PRESS CONFERENCE WITH MAJORITY LEADER,

STENY H. HOYER

***

Tuesday, December 15, 2009

10:30 a.m.

Mr. Hoyer. We meet today at 10:00 a.m. to consider several bills under suspension of the rule, which will include the "Iran Refined Petroleum Sanctions Act of 2009" out of Mr. Berman's committee. I would say that will be one of the most important. The last votes will be at 3 or 4 o'clock.

Wednesday and the balance of the week, we're going to do the Department of Defense Appropriations Act, we'll do a jobs act, we'll do a CR, and we'll do a debt extension. I'm sure you will have questions about that, and I will go into them at a little greater length, maybe, at the end.

I hesitate to say this is the last pen-and-pad of the year, but that would be my wish, and we will see.

In any event, I did want to reflect upon what the House has done this year because it really has been, from my perspective, an extraordinarily productive first session of the 111th Congress. But it has also been an extraordinary demonstration of the divisions within the House and within the Congress, in terms of the almost lockstep opposition by the Republican Party of all the major issues we've considered.

We have acted on a range of issues: the American Recovery and Reinvestment Act; all 176 Republicans voted "no." The stock market is at the highest point it's been. Loss of jobs has plummeted. TARP recipients are repaying their loans with a profit to the Federal Government, to the taxpayer. We passed a Wall

Street Reform and Consumer Protection Act; zero Republicans voted for that, notwithstanding the demonstrable regulatory neglect that occurred which allowed financial institutions to get extraordinarily out of control, as was the case in the late '20s, and incur debt they couldn't possibly afford and had to be bailed out by the Federal Government in order to stabilize the economy.

We passed the Affordable Health Care for America Act. I observe that was a bipartisan act: one Republican, obviously, Cao.

So three major pieces of legislation had no Republican votes, essentially. American Clean Energy and Security Act -- all of these bills, I would remind you, the President indicated he was going to pursue in the election of 2008, and he was handily elected.

Clean Energy and Security Act is pending in the Senate currently, as is the affordable health care act they're considering. We passed the Recovery and Reinvestment Act. But on clean energy, only eight Republicans voted for that, notwithstanding the fact that there is broad support in the American public for dealing with the energy issue.

SCHIP did get 40 Republicans; Lilly Ledbetter, three Republicans; statutory PAYGO, 24 Republicans; Student Aid and Fiscal Responsibility Act, six Republicans. So, for the most part, the Republicans have not engaged, in my view, in a constructive way in legislating in this House.

In the Senate, the engagement of the Republicans has been to obstruct and delay. I don't know whether you find this fact startling, but for all of the '60s and '70s, they had 48 cloture and vote. They had 138 votes on cloture and 188 motions filed, all of the '60s and '70s. During the last two Congresses, they exceeded all of the '60s and '70s. So, 20 years versus 4 years. The figures are: 201 motions filed, 146 cloture votes, and 91 clotures and vote in order to get legislation moved forward.

There has been a conscious, continuing, considered political strategy to delay, to ignore some of the critical issues confronting our country, to the extent that the unemployment insurance extension bill, which got passed 97-0 just a month ago, required three cloture votes.

I believe that what we have done in the House of Representatives is a solid record of accomplishment. Obviously, more work to be done.

Next year, my expectation is we will focus on jobs and on fiscal balance, on fiscal responsibility, on pursuing a way back from the, we believe, essential actions that we took in the last year of the Bush Administration and in the first months of the Obama Administration to stabilize an economy that was the worst in 75 years.

Let me go back to our schedule. We will consider tomorrow morning or shortly thereafter, maybe early afternoon, a Department of Defense bill which will include a number of items that need to

be extended. That's currently being discussed with the Senate, but I think we have agreement on what the Senate will accept and what we can pass.

In addition, tomorrow I expect to pass a CR which will be simply a date amendment on the CR that currently exists. That will probably go to the 23rd or the 24th of this month. That's simply a stopgap measure to make sure the Defense Department doesn't shut down, because we have passed all other appropriation bills, pending the Senate's procedural steps that it needs to go through.

We will then pass a stand-alone debt extension. That debt extension will probably be for 2 months. Now, we will pick a specific number, because, obviously, debt is not by date but by number. But, essentially, that will get us 2 months of additional fiscal ability.

And then the last bill that we will pass will be a jobs bill, which will be our effort to address what we continue to believe is a very high concern of ours and of the American public, and that is creating jobs in our economy.

We'll deal with two things, essentially, in our jobs bill: infrastructure and ensuring that public-service jobs remain. Because, as we build in the private-sector jobs, obviously we don't want to lose jobs in the public sector -- teachers laid off, police laid off, fire laid off, AmeriCorps, summer youth, those kinds of jobs, so that we can keep that stable so that, when we

grow private-sector jobs, as we're going to do in the infrastructure bill, there will be net plusses, not simply a zero-sum game.

I would suggest to you this is not a dispositive list, but I want to tell you what we're going to do in the DOD bill. In terms of extensions, for approximately 2 months; again, we will pick a date. The date has not been finalized. I think I know what the date is, but rather than I mention a date, it'll be a couple of months from now, give or take a few days.

The SGR, the sustainable growth rate; the PATRIOT Act; surface transportation act; satellite, which needs to be extended, will probably be done for 90 days so that we can assure continued service while we're working on an agreement between the House and the Senate on how the satellite bill is to be fashioned.

Flood insurance for 2 months. SBA loan extension for 2 months. Also included for 2 months will be unemployment insurance, COBRA. There will be two other items dealt with, but they're not necessarily extensions, as are UI and COBRA, and that is FMAP, Federal Medical Assistance Program, and food stamps.

The issue on food stamps is it needs money, about $400 million simply for administrative, not for benefits, but for administrative costs. And FMAP needs an extension, but not from December 31st but at the end of the year so States can plan -- at the end of next year, so that States can plan. We're discussing with the Senate whether they have the votes for that.

That's where we currently are in our discussions. There are other items that are being discussed about being included in the package, but those are the extension items.

Let me stop with that and again reiterate that, from my perspective -- you've heard me say this before -- I've been here 29 years; this is my 29th year. And I believe this has been, from the House standpoint, the most productive year that I have served here, in terms of a substantive addressing of challenges confronting our country. Some very, very tough votes had to be taken by Members, starting with TARP in September of '08 and into the Recovery and Reinvestment Act of earlier this year.

Let me stop with that. And yes, sir?

Q Mr. Leader, can you tell us the approximate size of the two elements of the jobs package, how much you plan to spend on infrastructure and how much on aid to States?

Mr. Hoyer. Well, I don't want to give you the specific breakdown because I might make a mistake. But it's in the neighborhood of $75 billion, less than $75 billion.

That, as you know, is the TARP money that's available. So it's not new money. It's money that's already been authorized for addressing in a specific sense, obviously, the financial community. But, as you know, it's been used in a more general sense. Some of it was used on General Motors and Chrysler; some was used for mortgage relief.

We believe that this jobs bill is consistent with the purpose

of the objective, which was to stabilize and bring the economy back, so that we believe that's justified. But we want to stay within the dollars that are available. And although it is like 200-plus that is available, we can only get scored for approximately $75 billion of that. So that will be in the neighborhood.

My judgment is, more of that will be on the infrastructure side than on the -- but it will be a combination.

Q Can you tell me schedule-wise when you expect this jobs bill to be on the floor, voting?

Mr. Hoyer. In the next few days.

Q Is next week still a possibility, or would this weekend be more likely?

Mr. Hoyer. The jobs bill will be on the floor within the next few days.

Q Just a point of clarification here. So the debt limit is not going to be on the DOD bill? Or are you going to do that in a separate bill?

Mr. Hoyer. A separate bill, a freestanding bill out of Ways and Means.

Q Okay. And the DOD -- just to clarify here, that CR, you would do a shorter-term one and then a longer-term one that would get us to February, right?

Mr. Hoyer. No, no, no.

Q What's the 23rd and 24th part you talked about then?

Mr. Hoyer. Those would be the extension dates. In other words, a couple of months. But it could be February 11th or it could be some other date, but it will be about a couple of months from now that we extend all of these things that I've told you about, other than satellite, which will be 90 days.

Q But the actual CR on the DOD --

Mr. Hoyer. There won't be a CR on DOD. DOD will be a permanent bill.

Q What's the 23rd or 24th date?

Mr. Hoyer. The 23rd, 24th of December, CR. All that does is make sure the Senate can get --

Q You do a shorter CR?

Mr. Hoyer. Yes. Those are the four bills. Everybody got that straight?

Q Mr. Leader, you did not mention the estate tax or tax extenders.

Mr. Hoyer. We're working on that. Well, the tax extenders is in the Senate now.

Q Right. But there doesn't seem to be an expectation that it will pass. But there had been some discussion yesterday of doing the estate tax.

Mr. Hoyer. Currently, that's not -- the estate tax is still under discussion.

Q For the DOD bill?

Mr. Hoyer. Yes.

Q Just to clarify, is PATRIOT Act part of DOD?

Mr. Hoyer. Two-month extension.

Q Two-month extension?

Mr. Hoyer. Existing law.

Q That's being done today?

Mr. Hoyer. Well, today or tomorrow. When you say "today," I mean, we're working on it today, but it won't be on the floor today.

Q And why did it take so long to get to this date now? Because everybody knew the deadline was December 31st. And do you envision any problem, 2 months from now, trying to get an extension --

Mr. Hoyer. On the PATRIOT Act?

Q Yes, sir.

Mr. Hoyer. I, frankly, think that the House and Senate committees are pretty close to an agreement on the PATRIOT Act. You know, the Senate hasn't passed the PATRIOT Act, nor have we passed the PATRIOT Act. So we'd like to make sure that we've dotted some of the I's and crossed some of the T's. So how do you do that? You extend it to make sure that it doesn't go dark.

Q How much is required to get the debt ceiling through --

Mr. Hoyer. Well, we're waiting for Treasury to come up with a number, but it's going to be in excess of, I would think, a couple hundred million dollars, in excess of that.

Q Mr. Leader, yesterday Bart Gordon announced his

retirement, along with a few other Blue Dogs. And I think there are many others who are considering, possibly Marion Berry, John Spratt.

What do you make of this mass exodus of Democrats? And how do you expect that's going to affect the future, in terms of midterm elections? Is this signaling the beginning of the end?

Mr. Hoyer. Well, in light of the fact that there are more Republicans leaving, I just want to ask you, what do you think about the mass exodus of Republicans? There are more Republicans that are leaving than are Democrats leaving, at this point in time. Is anybody here talking about the mass exodus of Republicans?

We have some Members who, for their own reasons, have decided to leave. I discussed John Tanner last week. These all happen to be very close friends of mine, Bart Gordon and John Tanner, very close friends of mine, and I'm sorry to see them leave. I think they have personal reasons for leaving. I don't think, frankly, that we have a mass exodus at this point in time.

And I think that, you know, at this point in time, polls have increased, a Gallup poll increased in our support, this past week, which we think is good, obviously. So, A, I don't think there is a mass exodus. B, I think there are individual reasons for this.

And we're talking to our Members about staying here. As I said, it's been a very productive Congress -- or House term, but it won't be productive unless we can get those bills through the

Senate. And I think if we do so and I think the economy comes back, I think we Democrats are going to be in good shape.

We told the American people we're going to address the challenges confronting us. We've done that. We need to get them through the Senate. We need to have the President sign it. But I think we're going to have a very, very positive record to take to the American people next summer.

Q If I could follow up, we don't talk about the mass exodus of Republicans because they're not in power. You guys are running the show. And it seems to me that there is some --

Mr. Hoyer. If we were running the show, many of these bills would have passed. The Republicans in the Senate are preventing, in my opinion, the will of the American people expressed in the last two elections in the Congress and for President of the United States. I think they're thwarting the will of the American people in addressing very serious problems.

Now, they have their own reasons for doing so, but the reason I outlined it, the Republican Party has locked all its people up and given them no flexibility, with the threat of the Club for Growth or some other group running candidates against them if they don't hew to a very narrow agenda, and mainly based upon opposition. As opposed to constructive work to try to get legislation changed, they're going to try to simply defeat legislation, and I think that's unfortunate.

But, you know, I understand your point. We are in power.

And we're going to be in power, in my view, because I think the American public believes that what we're doing is addressing the problems they see, including jobs.

Q Leader, can a health-care reform bill pass the House that doesn't have a public option or doesn't expand Medicare or have some public option compromise?

Mr. Hoyer. Let me say, as you recall, I answered this question when we had it in the House. And it was my opinion then that the answer was yes, and my opinion is now that it's yes.

Why? I want to remind you that my view is the guts of this bill, on both sides of the aisle, is the adding of some 30 million-plus people to access to affordable, quality health care. That is the central impact of this bill. It has a lot of other facets to it, including what has been referred to as a public option here, Medicare additions, or whatever.

But, clearly, Senator Reid has got a majority of the United States Senate for reforming the health care, for insurance reforms which precluded people from being shut out because of preexisting conditions, precluded them from being forced into bankruptcy.

And the majority of the United States Senate are for those propositions. The majority of the United States Senators are for making sure people can obtain insurance. A minority is not, and they have been able to make this a very difficult process for Senator Reid and the majority.

But I think the answer to your question, from my perspective,

is yes. We'll have to figure out what the Senate can pass, and then we'll have to look at it.

Let me make it clear that all of you -- many of you, I don't know about all of you, but many of you have asked me questions about whether or not we're going to simply take the Senate bill, and that's not going to happen. There are significant, important differences between what the Senate is proposing and what we proposed, and those matters will have to be discussed. And it will take some time, I think, to resolve those differences.

Q Are you expecting the Senate to just clear the defense bill you sent over, or is there a chance they will modify it in some way?

Mr. Hoyer. We hope they don't modify it, which is why -- the defense bill will not include many of the things that we think ought to be included. And it will not be included because we can't get an agreement that Senator Reid can get 60 votes for. It is his hope and expectation that, when we come to final agreement, he will, he thinks, be able to pass that in the Senate.

Q Do you foresee needing Saturday or Monday or Tuesday of next week to be able to complete your four bills that you've outlined?

Mr. Hoyer. I think that's possible. When you say do I foresee it, I foresee them being possible days that we may have to come back or be here to meet. I don't know. But it's foreseeable.

Q Back to health care, the idea of the public option or some sort of national insurance plan was always about increasing competition and, therefore, bringing costs down, which was the ultimate aim of this bill from the start.

Mr. Hoyer. Yes.

Q Without that, what can you -- first of all, do you think you can get your progressive Members to support that? That's a major shift.

Mr. Hoyer. Clearly, the public option, which I was for -- I am for the public option, as you know. I voted for it, I spoke for it, am for it. We did not have the vote for a public option, obviously. So, in a world of alternatives, you've got to focus on what you can get.

Now, the Senate has some cost-saving measures that are also controversial; IMAC being one, taxation on high-end benefits being another. Both bills are scored as not adding to the deficit.

And, obviously, one important part of that was, as you point out correctly, about $65 billion over 10 -- that the public option would have brought costs down. Clearly, we use that in reaching our target numbers. And so we're going to have to talk about that when and if whatever they pass comes to conference.

But there is no doubt that we believe the public option is a positive addition to the bill, which, as you point out, brought costs down, created competition, and provided access to individuals. So we're for it. I'm not discussing the perfect;

I'm discussing the possible.

Q Is there frustration, though, that Lieberman, one Senator, can basically change everything that they've been working for over there and that you've been working for over here?

Mr. Hoyer. You know, I talk a lot about the psychology of consensus. I don't know how many of you heard me use that phrase. But when I became whip, I started using that phrase about the psychology of consensus. Too often, it appears that the psychology in the Senate is the psychology of one.

Mark?

Q The President met yesterday with some bankers. Three dialed in from Morgan Stanley, Goldman Sachs, and Citigroup. But people are questioning whether or not the President is just talking.

And in terms of banks lending money to small businesses and consumers, what more can the Congress do? It's been suggested: reinstitute Glass-Steagall and also further regulation of derivatives. What leverage do you have, if the banks continue to not lend? What can you do in terms of legislation?

Mr. Hoyer. Well, Mark, we just passed last week very, very significant regulatory legislation seeking to address the issue, which included a consumer finance protection agency to protect the public and consumers. So when you ask what we can do, we just did something last week.

One of the frustrations in this business is, "You did it last

week. What are you doing this week?" That bill is, you know, coming out of Dodd's committee, and his bill is different from ours. Hopefully, I think, during the first part of next year, the Senate will pass a bill, hopefully, and we'll come to agreement between us.

Now, one addition, I think jawboning the financial community was a good thing for the President to do. I think the President needs to make it very clear that we expect some help from the private sector to help bring this economy back. Small businesses need both their present financing reauthorized, rolled over, and they need new capital to expand their businesses and create jobs.

The administration is talking about using some TARP funds to do direct lending of one type or another, maybe through SBA, maybe directly through banks, but with a condition of the fact that that money has to get out.

Clearly, there is some conflict, and the conflict you have is both with the regulators and with bank boards. Regulators and bank boards are both concerned about keeping their reserve level at appropriate and required levels. And they're concerned about either the present value of their assets deteriorating or the assets that they receive as security for new loans deteriorating, which would then impact on their debt-to-loan ratio and their reserve requirements. On the other hand, you've got Treasury, the Congress, and the American people all saying you've got to lend more, you know, create jobs, you've got to get money on the

street.

The President, I think, again, was correct to jawbone people yesterday. But I think he is going to go further than that. I think Secretary Geithner is going to go further than that. We're talking about direct ways that we can enhance the availability of capital into small business.

Q What about Glass-Steagall?

Mr. Hoyer. I think, you know, that's certainly under discussion. As someone who voted to repeal Glass-Steagall, maybe that was a mistake.

I will do one more.

Q So the administration is going to move prisoners from Gitmo to the Illinois prison. Can I get your reaction to that? Minority Leader Boehner said it's going to make the American people, quote, "less safe." Do you agree with that statement?

Mr. Hoyer. I don't think it's going to make the American people less safe. As has been observed by three very conservative Members, the premise that we can't protect our people from either homegrown terrorists or terrorists otherwise by maintaining them in facilities here in this country I think is incorrect. Who are the three? Help me. Bob Barr was one of them. Newt Gingrich was another. And who was the third? I can't remember the third one.

Q David Keene?

Mr. Hoyer. David Keene. Thank you so much, Ed.

Ed is moonlighting, and we appreciate it. I need all the

help I can get, particularly at this point in time.

But the three of them observed, "Hey, you know, we have some very dangerous people in our prisons, and we can keep them there."

Q So you support the decision to move the suspected terrorists from Gitmo to --

Mr. Hoyer. Apparently, the people in Illinois, including conservative Republicans, said that they needed jobs in Illinois.

We're going to have to come to grips with -- I think we're going to close down Guantanamo. We're either going to release people or hold them, and holding them is a safer alternative.

Q Thank you.

[Whereupon, at 11:10 a.m., the press conference was concluded.]