

113TH CONGRESS
1ST SESSION

H. RES. 333

Expressing the firm conviction of the House of Representatives that any continuing resolution or debt ceiling increase it may approve for the duration of the 113th Congress shall affirmatively include a provision specifically prohibiting the expenditure of any Federal funds in support of or in implementation or effectuation or enforcement of any provision of the Affordable Care Act (“ObamaCare”).

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2013

Mr. STOCKMAN submitted the following resolution; which was referred to the Committee on Appropriations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Expressing the firm conviction of the House of Representatives that any continuing resolution or debt ceiling increase it may approve for the duration of the 113th Congress shall affirmatively include a provision specifically prohibiting the expenditure of any Federal funds in support of or in implementation or effectuation or enforcement of any provision of the Affordable Care Act (“ObamaCare”).

Whereas every Representative solemnly swore to support and defend the Constitution of the United States against all

domestic enemies, and bear true faith and allegiance to the same, and freely took said obligation before God;

Whereas a majority of Representatives believes the Affordable Care Act (“ObamaCare”) violates the Constitution in sundry ways, and its implementation and enforcement would deprive American citizens of cherished fundamental constitutional rights;

Whereas in addition to its organic constitutional infirmities, at least one Administrative Rule promulgated pursuant to ObamaCare has further harmed the constitutional rights of citizens by attacking religious liberties guaranteed by the First Amendment to our constitution for over two centuries, said liberties being once held sacrosanct by this body;

Whereas the Fiscal Year 2014 Budget Resolution already passed by this House of Representatives wisely and appropriately presumed the defunding of ObamaCare subsequent to and pursuant to a more sober consideration of its rash and sweeping provisions, free from the hysteria and parochial politics of the moment of its passing, which sober consideration revealed ObamaCare’s many and now manifest kinks, flaws, deficiencies, and inadequacies, both constitutional and logistical;

Whereas a bipartisan majority of Representatives voted to repeal ObamaCare on May 16, 2013;

Whereas a majority of Representatives supports the provision of the House Republicans’ 2010 “Pledge to America” that promises, in no uncertain terms, “We will repeal President Obama’s government takeover of health care”;

Whereas a majority of Representatives remains committed to the “Repealing Obamacare” Plank of the 2012 Repub-

lican Party Platform, which states, in pertinent part: “We agree with the four dissenting justices of the Supreme Court: ‘In our view the entire Act before us is invalid in its entirety.’ . . . Obamacare has been struck down in the court of public opinion and is falling by the weight of its own confusing, unworkable, budget-busting, and conflicting provisions. . . . If fully implemented, it could not function; . . . Congressional Republicans are committed to its repeal”;

Whereas a majority of Representatives shares the Speaker’s view that ObamaCare is a “monstrosity” that will “ruin the best health care system in the world and bankrupt this country”, that it is “driving up the cost of health insurance, denying people access to quality care, and killing jobs in America”, and asks, as the Speaker has asked, “How can you provide subsidies through these health exchanges without verifying people’s income? I mean our job is to protect the American people, is to spend their taxpayer money wisely. I think it’s wide open for abuse”;

Whereas a majority of Representatives supports the pledge twice expressed by the Speaker in July 2013 regarding the funding of ObamaCare: “We’re going to do everything we can to make sure it never happens, and further”, “[We will] do everything we can to make sure this doesn’t really go into effect. We will continue to do everything we can to defund it . . . and to make sure that the American people aren’t put through this horrific experience”;

Whereas notwithstanding the oft-repeated “guarantee” previously expressed by President Obama that citizens will definitely be able to keep their present doctors after the implementation of ObamaCare, the Department of

Health and Human Services (HHS) has recently announced “you MAY be able to keep your current doctor” (emphasis supplied), thereby conceding that the President’s promise to the citizenry has not been kept, and that the legislation contains no such guarantee;

Whereas the Presidential Administration’s recent decision to delay ObamaCare’s employer mandate and eligibility verification for individual exchanges constitutes a tacit admission that ObamaCare is, in the words of the Chairman of the Senate Committee on Finance, at best, a “train wreck” not yet ready for prime time, and more likely, an imminent disaster;

Whereas the Congressional Budget Office (CBO) reports (1) the Federal Government will spend \$48 billion in 2014—and nearly \$1.8 trillion through 2023—on ObamaCare’s new entitlement programs, (2) the Presidential Administration has requested more than \$400 million in funding and nearly 2,000 bureaucrats for the IRS to implement the individual mandate and 46 other statutory provisions in the law, (3) executive branch agencies’ bureaucrats have already written more than 20,000 pages of ObamaCare-related rules and notices published in the Federal Register, and (4) CBO estimates ObamaCare will raise individual health insurance premiums by \$2,100 per year;

Whereas the current ObamaCare statute is no longer the legitimate product of the legislative voice of the American people, having been rewritten by the two branches of government least accountable to those people, inasmuch as the President has used and continues to use myriad waivers and delays to alter various sections of the legislation to suit his own policy and political objectives, and the

Chief Justice of the Supreme Court having flagrantly disregarded the position of the people that ObamaCare is not a product of the taxing power;

Whereas the House of the people should not force the American citizenry to fund ObamaCare if the Presidential Administration will not enforce the law as written;

Whereas inasmuch as the House of Representatives cannot control the actions of the United States Senate or the President, and has no power to prevent the Senate or the President from shutting down the government if either chooses to do so by refusing to approve or sign a Continuing Resolution, passed by the House of Representatives, that will fund the government's operations and satisfy its obligations to its citizenry and others;

Whereas the Democratic Caucus of the United States Senate has had sixty (60) or more Members for only four months of the last 34 years, and Congressional Democrats exploited that anomalous window in the 111th Congress to pass ObamaCare;

Whereas the Republican Conference of the United States Senate has not had sixty (60) or more Members since the 61st Congress adjourned sine die in the year of our Lord 1911 and therefore the "outright repeal" of ObamaCare must be presumed to be nigh unto an electoral impossibility, irrespective of how favorable the next election is to Republican Senate candidates;

Whereas the only means by which ObamaCare can be halted is for the Congress to exercise its "power of the purse" to defund it, and thereby effect constructive repeal; and

Whereas defunding ObamaCare will become more complicated and difficult to achieve after October 1, 2013 (the date

enrollment for the Medicaid expansion and exchange subsidies begins) and especially after January 1, 2014 (the date those new entitlement programs are scheduled to take effect, and Americans will be forced either to buy a product or pay tax penalties administered by the IRS): Now, therefore, be it

1 *Resolved*, That for the balance of the 113th Congress,
2 the House of Representatives shall pass no bill or resolu-
3 tion that continues appropriations in the event of a lapse
4 in appropriations or increases the borrowing authority re-
5 lating to the public debt limit (or suspends or terminates
6 the debt ceiling) unless said resolution contains a provision
7 affirmatively and specifically prohibiting the expenditure
8 of any Federal funds (whether such expenditure be discre-
9 tionary or mandatory) to implement or enforce any provi-
10 sion of the Patient Protection and Affordable Care Act
11 (Public Law 111–148) or title I or subtitle B of title II
12 of the Health Care and Education Reconciliation Act of
13 2010 (Public Law 111–152).

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