



Fact Sheet

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Senate Republicans Delay for the Sake of Delaying Health Insurance Reform

Senate Republicans have used block and blame tactics simply to delay health insurance reform for as long as possible – with no intention of meaningfully contributing to the policy debate.

Obstruction Playbook

Any notion that Senate Republicans intended to engage in a constructive debate on health insurance reform was shattered on December 1, 2009, the second full day of consideration of the *Patient Protection and Affordable Care Act* (**H.R. 3590**), when Senator Gregg sent his Republican colleagues an obstruction playbook. [*Politico*, [12/1/09](#)] Using phrases such as “Filibuster by Amendment,” and encouraging Senators with questions to “contact my communications office,” rather than, for instance, his policy shop, Senator Gregg’s memo made crystal clear Senate Republicans’ intent to eschew substantive debate in order to use gimmicks and games to stop, stall, delay and obstruct. The actions Senate Republicans took in the following 23 days of debate on the *Patient Protection and Affordable Care Act* demonstrated that they took Senator Gregg’s memo to heart.

Not legislating, just stalling

The first action Senate Republicans took on the *Patient Protection and Affordable Care Act* was right out of Senator Gregg’s obstruction playbook. Rather than offering an amendment designed to actually legislate, Senator McCain offered a motion to commit, that is, to send the bill back to the Finance Committee. Rather than participate in a responsible legislative process, Senator McCain filed two such motions to commit, and his colleagues, Senators Crapo, Hatch, Hutchison, and Johanns, each filed one. [Roll Call Votes [358](#), [370](#), [376](#), [362](#), [379](#), [364](#)]

Objecting to scheduling votes

On December 1, 2009, Majority Leader **Reid** asked for consent to have four votes the following day. [Congressional Record, [12/1/09](#)] Republican Leader McConnell objected to even scheduling votes, saying that a number of Republican Senators wished to speak on the issue. Following Senator McConnell’s objection to scheduling votes, just three Republican Senators spoke on the issue, and, absent an agreement, the Senate adjourned for the day without conducting any roll call votes.

Objecting to transparency in amendments

On November 30, 2009, Majority Leader **Reid** requested unanimous consent for increased transparency in the amendment process, namely, that Senators offering amendments would post such amendments on their official websites prior to their consideration. [Congressional Record, [11/30/09](#)] Senator Enzi objected.

Objecting to protecting Social Security and CLASS surpluses

On November 30, 2009, Majority Leader **Reid** asked unanimous consent that amendments be considered out of order unless they preserve the surplus in the Social Security trust fund generated by the bill for Social Security, and preserve the savings generated by the CLASS program for the CLASS program. [Congressional Record, 11/30/09, [S11985-S11986](#)] Senator Enzi objected.

Insisting on reading of amendments

As Senator Gregg's obstruction playbook notes, "in most circumstances" the reading of the full text of amendments is dispensed with by unanimous consent. [*Politico*, [12/1/09](#)] Republicans refused to agree to waive the reading of an amendment offered by Senator **Sanders**, insisting that most of an entire day be devoted to reading the amendment aloud. [Congressional Record, [12/16/09](#)] When Senator **Sanders** asked Senator Coburn why he continued to object to waiving reading of the amendment, Senator Coburn's only reply was "regular order." Senator Coburn could have read Senator **Sanders's** amendment long before it was considered on the Senate floor; Senator **Sanders** filed the amendment two weeks earlier. [Congressional Record, [12/2/09](#), SA 2837] Similarly, on December 19, 2009, as more than 16 inches of snow fell on the DC metro area, Senators McConnell, Ensign, and Sessions objected to requests made by Majority Leader **Reid** and Senators **Tom Udall** and **Boxer** to waive the reading of the Manager's Amendment, placing Senate and Capitol employees in danger by insisting they remain in their posts during a blizzard while the clerk spent the day reading aloud an amendment that all Senators could just as easily have read on their own. [Congressional Record, [12/19/09](#)]

Objecting to earlier votes, and praying Senators can't vote

The Senate regularly enters into a unanimous consent agreement to waive the required 30 hours of post-cloture debate, especially when the outcome of the vote is certain. After the Senate invoked cloture on the first of three cloture votes required before voting on final passage of the legislation, Senate Republicans could have waived the rules and allowed votes to occur earlier than they otherwise would have. Instead, Senator Coburn took to the Senate floor and said, "What the American people ought to pray for is that somebody can't make the vote tonight." [Congressional Record, [12/20/09](#)] To Senator Coburn's dismay, all 60 Democratic Senators were able to "make the vote" that night and every day after that until Christmas Eve, when the *Patient Protection and Affordable Care Act* passed the Senate. [Roll Call Votes [385](#), [387](#), [388](#), [394](#), [395](#), [396](#)]