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## How a Bad Bill Becomes Law

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Remember the elementary school lesson “How a Bill Becomes a Law”? Well, George W. Bush and Republican Leadership in Congress redefined lawmaking when they forced their Medicare law through Congress. And a brief look at the gnarled twists and turns taken as this bill became law should make any student of American democracy shudder.

**Step One** - Use your bill to raise massive amounts of political cash from friendly corporate interests. On June 19, 2002, two days after Republicans unveiled their new Medicare bill, the pharmaceutical industry staged a fundraiser for President Bush and the Republican Party in which a record-breaking \$30 million was raised in one night. British drug giant GlaxoSmithKline, the chief corporate fundraiser of the event, coughed up \$250,000, as did the drug companies’ trade group, PhRMA.

**Step Two** - Completely ignore the will of the nation’s elected representatives. In this case, on July 25, 2003, a strong bipartisan coalition in the House approved allowing Americans to buy safe, FDA-approved medicines at 25 percent to 50 percent less than U.S. prices by accessing the well-regulated markets of 26 developed countries. Despite strong support in the Senate for a similar provision, the White House had this language stripped from the final Medicare bill. On the other hand, at the request of drug companies, a prohibition on Medicare negotiating lower prices for our seniors was added to the bill.

**Step Three** - Ram your bill through even if you don’t have the votes. Let’s see how it works in practice. At 5:53 a.m. on November 22, House Republicans passed their Medicare bill by a vote of 220-215. By all accounts, it was a historic night in the Capitol. Under House rules, time allowed for voting is 17 minutes, at which point voting is cut off and cannot be changed. On this occasion, voting was left open for an unprecedented three hours while Republican leaders, including Health and Human Services Secretary Tommy Thompson, cajoled and arm-twisted to get the votes the White House demanded.

Rep. Nick Smith (R-Mich.) later publicly stated that he was encouraged to change his “no” vote to “yes” by Republican leaders who assured him that “business interests” would contribute \$100,000 to his son’s campaign to succeed him in Congress. When that didn’t work, encouragement turned to threats and he was told that if he didn’t change his vote they would work to make sure his son never gets to Congress. Smith held firm and Republican strong-arm tactics are now under investigation by the House Ethics Committee. Other Republicans did ultimately switch their votes, giving the White House a win.

**Step Four** - Hoodwink members of your own party who have reservations. Throughout the debate, many conservatives were concerned about the potential cost of a new prescription drug benefit. The White House pledged that the Medicare bill would cost no more than \$395 billion. Two months after the president signed it into law he submitted a budget to Congress that put the estimate at, oops, \$530 billion. And with its glaring lack of cost-controls and its prohibition on

price negotiation, it likely will cost far more.

**Step Five** - Stick to your story regardless of the facts. In his State of the Union address, the president said, “For a monthly premium of about \$35, most seniors ... can expect to see their drug bills cut roughly in half.” Unfortunately, that claim is simply untrue. The reality is that most seniors will see their drug bills cut only by about one-third-and many even less. In fact, the Consumers Union estimates that many will pay more in 2007 for their medicines under the plan than they do today without it.

**Step Six** - Turn your work on the bill to your own personal gain. Schoolchildren, pay close attention to this one. Within a month of the bill becoming law the chairman of the House Commerce Committee, Rep. Billy Tauzin (R-La.), was reportedly offered a \$2 million a year job by PhRMA (remember, the industry’s lead lobbying group). According to the Washington Post, Tauzin is expected to take the PhRMA offer and leave the House before his term expires. Another key player-Thomas Scully, the immediate former head of the Center for Medicare and Medicaid Services and White House point person on the Medicare bill-recently left his post to work for law firms that represent pharmaceutical and other healthcare interests.

**Seventh and Final Step** - Use the taxpayer’s own money to “educate” them if they aren’t buying your story. Recently, President Bush launched a \$23 million advertising blitz-all at taxpayer expense-to tout the Medicare bill. A media firm working on his reelection campaign will get a cut of the pie for buying airtime for the government to tout the new Medicare law-a sweetheart deal and a handy piece of campaign propaganda at taxpayer expense.

Well, there it is. The new way a bill becomes a law when George W. Bush and the Republicans control the government. Questions anyone?

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