you plan on voting on the Goldstone question, and have you talked about the White House passing the resolution?

Mr. Hoyer. I have not personally talked to the White House about this. I am going to vote emphatically for it, and I intend

to speak for it.

As you know, Goldstone himself is from South Africa, was very critical of the report that came out from the Commission critical on the basis that they essentially ignored Hamas, which makes it a very unbalanced report. As you know, initially the committee was not going to move that report forward. Unfortunately, they are moving it forward, and it will be considered by the U.N. tomorrow, the 4th.

But I am going to vote for it. I think it is unfortunate that the United Nations deals with Israel, in my opinion, in a totally biased and unbalanced way. And it is the only country in the world, Israel, that has a special focus by the United Nations when it is a democracy; it has a Supreme Court that has ruled against the government a number of times on the issues related to human rights treatment. Israel is probably as careful a government as there is in terms of prosecuting its own defense, and it is put in a terrible position after thousands of rocket attacks on civilians in Sterodt and other places.

I have been to Sterodt. I have been to a gymnasium in Sterodt that is a secure facility where children can play because they're afraid of being bombarded -- - these are not military installations -- by Hamas-sponsored rocket attacks.

So I think the U.N. report is unbalanced and unfair and inaccurate, and I think that the author himself said that, although the author, in fairness -- and those of you who don't

follow this, Goldstone is not happy about our resolution either.

Q I am a little unclear on the timing of health care that at least you are looking at this week.

Mr. Hoyer. You and I are in the same boat.

Q You are probably a little clearer than I am.

On the floor, your plan is potentially Friday or Saturday, but then maybe final passage not until next week? You would hold this out there for several days?

Mr. Hoyer. No. I have no plan to hold this out for several days. It has been now 6, 7 months we have been considering this, and 2 years we have had hearings on it. It is essentially a century from Theodore Roosevelt first saying we ought to do this. So I am not going to hold it out for a few more days. However, I have said we are going to give 72 hours' notice for the bill, which has already been done, and the manager's amendment, which has yet to be done. That is the only constraint.

Q So the limiting factor is when you get the manager's amendment?

Mr. Hoyer. Yes.

Q Actually just on the 72-hour thing, first of all, A, is that from when the manager's amendment is brought to final vote and beginning debate? And also, how do you feel about the House taking up UI this week given what the Senate has added to it?

Mr. Hoyer. Let me answer the first question. What are the specifics of the first question?

Q Is the 72 hours meaning you start debate, and then there will be a vote after 72 hours; or are you saying you won't start debate until the 72 hours?

Mr. Hoyer. We are certainly not going to have a vote for 72 hours, But it is my intent to give 72 hours before the bill comes to the floor.

Q Before floor action begins?

Mr. Hoyer. Yes. That is my intent. Now, if we miss that by 3 or 4 hours in terms of bringing it to the floor, but we don't have a vote until substantially later, I am not going to consider that an egregious violation of my own rule.

Q What about the second half of the question that was left unanswered, the UI?

Mr. Hoyer. We will consider it. If it comes over from the Senate -- as you know, they had an overwhelming vote. Why they had to wait a week to get the vote is beyond me because essentially they could have got it then. But we are where we are, and the Republicans continue to, in my opinion, delay the work of the United States Senate, which I think is unfortunate.

Having said that, we will consider the UI when it comes over. We believe that it is a critical issue to pass as soon as possible. The NOL language on there I think will be acceptable to the House, and they have modified the homeowners. I would prefer that they had not done the changes that they effected, but they did, and I think they will be acceptable. And I was pleased that

April 30 is their date for phasing it or for eliminating this program. As you know, contracts entered into but not settled will be honored.

Q Now, do you expect the outcome of today's vote to have much of a psychological impact on your Members as they go to vote for this health care bill later this week?

Mr. Hoyer. No, I don't. First of all, I don't think anybody who lives in this area thinks that Virginia's vote is going to be decided by health care pending here. I just don't. I can't believe there is any credible argument for that. The campaign has not been about that, their ads have not been about that, that is not part of the campaign.

In New Jersey, frankly, it is not really part of the campaign either. Unlike the Murphy election -- remember the Murphy election, the Gillibrand special election, that was all about the recovery and reinvestment, the economic recovery programs. That was their argument, and that, I think, would have had -- and, of course, Murphy won. So I think that gave us a shot in the arm on that.

But I don't think health care falls in that category, and certainly this special in New York. The special in New York, in my opinion, is seeing a party continuing to marginalize itself, continuing to narrow its base, continuing to reject any moderate voices in its party, to exclude them from participation in the party. I think, frankly, win or lose, the Republican Party has

lost that question.

Q The abortion question. Is it a moral right to require taxpayers to pay for any part of a health care plan which covers abortion?

Mr. Hoyer. I think I already answered that in terms of we are going to preclude that from happening.

Q It has been 3 years since you guys won the election --

Mr. Hoyer. I am glad you are asking this question. Bring it on.

Q -- with Pelosi promising to drain the swamp and run the most ethical Congress. How do you feel your Members are living up to her standard or your standard in what we have learned in the last year, 18 months?

Mr. Hoyer. First of all, what we have learned by the unfortunate disclosure of some names that happen to be on a list, but not necessarily under investigation -- and there's a reason for confidentiality on the ethics as there is criminal proceedings regarding the grand jury, and that is to protect the innocent, not to protect the guilty, number one.

Number two -- that is the bad news. The good news is there are a lot of people saying the Ethics Committee wasn't doing anything. They were disabused of that theory pretty emphatically. They were also disabused of the fact that this is somehow being handled in a partisan fashion. Clearly it's not; it is a bipartisan issue. And as one who has intended that, A, the Ethics

Committee needed to do its job, needed to do it vigorously; B, that it needed to, itself, initiate action without being requested to do so by others; and C, who believed the Ethics Committee under Congresswoman Lofgren and Congressman Bonner, two very respected, able Members of this Congress who want to see this institution operate in an ethical fashion, giving confidence to the American public, I think the reports have indicated that they are doing their job. And we will have to see what the outcomes of their work on it are, but to that extent, I think we are doing exactly what we said we would do.

It also says the OCE, the Office of Congressional Ethics, is working. Now, there seems to be some report of some discussions between the two bodies. I think that is not unusual, but they are doing exactly what they were intended to do and to make sure that the American public has confidence that if there are ethical lapses, we are going to take a look at those and take such actions as we deem appropriate.

Thank you.

[Whereupon, at 10 a.m., the press conference concluded.]