

March 11, 2010

The Honorable Mitch McConnell  
Republican Leader  
United States Senate  
Washington, DC 20510

Dear Leader McConnell:

Eleven months ago, I wrote you to share my expectations for the coming health reform debate. At the time, I expressed Democrats' intention to work in good faith with Republicans, and my desire that – while we would disagree at times – we could engage in an honest discussion grounded in facts rather than fear, and focused on producing results, not playing partisan politics.

Obviously, the opposite has happened, as many Republicans have spent the past year mischaracterizing the health reform bill and misleading the public. Though we have tried to engage in a serious discussion, our efforts have been met by repeatedly debunked myths and outright lies. At the same time, Republicans have resorted to extraordinary legislative maneuvers in an effort not to improve the bill, but to delay and kill it. After watching these tactics for nearly a year, there is only one conclusion an objective observer could make: these Republican maneuvers are rooted less in substantive policy concerns and more in a partisan desire to discredit Democrats, bolster Republicans, and protect the status quo on behalf of the insurance industry.

In fact, the attacks on the health care bill are part of a broader pattern. As has been well documented, your caucus conspicuously shattered the record for obstruction last Congress by demanding gratuitous procedural votes on even the most non-controversial matters, and by stalling the work of the Senate despite the urgency of the serious problems facing our country. Senate Republicans are on pace to again break their own record this Congress, illustrated by Sen. Bunning's effort to prevent the Senate from acting to extend families' unemployment and health benefits even after those benefits had expired.

While Republicans were distorting the facts in the health care debate and inflicting delay after needless delay, millions of Americans have continued to suffer as they struggle to afford to stay healthy, stay out of bankruptcy and stay in their homes. Thousands of Americans lose their health care every day, and tens of thousands of the uninsured have lost their lives since this debate began. Meanwhile, rising health costs have contributed to a rising federal budget deficit.

To address these problems, 60 Senators voted to pass historic reform that will make health insurance more affordable, make health insurance companies more accountable and reduce our deficit by roughly a trillion dollars. The House passed a similar bill. However, many Republicans now are demanding that we simply ignore the progress we've made, the extensive debate and negotiations we've held, the amendments we've

added (including more than 100 from Republicans) and the votes of a supermajority in favor of a bill whose contents the American people unambiguously support. We will not. We will finish the job. We will do so by revising individual elements of the bills both Houses of Congress passed last year, and we plan to use the regular budget reconciliation process that the Republican caucus has used many times.

I know that many Republicans have expressed concerns with our use of the existing Senate rules, but their argument is unjustified. There is nothing unusual or extraordinary about the use of reconciliation. As one of the most senior Senators in your caucus, Sen. Judd Gregg of New Hampshire, said in explaining the use of this very same option, “Is there something wrong with majority rules? I don’t think so.” Similarly, as non-partisan congressional scholars Thomas Mann and Norm Ornstein said in this Sunday’s *New York Times*, our proposal is “compatible with the law, Senate rules and the framers’ intent.”

Reconciliation is designed to deal with budget-related matters, and some have expressed doubt that it could be used for comprehensive health care reform that includes many policies with no budget implications. But the reconciliation bill now under consideration would not be the vehicle for comprehensive reform – that bill already passed outside of reconciliation with 60 votes. Instead, reconciliation would be used to make a modest number of changes to the original legislation, all of which would be budget-related. There is nothing inappropriate about this. Reconciliation has been used many times for a variety of health-related matters, including the establishment of the Children’s Health Insurance Program and COBRA benefits, and many changes to Medicare and Medicaid.

As you know, the vast majority of bills developed through reconciliation were passed by Republican Congresses and signed into law by Republican Presidents – including President Bush’s massive, budget-busting tax breaks for multi-millionaires. Given this history, one might conclude that Republicans believe a majority vote is sufficient to increase the deficit and benefit the super-rich, but not to reduce the deficit and benefit the middle class. Alternatively, perhaps Republicans believe a majority vote is appropriate only when Republicans are in the majority. Either way, we disagree.

Keep in mind that reconciliation will not exclude Republicans from the legislative process. You will continue to have an opportunity to offer amendments and change the shape of the legislation. In addition, at the end of the process, the bill can pass only if it wins a democratic, up-or-down majority vote. If Republicans want to vote against a bill that reduces health care costs, fills the prescription drug “donut hole” for seniors and reduces the deficit, you will have every right to do so.

Sincerely,

HARRY REID  
United States Senator  
Nevada