



Written by [Joe Wolverton, II, J.D.](#) on December 17, 2009

## Republicans Promise Procedural Resistance to Health Care Legislation

It Washington, D.C., it wasn't the Grinch that stole Christmas, it was Tom Coburn, a physician from Oklahoma and most importantly, a senator opposed to universal government-funded healthcare.

Wednesday night, December 16, Bernie Sanders, self-proclaimed "democratic socialist," offered an amendment to the healthcare bill that he proudly touted as "the first time in American history [that] the Senate will debate a proposal to create a single-payer, Medicare-for-all healthcare system." After this sweeping moment of drama, Sanders requested unanimous consent for waving the reading of the amendment, a 767-page tome whose effect would be the re-engineering of the universe of health care in the United States, extending taxpayer-funded medical care insurance to every American. Period.



The Senate is an august body, and its members become accustomed to the genteel winks and nods from colleagues and the bowing acquiescence from even the most ardent of opponents. Apparently, Senator Coburn (R-Okla.) didn't read the protocol manual because he refused to consent to the motion to dispense with the reading of the proposal, thus invoking the Senate rule that all legislation offered for a vote must be read by the clerk prior to an up or down vote. Sanders was dumbfounded. Given the schism within his party on the subject of a "public-option," he could not have believed his amendment would pass, but he probably did not expect anyone to block the vote by procedural maneuvers.

For two hours, clerk after clerk rotated through the well and read clause after clause of what was surely the less-than-scintillating legislative prose of the Sanders Amendment. Sanders could only sit at his desk and watch as Coburn looked down at his watch every few minutes wondering how long the measure's author would force his fellows to suffer this auditory punishment. Finally, Sanders relented and after nearly three hours, he withdrew his amendment, conceding defeat, mourning the death of his dream of single-payer socialized medicine in the United States.

Ever the gracious gentleman, Coburn did not gloat over his victory, rather he expressed admiration for his foe: "I admire Senator Sanders for his willingness to fight publicly for what many advocate only privately: a single-payer health care system funded and controlled by bureaucrats and politicians in Washington."

There is merit to Coburn's assessment of Senator Sanders' courage. While his proposal is noxious and unconstitutional in every phrase, he was unabashed in his defense of his principles, misguided though



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they be. If constitutionalists were so motivated, there might not be a need to read nearly 800 pages of socialist science fiction on the floor of the venerable chamber of the Senate of the United States.

After the Sanders surrender, Senator Jim DeMint (R-S.C.) promised that “if Senator Reid won’t slow down this debate, we will do it for him,” referring to the Senate Majority Leader’s zealous pursuit of a final vote on a comprehensive healthcare bill by Christmas. According to comments of insiders, Reid has informed key supporters that he plans to call for a vote at 7 p.m. on Christmas Eve — followed by a theatrical midnight declaration of “mission accomplished.”

Santa-tor Reid might yet be vexed in his frantic, headlong rush to deliver a healthcare bill to President Obama’s desk by Christmas. Coburn and Sanders’ procedural *pas de deux* is but the beginning of what GOP leaders promise will be a seemingly endless parade of a strictly by-the-book invocation of parliamentary rules designed to empower the minority and prevent the tyranny of a malignant majority from shanghaiing the body of the upper house. “We are going to do everything we can in terms of the rights we have to stop the bill from passing,” said Senator John Thune (R-SD..).

It’s not just the “loyal opposition” that is thwarting Senator Reid’s sleigh ride to history, as Senator Ben Nelson (D-Neb.) persists in his “he loves me, he loves me not” charade that keeps his name on the front page of daily newspapers. Nelson, a pro-life advocate who claims he will dissent from his party if the final bill offered by it includes federal-funding of abortion, is getting plenty of head-swelling one-on-one attention from Reid and his wingmen. On Wednesday, Nelson had a little pre-Christmas parcel in his mailbox in the form of a draft amendment written by Senator Bob Casey (D-Pa.) wherein abortions would be forbidden in any insurance policy financed by government subsidies. The mercurial Nelson told reporters he had received Senator Casey’s offering and that “we’re looking at it.” He indicated that he would reserve further comment until he received the evaluation of a cadre of pro-life interest groups.

No matter how the chips fall (and if the past is prelude, then there is little doubt that Nelson, Lieberman, and other Democratic fence-sitters will find some way to justify support of the bill), there is slim chance that a bill can be put before the Senate, followed by defeat of a GOP filibuster, a roll call vote, the convening of a House/Senate conference committee, a joint resolution hammered out by that committee, the presentation of that combined legislation to both houses, an up or down vote by the entire Congress, and the passage of such a bill — all of which must be accomplished before a bill can be placed before President Obama for his signature, which would make the bill a law.

No one understands the length and complexity of the maze confronting supporters of nationalized health care better than Senator Harry Reid. He is undaunted, however, and he clings to the ephemeral sliver of hope that there will be another Christmas miracle and that the tiny hearts of the grinch in the GOP might yet swell with holiday spirit and compel them to join the throng of senators on Christmas Eve singing hymns of praise to the newborn law. Songs which only the ears of constitutionalists will recognize as the baleful tones of the requiem marking the death of the Constitution.

*Photo of Sen. Coburn (with Sen. McCain): AP Images*



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