Representatives do our part to uphold those privileges and responsibilities we have been given by the Constitution, and I hope we do it, sir.

I yield back the balance of my time.

□ 2115

MORE PROBLEMS WITH AFFORDABLE CARE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, to follow on my dear friend Mr. FRANKS from Arizona's discussion about the so-called Affordable Care Act, I continue to hear from people who have lost their insurance, had insurance go up significant amounts, it is not affordable.

Now, I did hear from one of my constituents tonight that about 30 out of 147 people at his place of business actually were helped by the Affordable Care Act, and that is great. Eighty percent of Americans seem to have gotten no help or been greatly harmed by the Affordable Care Act. Their insurance has gone up dramatically. They didn't get to keep their insurance. They didn't get to keep their doctor. They didn't save $2,500. Most Americans have been harmed by the Affordable Care Act.

It is just very hard for me to call it the Affordable Care Act, but in this body so often there have been bills which had for a title, such as the Affordable Care Act, had a name that was exactly opposite of what the bill actually was going to accomplish. The cap-and-trade bill, as it was called, certainly didn't help trade, but it sure did cap a lot of commerce that could have taken place and would not have been able to if that bill had been passed.

There are just all kinds of bills. Some people are pretty creative in the way that they put a name on. There is no law that says the title to a bill has to be truthful, and that is how you can end up with a bill calling it ''affordable care'' when the majority lose their insurance and don't get the care that they need or, for example, find out that in 3 to 5 years, when they need a new pacemaker, the new law will not allow them to get it. Those are problems.

What I have also found more and more of are senior citizens who are now beginning to figure out that when the AARP-endorsed ObamaCare—and I don't think it is disrespectful to the President to call the bill ObamaCare, just as the President and others called the bill that Governor Romney signed in Massachusetts RomneyCare. I don't consider it disrespectful to former Governor Romney to call it RomneyCare, and I don't think it is disrespectful to call the un-Affordable Care Act ObamaCare. So no disrespect to the President intended by referring to his signature bill.

But people have been hurt. People have been moved from full-time employment to part-time employment. They liked their insurance policy, but then they found out they didn't get to keep it. They have lost it. They found out their deductible shot up dramatically, and now they don't think that they can afford the thousands of dollars that will be required before their insurance policy kicks in.

We have seen news reports repeatedly about companies that have had to drop spouses from coverage or families from coverage or drop coverage altogether. We found out that there may be as many as 80 percent of those who individually bought their insurance that will or have lost their insurance. And so when I see a number projected like 14 million Americans will lose their insurance, my understanding is that most of these projections about the millions that are losing their insurance are actually talking about millions of policies that are lost. So, for example, if it were my family when my children were growing up, then it would mean not just one policy was lost, but it would mean five people lost their insurance. So I think we will continue to see millions and millions losing their insurance rather than getting to keep it, which is a broken promise.

Now, there was an article written by Lisa Meyers, and it is referenced here in the blog of Ace of Spades, and I don't have the article itself here, but a great point is made that it is bad enough that we were told over and over: If you like your insurance, you can keep it. If you like your insurance, you can keep it. If you like your insurance, you can keep it. If you like your insurance, we will make sure you can keep it. You want to keep your insurance, you can keep it.

We were told those types of things over and over by the President himself and people speaking for the President as well. And the point is made that actually the law itself did not destroy as many insurance policies as have now been lost, but so many of the lost insurance policies have been forcibly lost by this administration by the law but also by the thousands of pages of regulations that have been written. And this article points out:

> In other words the ACA, Affordable Care Act, did make it incredibly hard for insurers to continue plans for the millions of Americans who don't want comprehensive insurance. Financially, insurers almost certainly had to adjust them in such a way that they would lose the grandfathered status. This isn't ''normal turnover in the insurance market,'' although there is plenty of that in the individual market. There is a reason why an exceptionally large number of Americans are getting cancelation notices this fall.

It points out that very often insurance companies will keep premiums down despite rising costs of insurance by raising deductibles or copayments, and that is precisely what Obama's regulations say makes a policy automatically ungrandfathered. So people were told, if you like your policy, you can keep it because we are going to grandfather them in. The President himself used that term, ''we are going to grandfather in these policies.''

Then his Health and Human Services wrote the regulations in such a way that it forced insurance companies to have to change their policies, mandated some new coverage if it was going to comply with the law, but there were so many things that were written into the regulations that forced insurance companies to change their policies which meant they could not be grandfathered. So it was bad enough that people were promised, if you like your insurance, you can keep it, and then there were going to be some people who lost their insurance anyway, but then the regulations were written in such a way that it was going to force and has forced people to lose their insurance.

So the President's own Health and Human Services Department has created more lost policies by the way they have written the regulations. They could have been written in such a way so that the President would have been allowed to keep his promise. And all it would have taken from a strong leader who wanted to make sure that no Department made a liar out of him would have been to either pick up the phone or write a letter or have an email sent saying, Hey, don't make a liar out of me. Don't you write these regulations in such a way that it causes people to lose insurance policies when I promised them they won't lose their policies.

That could have happened, but it didn't happen. In fact, what the Health and Human Services Department did, by virtue of the Secretary who is in charge, they made sure that millions and millions and millions of Americans would lose their health insurance. So it makes that point, the Affordable Care Act as written and passed, would have protected the grandfathered plans for a longer period of time and with more freedom for adjustment, but the Obama administration filled out the Secretary's ''shalls,'' and there are so many ''shall this,'' ''shall do that,'' ''shall do this'' in such a way as to make it that much harder, if not basically impossible to do.

The Obama administration's original June 2010 rules were actually even stricter and have, for example, made it impossible for an insurer company to change the firms it uses to manage and administer the plan, which needn't affect coverage and is a simple way to lower costs. But those ludicrous restrictions were eliminated, but enough rules remained that it is again near impossible to maintain a grandfathered health insurance policy.

Very tragic. Promises made were not kept.

And also, I had some folks tell me that, gee, it seems disrespectful for Republicans to say, to talk about President Obama without mentioning the word ''President.'' It seems disrespectful. And so, Mr. Speaker, I certainly don't mean any ill will any time I have used the shorthand, and I try to use

''President Obama,'' but I also hope that my friends, probably every one of the Democrats in this body and probably all of the Republicans in this body that have referred to anything that happened in the Bush administration or used the shorthand rendition ''under Bush'' without saying ''President Bush,'' that those people who want President Obama to always have ''President'' before ''Obama'' said that they will go ahead and apologize for ever referring to Bush without ''President'' in front of that.

But the reason that doesn't necessarily need to happen is I know most people didn't mean any ill will by that. Obviously, those who hung President Bush in effigy or said some of the most mean-spirited, nasty things about President Bush, it never crossed my mind that they might be racist, because I thought they just disliked the man. But we are hearing now from so many people that if you say something about the President, then you must be a racist. I just look so forward to the day when the dream of Martin Luther King, one of them, will be realized that people will be judged by the content of their character and not by the color of their skin.

I testified today before the Senate Subcommittee of the Judiciary about the Stand Your Ground Act, and actually that language comes from an 1895 Supreme Court case where the Supreme Court said an individual could stand his ground, so that is not a new invention. But I was reminded, when people began to talk in terms of racism from stand your ground laws, that, as a prosecutor, we didn't care what anybody's race was, not as a defendant nor as a victim. Everybody deserved to have protection regardless of race, creed, color, gender, national origin.

But it did remind me that back when I was a judge, judges did not select the grand jury, their grand jury members. Those were chosen by grand jury commissioners the judges chose, but the commissioners chose the panel members for the grand jury.

□ 2130

There were some defense attorneys that decided to attack the system by claiming judges were by a disproportionate number appointing too many Anglos as grand jury foreman because that is something that judges did in Texas. A judge selected the foreman for the grand jury. He did not select the members. But among the members, they would choose who the foreman would be.

I was subpoenaed at one time back then without the defense attorneys doing their homework, and they intended to put me on the stand in their attack on a racist grand jury foreman system and use that to establish that, gee, it was grossly unfair, the disproportionate number of Anglos that were chosen as grand jury commissioners. Then, after I was subpoenaed and before I testified, they did their homework, and they found out that actually it was a disproportionate appointment if you only looked at race. I had appointed proportionately more African Americans as foremen of my grand jury than the percentage of African Americans in my district. The reason I did that was because I did not care what anybody's race was. It didn't matter to me. I had to look at the backgrounds of the individuals, look at the individuals that were on the grand jury, and then select from among those someone that I believed would be a leader, would be good at organization, would have the respect of the other grand jurors, and be able to work for 6 months as head of the grand jury and make good decisions as a peacemaker and an organizer.

I never looked at their race. I didn't care about that. But I happened to know the people that I appointed as grand jury foremen. Sometimes they were women; sometimes they were men. I couldn't have told them, but they went back and checked and, wow, I had appointed a majority of African Americans during the time I was in charge of the grand jury rather than Anglos. Once they found that out, that blew their theory as far as me as a witness. So they quickly sent word that my subpoena had been dismissed and my testimony was not desired because, clearly, I wasn't going to help them establish a case of district judges being racist.

I can remember a couple of the grand jury foremen I selected. It had nothing to do with race. They were good people. One I remember was a community leader, was in so many organizations that everybody respected her. I knew she was amazing in organization, a former assistant superintendent. Anyway, I feel like so many times people want to use the term ''racist,'' and they are like those defense attorneys that don't bother to check the facts before they start mouthing off.

Another article that I saw in the last couple of days disturbed me greatly because it follows along in a pattern of abuse of law enforcement, of the tools of the administration. It follows along in what really amounted to the weaponization of the Internal Revenue Service. We still need a special prosecutor to go through and indict anyone and bring them to trial, anyone in the IRS that abused their positions, anybody that has committed perjury. We need a special prosecutor to do that. Obviously, the Justice Department will not, and we need someone to do that.

We have seen how abusive this administration can be using the powers of its office to go after people. We also know, despite the promises before being elected that this administration would be the most transparent in history, it has not been so. More and more mainstream reporters are starting to realize that, wait a minute, these guys are not even as open as the Bush administration was. I am sorry, the President Bush administration.

This story by John Hayward in Human Events is entitled ''DHS Raids Human Events Alumnus, Seizes List of Whistleblowers.'' We also know this administration, instead of being the most transparent, has the dishonor of having prosecuted more whistleblower or leakers than any other administration, in fact, than all other administrations put together. It is ruling with an iron fist.

This article points out that:

> Human Events alumnus Audrey Hudson was the target of a Department of Homeland Security raid in August that was ostensibly related to firearms, but in a new interview with the Daily Caller, she revealed that DHS and the Maryland State Police also just happened to confiscate her files and notes, which included information about whistleblowers inside Homeland Security.
>
> Hudson says the files were taken without her knowledge and without a subpoena. The Daily Caller confirmed that the search warrant pertained to firearms and ammunition. Even that part of the story seems rather flimsy, but then we get to all those juicy files that got hoovered up during the raid.
>
> At about 4:30 a.m. on August 6, Hudson said officers dressed—

That is 4:30 in the morning. It is hard to believe that people sleeping peaceably, law abiding citizens, a reporter who has written stories using sources within Homeland Security that the administration didn't like, they bust into her home with a subpoena and say we are here to look for firearms, and instead, without the consent—I would say that if the subpoena did not allow for them to take her notes pertaining to DHS whistleblowers that provided this reporter information, it begs the question that perhaps these law enforcement officers acting under color of State law or Federal law stole these without due process.

So it bears looking into. If we had a Justice Department that was going to do justice in such an abuse of power, the same kind that would actually prosecute people who brought a billy club and intimidated voters at a voting location—but that doesn't seem to be the case.

Anyway, the article says:

> After the search began, Hudson said she was asked by an investigator with the Coast Guard Investigative Service if she was the same Audrey Hudson who had written a series of critical stories about air marshals for The Washington Times over the last decade. The Coast Guard operates under the Department of Homeland Security.
>
> Hudson said that investigator, Miguel Bosch, identified himself as a former air marshal official.
>
> But it wasn't until a month later, on Sept. 10, that Hudson was informed by Bosch that five files, including her handwritten and typed notes from interviews with numerous confidential sources and other documents, had been taken during the raid.
>
> In particular, the files included notes that were used to expose how the Federal Air Marshal Service had lied to Congress about the number of airline flights there were actually protecting against another terrorist attack, Hudson wrote in a summary about the raid provided to The DC.
>
> The Coast Guard was involved because Audrey's husband works for them as an ordnance technician. What was the reason given for grabbing his wife's files?

She said she asked Bosch why they took the files. He responded that they needed to run them by TSA to make sure it was ''legitimate'' for her to have them.

I am sorry. Legitimate for a reporter to have her own handwritten notes? What kind of a country are we living in that busts into somebody's home at 4:30 in the morning to take her notes regarding whistleblowers at Homeland Security? We are living in a scary time.

Back to the article.

This guy basically came in here and took my anonymous sources and turned them over—took my whistleblowers—and turned it over to the agency they were blowing the whistle on,'' Hudson said. ''And these guys still work there.''

Hudson says none of the documents were classified, and no laws were broken in obtaining them. She said the government papers in her possession were obtained through a Freedom of Information Act request, an assertion the Coast Guard confirmed. And how did they confirm it? They handed the material over to the ''source agency'' for review—or, as Hudson put it, they turned the whistleblower information over to the agency that had the whistle blown against it.

It wasn't just official documents that were seized, however. Hudson says they also ''took four other files with my handwritten and typed interview notes with confidential sources, that I staked my reputation as a journalist to protect under the auspices of the First Amendment of the Constitution.'' One of her major reasons for coming forward with the story is to give the whistleblowers a heads-up, because she's ''terrified to contact them'' directly.

This is unbelievable. This is happening in America. Mr. Speaker, I think we should defund the Department of Homeland Security until such time as they start being honest about what they are doing and we get answers from the Justice Department. They need to be addressed until they provide the information that the Attorney General has been held in contempt for. We want to make sure law enforcement services are done, we fund those, but we don't defund the Attorney General himself or the head of DHS until such time as they start complying with the requirements of the law, like Americans across the country are required to do without this kind of abuse.

We have got to stop the abuse. We have the power to do it. All we have to do is defund it until they come within the letter of the law themselves.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for October 28 through October 30 on account of attending to family acute medical care and hospitalization.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2013, 2014 AND THE 10-YEAR PERIOD FY 2014 THROUGH FY 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, October 29, 2013.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker, U.S. Capitol, House of Representatives, Washington, DC.

Mr. RYAN of Wisconsin. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2013, 2014 and for the 10-year period of fiscal year 2014 through fiscal year 2023. This status report is the last update for fiscal year 2013, which ended on September 30, 2013. For fiscal year 2014, the report is current through October 22, 2013.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res 25 (113th Congress) for fiscal year 2014 and the 10-year period of fiscal year 2014 through 2023. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2014 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for action completed by each authorizing committee with the ''section 302(a)'' allocations made under H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res. 25 (113th Congress) for fiscal years 2014 and the 10-year period 2014 through 2023. ''Action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal years 2013 and 2014 with the ''section 302(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) sub-allocation. The table also provides supplementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 4 gives the current level for fiscal year 2015 of accounts identified for advance appropriations under section 601 of H. Con. Res. 25. This list is needed to enforce section 601 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation during the FY 2013 and FY 2014 fiscal years against the budget resolution aggregates in force during those years.

If you have any questions, please contact Paul Restuccia.

Sincerely,

PAUL RYAN,
Chairman.

TABLE 1—STATUS OF THE FISCAL YEAR 2013 AND 2014 CONGRESSIONAL BUDGET AS ADOPTED IN H. CON. RES. 112 AND H. CON. RES. 25

[Reflecting Action Completed as of October 22, 2013 (On-budget amounts, in millions of dollars).]

	Fiscal Year 2013 [1]	Fiscal Year 2014 [2]	Fiscal Years 2014–2023
Appropriate Level:			
Budget Authority	2,793,848	2,761,945	n.a.
Outlays	2,891,589	2,811,517	n.a.
Revenues	2,089,540	2,310,972	31,089,081
Current Level:			
Budget Authority	3,021,853	2,904,124	n.a.
Outlays	3,065,784	2,922,851	n.a.
Revenues	2,015,873	2,310,977	31,089,104
Current Level over (+)/under (−)			
Appropriate Level:			
Budget Authority	+228,005	+142,179	n.a.
Outlays	+174,195	+111,334	n.a.
Revenues	−73,667	+5	+23

n.a. = Not applicable because annual appropriations Acts for fiscal years 2015 through 2022 will not be considered until future sessions of Congress.

[1] The appropriate level for FY2013 was established in H. Con. Res. 112, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 5. The current level for FY2013 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2012 to 2022, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

[2] The appropriate level for FY2014 was established in H. Con. Res. 25, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 243. The current level for FY2014 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2013 to 2023, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.