

© 2010, CBS Broadcasting Inc. All Rights Reserved.
PLEASE CREDIT ANY QUOTES OR EXCERPTS FROM THIS CBS
TELEVISION PROGRAM TO "CBS NEWS' FACE THE NATION."



March 21, 2010 Transcript

GUEST: REP. JAMES CLYBURN
Democrat-South Carolina, Majority Whip

REP. CHRIS VAN HOLLEN
Democrat-Maryland, Democratic Congressional
Campaign Committee

SEN. MITCH McCONNELL
Republican-Kentucky, Minority Leader

SENATOR RICHARD DURBIN
Democrat-Illinois, Assistant Majority Leader

MODERATOR/
HOST: Mr. BOB SCHIEFFER
CBS News

This is a rush transcript provided
for the information and convenience of
the press. Accuracy is not guaranteed.
In case of doubt, please check with
FACE THE NATION - CBS NEWS
(202) 457-4481

TRANSCRIPT

BOB SCHIEFFER: Today on FACE THE NATION, we'll find out in a matter of hours, do the Democrats have the votes to pass health care reform?

PRESIDENT BARACK OBAMA: We are going to get this done.

REPRESENTATIVE JOHN BOEHNER: We're about twenty-four hours from-- from Armageddon.

BOB SCHIEFFER: The House will have an up-or-down vote on the Senate health care reform bill sometime today. Do they have the two hundred sixteen votes they need to pass it? We'll ask the men who are tracking the votes--House Whip James Clyburn of South Carolina and the key political strategist Chris Van Hollen of Maryland. And if it does pass, can Republicans then stop it in the Senate? We'll talk with the Republican leader there, Mitch McConnell of Kentucky, and Democrat Dick Durbin of Illinois.

I'll have a final thought on an anniversary we should not forget.

But first, counting the votes on FACE THE NATION.

ANNOUNCER: FACE THE NATION with CBS News chief Washington correspondent Bob Schieffer. And now from CBS News in Washington, Bob Schieffer.

BOB SCHIEFFER: And good morning again. So today is the day. The House will finally vote on health care reform and a year-long debate that's been rancorous and mean from the start turned even nastier yesterday. Demonstrators protesting the bill poured into the halls of Congress shouting "kill the bill" and "Made in the USSR." And as tempers rose, they hurled racial epithets even at Civil Rights icon John Lewis of Georgia, and sexual slurs at Massachusetts Democrat Barney Frank. Other legislators said the protesters spit on them and one lawmaker said it was like a page out of a time machine. One of the lawmakers who saw all this is the chief vote counter for the Democrats, Jim Clyburn, who is at the Capitol this morning still working the hallways for votes. He is with the Democrats' chief political strategist, Congressman Chris Van Hollen of Maryland.

Congressman Clyburn, before we talk about this do you have the votes? What about these demonstrators yesterday? Have you seen anything like this in recent times?

REPRESENTATIVE JAMES CLYBURN (Majority Whip/D-South Carolina): No, not in the recent times. Thank you so much for having us. The last time I saw anything like that was back in 1960. I celebrated a week ago the fiftieth anniversary of the march in Orangeburg that I have to organize the so-called Orangeburg Seven of which I was one. Two others, three of us got together with some students last Monday to talk about those experiences. And we were telling those students how those kind of stuff was behind us. I suspect that I might have to modify some of that after yesterday.

BOB SCHIEFFER: I-- I think I should add that Republican leaders this morning along with Democrats, such as yourself, have denounced these demonstrations. But be that as it may it just shows how-- how hot tempers are and-- and how volatile this whole situation has been.

Congressman Van Hollen, the two of you have been tracking these votes. Where are you right now do you think?

REPRESENTATIVE CHRIS VAN HOLLEN (Democratic Congressional Campaign Committee/D-Maryland): Well, Mister Clyburn is the whip and he informs me that he is absolutely confident when the vote comes. We will have the votes to get this done. What we've seen is in our recent weeks and months as our members have gone back to their districts and talked with their constituents, they're getting the very clear signal that the status quo is unacceptable. We have a system where the health insurance industry continues to increase premiums by huge amounts, turn down constituents for coverage based on pre-existing conditions, fine little fine print in health care policies to deny access to care when people need it the most, and that the status quo is just unacceptable.

BOB SCHIEFFER (overlapping): Well--

REPRESENTATIVE CHRIS VAN HOLLEN: And that has built this consensus to get this done.

BOB SCHIEFFER: Mister Clyburn, that-- from the beginning the Democrats have been saying we think when this finally comes to a vote this afternoon we-- we will have the votes. You don't have them yet, though. Do you in-- in all honesty?

REPRESENTATIVE JAMES CLYBURN: Well, you know, in doing vote counting you try sometimes to work backwards. You-- you look at what it is that you're dealing with. And then you look at the members who have issues that you must reconcile. And you start counting back. And that's the way that I do it. And we do believe that the issues that are of concern to people, you know, like racial disparities in health care. We have been talking about that but it's been regional disparities that has caused us the problem that-- in this health care bill. And we are trying to make sure that we reconcile those differences in such a way that every state, every community feels that they are, in fact, getting a just return on their investment. So these little issues have caused us to really be very, very careful as we move to the final vote. And that's why we are not going to talk about that two sixteen number until such time as we get to the floor this afternoon.

BOB SCHIEFFER: Well, by our CBS count, we put you at having as, you know, maybe as few as two hundred and four votes, but maybe somewhere around two hundred and ten--

REPRESENTATIVE JAMES CLYBURN: Mm-Hm.

BOB SCHIEFFER: --which would mean you're about six votes short now. But there's about a dozen votes, it-- it would seem to me, that are-- are in play. Mister Van Hollen, why is it that House Democrats are-- are so wary of voting for this bill that the Senate has passed?

REPRESENTATIVE CHRIS VAN HOLLEN: Well, first of all, Bob, we're going to get the votes to go over the top. But the reason the Senate bill created some controversy is there are some things that shouldn't have been in the original Senate bill, for example, the Nebraska deal and some other deals. We're getting rid of those. We're getting rid of the Nebraska deal. We're getting rid of the deal that was in there for Florida and New York. We're making other improvements to this bill to make sure that coverage is more affordable. And that's why our members are now very comfortable voting for the Senate bill as amended, as it's going to be amended by the reconciliation bill. And that's the package. And we're going to have a majority of

votes to get that done. And as I said it is a whole lot better than the status quo when it comes to health care.

BOB SCHIEFFER: Just for those who don't follow this as closely as we do here in Washington, the basic deal here right now is you have made a decision you're going to vote on the Senate bill, even though many in the House don't like it. You're going to take an up-or-down vote on that. And then as I understand it, next you will vote on what is called this reconciliation bill which corrects a lot of the things in the Senate bill that-- that House members don't-- don't like.

Mister Clyburn, what about those in the House? And I know you've had problems. There are about a dozen that were very concerned about that this Senate bill does not go far enough on abortion, about prohibiting public funds and-- and these insurance plans from covering abortion. I'm told now that the President is going to issue some sort of an executive order that you hope will-- will satisfy that group of people. And where is that? Is-- is that settled yet?

REPRESENTATIVE JAMES CLYBURN: No, I don't think it's quite settled yet but I think it will be by late afternoon. Bart Stupak and I spent a lot of time together last evening. I've-- I've seen him on one of the networks this morning saying that we are very, very close. And I think that we'll-- we'll be there by the time that we vote. And I fully expect that we'll get the votes that are necessary.

BOB SCHIEFFER: You-- you do expect to-- to have his vote. Now, let me ask you this about this-- these reconciliation corrections. Are you satisfied that these corrections will pass parliamentary muster when they go over to the Senate because, as you well know, the Senate parliamentarian has to rule on whether they are germ-- germ-- germane. And if they are, they have to have something to do with reducing the deficit. Mister Van Hollen, are you telling your people that-- that this can work? And how do you have the assurance that the Senate will actually pass this reconciliation part? Because I know that's one of the things that-- that a lot of people in the House are worried about. They're afraid that the Senate will just turn its back on that and then House members will be left out there on a limb having voted for something that they don't really like.

REPRESENTATIVE CHRIS VAN HOLLEN: Well, we are confident that it-- it will work and Harry Reid, the Senate leader, came over to address the House caucus yesterday. He said he had absolute commitments from the majority of senators to get this done. And it does meet the deficit reduction requirements. In fact, the Congressional Budget Office has said that over the first ten years of this bill, it will reduce the deficit by a hundred and forty-three billion dollars and over the second ten years by 1.3-- 1.2 trillion dollars. So this is more than paid for. It's fiscally responsible. I-- I will say unlike some of the bills that have been passed in the-- in the past by our predecessors which draw-- drove up the deficits this actually reduces the deficit.

BOB SCHIEFFER: All right. And let me ask you this, Mister Clyburn. I know some House members (LAUGHING) are so distrustful for-- of the Senate that they've actually demanded that Senators send them a letter with fifty-one signatures on it, assuring them that if they pass these corrections to the bill that the senators, those fifty-one, will pledge to-- to-- to vote to-- to approve those corrections. Have you ob-- obtained such a letter from the Senate? Or will that be necessary?

REPRESENTATIVE JIM CLYBURN: Well, it's not necessary for me. When Senator Reid came over on yesterday, he told me that he had these ironclad commitments and asked me whether or not I wanted to see the letter. I told him, no, I don't need to see the letter. Your word is good

enough for me. Now I know that as an institution, we sometimes distrust the Senate. But the facts still remain that I think they're people of goodwill and we'll get this done.

BOB SCHIEFFER: Well, and-- and when you say you don't need to see the letter, does that say that you-- there is such a letter, that he has collected those signatures?

REPRESENTATIVE JIM CLYBURN: Well, I don't know if he's got the signatures or not. I know-- I was told that a letter exists. Now whether he was asking me whether or not I see-- needed to see something that was in his possession, whether or not he just get me something before we started voting, I don't know exactly what he meant by that. But I did tell him that his word was good enough for me.

BOB SCHIEFFER: All right. And-- and Mister Van Hollen, quickly, are some Democrats facing defeat out there, members of the House in some of those marginal districts if they vote for this bill?

REPRESENTATIVE CHRIS VAN HOLLEN: No, they're not facing defeat. What's going to happen, Bob, is this: once we pass this bill. Everyone's going to see right away that all those horror stories are not going to come true. The world's not going to come to the end. It's not going to be Armageddon. There not going to be these death panels. In fact, they're going to begin to see the benefits. We're going to be closing the doughnut hole, so seniors have more help in pain for their prescription drugs. We're going to make sure--

BOB SCHIEFFER (overlapping): All right.

REPRESENTATIVE CHRIS VAN HOLLEN: --that there lifetime limits, somewhat out of pocket costs. So there're a lot of benefits that people will see and they'll see that a lot of the hysteria and the fearmongering just was not true.

BOB SCHIEFFER: All right. Well, thank you so much, both of you for a very enlightening discussion bringing us up to the minute.

We'll be back to get the Republican side of this in a minute.

(ANNOUNCEMENTS)

BOB SCHIEFFER: So if this bill does pass the House it goes back to the Senate, of course. And now we're going to talk to two key Senate leaders, Democrat Richard Durbin, the number two Democrat in the Democratic leadership in the Senate. He's in Springfield this morning. But we begin with the Senate's top Republican Mitch McConnell. Well--

SENATOR MITCH MCCONNELL (Republican Leader/R-Kentucky): Good morning.

BOB SCHIEFFER: --good morning to you, Senator. Thank you for coming. It looks like you have your work cut out for you. The Democratic vote counters there just said they believe they're going to have the votes to pass this in the House, so that means this bill and the corrections that the House is going to make go to the Senate. What happens then?

SENATOR MITCH MCCONNELL: Well, they'll have a tough sell first in the House. They'll have to get their members to vote for the Senate bill which has the Nebraska deal, the Louisiana deal, the Florida deal, and then they'll have to get them to vote for a second bill, which has even

bigger Medicare cuts than the first bill even more tax increases than the first bill and its own set of special deals. For example, the Rocky Top vote swap. The deal made to get the vote of a congressman from Tennessee, who voted against the bill the first time and is apparently going to vote for it this time, special deal for a hospital in his district. So the second measure that'll come back to the Senate is not exactly free of special deals. And that is the proposal if the House can pass both these measures that the Senate will take up next week.

BOB SCHIEFFER: So what will be your tactic? What will be your strategy? Will you just offer a series of amendments to-- to try to just drag this out? Well, what-- what will Republicans do?

SENATOR MITCH MCCONNELL: Well, it's not a question of dragging it out. It's a question of making sure the American people know what's in it. We'll have all kinds of amendments on the substance. And then, of course, there're special rules that apply to one of these so-called reconciliation bills that will be tested in the Senate. It will be various rulings by the parliamentarian as to whether things meet the so-called Byrd rule. And those will be tested in votes as well.

BOB SCHIEFFER: And the Byrd rule, of course, is that it must be germane to reducing the deficit in order to be considered under this reconciliation plan, which we should underline the reason that Democrats are trying to do it that way is they can pass this with a simple majority of fifty-one.

SENATOR MITCH MCCONNELL: That's cor-- that's correct. And it-- and it's been used before by-- by both sides. Interestingly enough though the only time it's been narrowly partisan when it was used each party lost the Senate the next year. In '93, we had narrowly partisan use of reconciliation for the biggest tax increase in history at that time. And the next year my party took the House and Senate. In 2005, we used it for a deficit reduction package. It was narrowly passed on a partisan basis and we lost the Senate the next year. Most of the time we've used this device in the past, it's-- the-- the measure has passed by a-- a large bipartisan majority.

BOB SCHIEFFER: So just-- just walk us through this.

SENATOR MITCH MCCONNELL: Mm-Hm.

BOB SCHIEFFER: What-- what happens when it gets to the Senate? Will you-- what-- what's the first thing you will do?

SENATOR MITCH MCCONNELL: (LAUGHING) Well, I'm not going to announce it today, but we will have a series of amendments on the substance of the bill and that will highlight the-- the massive Medicare cuts, the massive tax increases, and other deficiencies that we think are the reason the American people are against this bill. I mean what was going on here, Bob, is the-- the Democrats in the House and Senate are trying to convince their members to basically ignore their own constituents and do something that's highly unpopular even though the public opinion is pretty darn clear that Americans don't want this.

BOB SCHIEFFER: Do you think at this point you can stop this bill from passing?

SENATOR MITCH MCCONNELL: Well, I'm not going to make a prediction as to what may happen. But it could end up going back to the House of Representatives for a second vote. They may not be through with it after today. They may get it back if it doesn't succeed in the Senate.

BOB SCHIEFFER: We-- we hear that, you know, that President Obama's put it all on the line--

SENATOR MITCH MCCONNELL: Mm-Hm.

BOB SCHIEFFER: --for this. He put his whole presidency--

SENATOR MITCH MCCONNELL (overlapping): Yeah.

BOB SCHIEFFER: --on the line to get this passed. It's his signature thing. But aren't Republicans, in a way, putting it all on the line by being totally opposed to this?

SENATOR MITCH MCCONNELL Well, look, Bob, this-- this is not about the President and it's not about the Republicans. It's about the nation's health care and we have a-- a significant difference of opinion about the direction in which to go. And interestingly enough, the American people agree with us that this bill ought to be put on the shelf and that we ought to start over and go step by step to fix the problems of cost, which is the big problem in the U.S. health care system.

BOB SCHIEFFER: So, you, today-- and this will be my final question to you-- you are making no predictions on whether you can stop this bill or not. Obviously, you're going to try but you can't say, at this point that you think you can-- you can solve it.

SENATOR MITCH MCCONNELL: Well, we know the American people want us to. And we're-- we owe it to the American people to do the very best we can to keep this bill from passing, so that we can start over and get it right.

BOB SCHIEFFER: All right. Mitch McConnell, thank you--

SENATOR MITCH MCCONNELL (overlapping): Thank you, Bob.

BOB SCHIEFFER: --for being with us this morning.

And now, we want to talk to Dick Durbin, Senator from Illinois who, of course, is the number two Democrat in the Democratic leadership in the Senate.

Senator Durbin, what will be the first thing that you will do, if, let's say, that the House does pass this?

SENATOR RICHARD DURBIN (Majority Whip/D-Illinois): Well, of course, we've been working on this for quite a long time. And this last week Harry Reid, our leader, Senator Schumer, Senator Murray and I have really met with, virtually, well, in fact, every Democratic senator, face to face so that we understand the importance of this vote. I listened to Senator McConnell talk about the procedure and the process and the politics. But I think our members are impressed by the substance of our challenge here. If we do nothing, as the Republicans suggest, we're going to see health care costs reach a point where small businesses can't afford it and families can't afford it. We're going to see people turned down from pre-existing conditions. We're going to find the Medicare doughnut hole a-- a gap in coverage that going to hurt a lot of seniors. So when you get to the substance beyond the politics of the next election, we think this is a clear choice.

BOB SCHIEFFER: Well, let me ask you just a little bit about the politics first. You just heard Mister Clyburn, the top vote counter saying, in the House, saying that Senator Reid said to him yesterday, do you want to see the letter. And we've been hearing reports that House Democrats were demanding a-- a letter with the signatures of fifty-one Democratic senators. They're so distrustful of the Senate that they were asking to see a letter with the names of fifty-one of you on it, assuring them that they would pass the corrections to the original Senate bill that the House wants. Is there such a letter? And will it be given to House members?

SENATOR RICHARD DURBIN Yes, there is such a letter. It has been discussed and-- with Senator Reid and Speaker Pelosi. She knows and we know that there is a majority to pass this reconciliation bill in the Senate Democratic caucus.

BOB SCHIEFFER: They're-- it's written down on a piece of paper--fifty-one signatures by Democrats, and if the House passes these corrections that they will-- they will sign that?

SENATOR RICHARD DURBIN Let me tell you, I think there may even be more than fifty-one. The Speaker knows this. She's spoken directly to Senator Reid. And at this point, we're ready to move forward.

BOB SCHIEFFER: So how does this work then? The Senate-- I mean, the House passes these two bills today if-- if they do have the votes. Do-- what do you take up? And when do you take it up, Senator Durbin?

SENATOR RICHARD DURBIN Understand, health care reform, if the House passes both today is a law that will be sent to the President. We will have health care reform in America. The reconciliation bill which this-- the House is, I hope, also going to pass, makes it even better. In terms of making it more affordable for families and businesses, closing this doughnut hole, making sure that we have more health care clinics across America to keep people out of emergency rooms and give them basic care. So we think we're on a path now to pass reconciliation in the Senate. But the rules are a little different, Bob.

In-- in the Senate, we have Senator Robert C. Byrd who, if he didn't invent reconciliation, certainly reinvented it. And we need to play by those Senate rules to bring this to completion.

BOB SCHIEFFER: And do you think you can do that this week? Do you think--

SENATOR RICHARD DURBIN (overlapping): Yes.

BOB SCHIEFFER: --this will be done this week? And--

SENATOR RICHARD DURBIN (overlapping): We'll start it this week.

BOB SCHIEFFER: --and what do you do--

SENATOR RICHARD DURBIN (overlapping): And we'll--

BOB SCHIEFFER: --when the Republicans, Senator McConnell, he was playing his cards very close to the vest this morning, as you heard. But he said we're prepared to introduce amendments. This could go on as we know in the Senate, there can be amendments and amendments and amendments. How do you-- how do you bring that to a close, if-- if in fact you can?

SENATOR RICHARD DURBIN (overlapping): Well I-- It's never been tested. You know, the purpose of reconciliation is to avoid the filibuster. The filibuster is an effort to talk something to death.

And in this case, the Republicans are going to try to use reconciliation, which was supposed to be a more direct process to offer amendments to a breaking point. Well, I certainly think that we're ready to tackle that if that's what they want to do. We're going to deal with honest amendments on substance that meet the test of the Senate Rules. But there's going to come a point when the American people and the people in the Senate are going to say, this really isn't about substance, it's all about politics.

Now, let's make a final decision--up-or-down vote. Do you want to change the problems we face in health care today? And it's certainly a majority of Democrats do. Or do you want to stand by the health insurance companies and keep the problems we have going? And I'm afraid that's where the Republicans are.

BOB SCHIEFFER: So, just one more time I want to ask you, you think this legislation will be ready for the President to sign this week?

SENATOR RICHARD DURBIN Well, I can't say what the parliamentary rulings will be on every provision. But I can tell you that we have a majority of the United States Senate ready to vote for the reconciliation bill to move this forward for the President's signature. If there is some procedural problem we run into, we're going to work through it. We are determined to get this done. The Republicans want us to quit and stop and don't try any more. We're not going to do that.

BOB SCHIEFFER: All right.

SENATOR RICHARD DURBIN We owe it to the American people to finish this job.

BOB SCHIEFFER: All right. Thank you so much, Senator. And I will be back in a moment with some final thoughts.

(ANNOUNCEMENTS)

BOB SCHIEFFER: Finally today, Washington's always been a one-story town. And for the last few weeks, months really, the story has been health care reform. It's all we've been talking about around here, which is probably one reason, a rather important anniversary passed without much notice--March 19th. Ring a bell? Probably not. But March 19th was the seventh anniversary of the Iraq invasion, which began our longest war. The heavy new cycle was not the only reason it went unnoticed. We remember the wars and events that had an impact on our daily lives--December 7th or 9/11.

But in the age of the all-volunteer military, few of us remember much about the war that had so little effect on our day-to-day lives, especially, a war where questions still exist over whether it should have been fought at all?

The Iraq war was fought by one half of one percent of us. And unless we were part of that small group or had a relative who was, we went about our lives as usual most of the time--no draft. No

new taxes. No changes. Not so for the small group who fought the war and their families. Ask them about the sacrifice, the death toll of nearly forty-four hundred Americans and the thousands more who were wounded.

Now, that it is finally winding down, thousands of Americans are still there. And history will eventually decide if it was worth it all. While history decides, let us remember that whatever history's verdict, the fate of those who died there or suffered life-altering injuries can never change. Good war or bad, for them it is the same. The war have may-- may have had little impact on most of our lives, but we owe that small group of people.

Back in a minute.

(ANNOUNCEMENTS)

BOB SCHIEFFER: And thanks for being here. We'll see you next week, on Face the Nation.

ANNOUNCER: This broadcast was produced by CBS News, which is solely responsible for the selection of today's guests and topics.