

of the incredible increase in medical liability lawsuits and the mind-boggling sums of money paid in jury awards and settlements, much of which ends up in the pockets of personal injury trial attorneys.

In the last 10 years in Texas, my home State, we have seen a 500 percent increase in medical liability awards. But the money is not going to the injured. Studies show that 57 percent of medical malpractice premiums go towards attorneys' fees. Frivolous lawsuits have caused professional liability premiums to jump anywhere from 50 percent to 200 percent in Texas, and the amazing fact is that most of these suits are frivolous. In fact, more than three out of four liability claims against Texas doctors are simply dismissed, dismissed for no merit. Yet, in all cases, doctors are forced to spend tens of thousands of dollars to defend themselves.

Because of the skyrocketing cost of insurance, many physicians are simply closing their doors, moving away from high-risk specialties, refusing to perform certain medical procedures or, frankly, taking early retirement. For example, in Mexia, Texas, in my district, the regional hospital had four family practitioners 1 year ago. But because of the increased costs of their liability insurance, three doctors are now lost. This will leave the hospital with only one OB-GYN in a service area of 70,000 people.

Madam Speaker, this is unacceptable. In this same town in my district, another practitioner closed her clinic and ended up filing bankruptcy, principally due to the skyrocketing cost of liability insurance.

Madam Speaker, I fear without meaningful reform we will lose the best and brightest. They will avoid or exit the medical profession altogether, and where are we going to be 10 years from now if we do not have enough quality doctors to serve our patients?

I know personally how important it is to have the best and brightest practicing medicine. One year ago, our first child was born, a daughter we named Claire Suzanne; and I honestly believe she is the most beautiful baby in the world. But there was a point last year when I was not certain she would be with us, because after almost 12 hours of labor, at 4:30 a.m. in the morning, our baby was in a breech position, apparently undeliverable. Losing her heartbeat with every contraction of my wife, the atmosphere in the delivery room turned very serious. Fortunately, due to a greatly skilled OB-GYN, an immediate C-section was performed in time to save our precious child's life. I do not want to contemplate what might have happened to my child or what could happen to someone else's child if the best and brightest are no longer there to practice medicine and save lives.

There are further problems, Madam Speaker. Doctors are being forced to practice defensive medicine just to pro-

tect themselves from being sued, ordering extra tests, invasive procedures and medications that they do not believe are medically necessary. Hospitals, doctors, and nurses are reluctant to provide care, even in emergency situations, because they live in fear of lawsuits. As one of my House colleagues recently noted, "Something is wrong with the system when it is easier to sue a doctor than it is to see one."

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Madam Speaker, we know that there are 40 million people in this country without health insurance. Most simply cannot afford it. But for every 1 percent increase in individual health care premiums, 300,000 people nationwide are forced to go without medical insurance.

Madam Speaker, the answer to a medical tragedy or a grossly negligent medical act is not to pay personal injury trial lawyers millions of dollars, it is not to drive up the costs of health care for the rest of us, it is not to add more Americans to the ranks of the uninsured. The simple answer is to pull the license of the grossly negligent physician.

Madam Speaker, medical liability reform as we passed today will lower cost, improve quality, and provide more access to health care for all Americans.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BLACKBURN). The Chair would remind Members not to urge Senate action.

#### RECALL DESIGNEE

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER, HOUSE OF  
REPRESENTATIVES,  
Washington, DC, March 13, 2003.

Hon. JEFF TRANDAHL,  
Clerk, House of Representatives,  
Washington, DC.

DEAR MR. CLERK: Pursuant to House Concurrent Resolution 1, and also for purposes of such concurrent resolutions of the current Congress as may contemplate my designation of Members to act in similar circumstances, I hereby designate Representative Tom DeLay of Texas to act jointly with the Majority Leader of the Senate or his designee, in the event of my death or inability, to notify the Members of the House and the Senate, respectively, or any reassembly under any such concurrent resolution. In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

J. DENNIS HASTERT,  
Speaker of the House of Representatives.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. MCDERMOTT. Madam Speaker, I ask unanimous consent to take the time allocated to the gentleman from Oregon (Mr. DEFAZIO).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### AMERICA BETTER WAKE UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Madam Speaker, as we inch closer to Mr. Bush's unprovoked and unjustified invasion of Iraq, I come to the floor to talk about an issue that I think the American people should be aware of and Members of House should be very concerned about, and that is the type of news coverage they get about this war.

I see in today's Roll Call that the Republicans are setting up a spin room that will be briefings from the White House on a regular basis, but it is only on one side. It is all being coordinated through the gentleman from California (Mr. COX).

Now, in addition to that the question is then about reporters, and there are going to be two kinds of reporters in this war. The first are the embedded reporters. Those are the American reporters who are brought in and put in military uniforms and put in units of the military. They will be under constant censorship by the leadership of the unit that they are with. They have to sign an agreement to that effect. It is called the Coalition Forces Land Component Ground Rules Agreement, and that means they cannot write anything that the commander of that unit does not say is all right to go out.

Now it is pretty clear that the Secretary of War, Mr. Rumsfeld, is trying to deal with the problems of the Vietnam War. The press played an enormous role in stopping that war by reporting what is going on over there. Had there not been free press, there is no telling how long it might have gone on because the official reports were all bogus and we now know it. But, in the last couple of wars we have controlled the press, and this is the real best control I have ever seen.

There is a second kind of reporter, and that is the unembedded reporter, the international reporters. There is an article in today's paper from the Irish radio, an interview with a woman by the name of Kate Adie, who is the chief news correspondent for the BBC. She said when asked if there were any consequences of fatal actions, the Pentagon officers said we do not care. They have been warned, stay out of

there. She says, "I am enormously pessimistic of the chance of decent, on the spot reporting as the war occurs."

Another man on the same program, Phillip Knightley, who is a war historian, said, The Pentagon has also threatened they "may find it necessary to bomb areas in which war correspondents are attempting to report from Iraq."

Now, Miss Adie was told the Americans, and I have been talking to the Pentagon, their attitude is "entirely hostile to the free spread of the information." I have been told by a senior officer in the Pentagon that if uplinks, that is television and electronic links, that is the television signals, were detected by any planes, the military would fire on them, even if they were journalists, she said. And the man said, Who cares?

Well, the fact is those smart bombs, they tell us a lot but they cannot tell the difference between a radio link, a cell telephone or a radar. They are going to do everything they can to stamp out any kind of information about this war that they do not want to have to have processed.

Now the American people are being taken into a war which is, we are going to be told it is going to be short and quick and sweet, and we were told that about the last war. We were told that only 147 people died in Iraq. But the fact is that 10,000 people have died since, and there are 221,000 claims of disability in the Veterans Administration due to depleted uranium and other toxins that were experienced by our troops. That was not reported at the time. It was not reported now. You have to go to the foreign press.

I would say to all Americans, you should be watching the BBC. Read the French papers, the German papers, any other paper besides the United States. The reporters in the White House are lap dogs to the White House. They stood up there in a press conference the other day and watched the President of the United States with a script on the podium saying, I will call on Joe. Joe. I will call on Sally. Sally.

He knew what the questions were that they were going to ask and he took exactly what he wanted. He would not take any question that was off his list. That is what the American people are supposed to make a decision about. You cannot have a democracy when the people are ignorant. They have to have information, and this administration is determined not to tell people what is going on. America better wake up quickly.

[From GuluFuture.com, Mar. 10, 2003]

PENTAGON THREATENS TO KILL INDEPENDENT REPORTERS IN IRAQ (BY FINTAN DUNNE)

The Pentagon has threatened to fire on the satellite uplink positions of independent journalists in Iraq, according to veteran BBC war correspondent, Kate Adie. In an interview with Irish radio, Ms. Adie said that questioned about the consequences of such potentially fatal actions, a senior Pentagon officer had said: "Who cares. . . . They've been warned."

According to Ms. Adie, who twelve years ago covered the last Gulf War, the Pentagon attitude is: "entirely hostile to the free spread of information."

"I am enormously pessimistic of the chance of decent on-the-spot reporting, as the war occurs," she told Irish national broadcaster, Tom McGurk on the RTEI Radio "Sunday Show."

Ms. Adie made the startling revelations during a discussion of media freedom issues in the likely upcoming war in Iraq. She also warned that the Pentagon is vetting journalists according to their stance on the war, and intends to take control of US journalists' satellite equipment—in order to control access to the airwaves.

Another guest on the show, war author Phillip Knightley, reported that the Pentagon has also threatened they: "may find it necessary to bomb areas in which war correspondents are attempting to report from the Iraqi side."

Audio Transcript follows below:

Tom McGurk: "Now, Kate Adie, you join us from the BBC in London. Thank you very much for going to all this trouble on a Sunday morning to come and join us. I suppose you are watching with a mixture of emotions this war beginning to happen, because you are not going to be covering it."

Kate Adie: "Oh I will be. And what actually appalls me is the difference between twelve years ago and now. I've seen a complete erosion of any kind of acknowledgment that reporters should be able to report as they witness."

"The Americans . . . and I've been talking to the Pentagon . . . take the attitude which is entirely hostile to the free spread of information."

"I was told by a senior officer in the Pentagon, that if uplinks—that is the television signals out of . . . Bhagdad, for example—were detected by any planes . . . electronic media . . . mediums, of the military above Bhagdad . . . they'd be fired down on. Even if they were journalists . . . Who cares! 'said . . . [inaudible]."

Tom McGurk: ". . . Kate . . . sorry Kate . . . just to underline that. Sorry to interrupt you. Just to explain for our listeners. Uplinks is where you have your own satellite telephone method of distributing information."

Kate Adie: "The telephones and the television signals."

Tom McGurk: "And they would be fired on?"

Kate Adie: "Yes. They would be 'targeted down,' said the officer."

Tom McGurk: "Extraordinary!"

Kate Adie: "Shameless!"

"He said . . . 'Well . . . they know this . . . they've been warned.'"

"This is threatening freedom of information, before you even get to a war."

"The second thing is there was a massive news blackout imposed."

"In the last Gulf war, where I was one of the pool correspondents with the British Army. We effectively had very, very light touch when it came to any kind of censorship."

"We were told that anything which was going to endanger troops lives which we understood we shouldn't broadcast. But other than that, we were relatively free."

"Unlike our American colleagues, who immediately left their pool, after about 48 hours, having just had enough of it."

"And this time the Americans are: a) Asking journalists who go with them, whether they are . . . have feelings against the war. And therefore if you have views that are skeptical, then you are not to be acceptable."

"Secondly, they are intending to take control of the Americans technical equipment . . . those uplinks and satellite phones I was talking about. And control access to the airwaves."

"And then on top of everything else, there is now a blackout (which was imposed, during the last war, at the beginning of the war), . . . ordered by one Mr. Dick Cheney, who is in charge of this."

"I am enormously pessimistic of the chance of decent on-the-spot reporting, as the war occurs. You will get it later."

USA: CPJ SENDS LETTER TO SECRETARY RUMSFELD

EXPRESSES CONCERN ABOUT EMBEDDING RULES AND NONEMBEDDED JOURNALISTS

MARCH 6, 2003.

Hon. DONALD H. RUMSFELD,  
*Secretary of Defense,*

*The Pentagon, Washington, DC.*

DEAR SECRETARY RUMSFELD: The Committee to Protect Journalists (CPJ) is encouraged that the administration is making efforts to accommodate journalists who are seeking to cover a possible U.S. military action in the Gulf. We welcome the Pentagon's plan to embed as many as 500 journalists with U.S. forces as a positive step that will improve frontline access to combat operations.

However, based on a 10-day trip, which CPJ senior program coordinator Joel Campagna recently completed to Kuwait, Qatar, and Jordan, we have a number of concerns regarding both the embed system's implementation and the ability of the many reports who plan to report outside the system to conduct their reporting duties freely.

During his recent trip, CPJ's Campagna visited U.S. military bases in Qatar and Kuwait, meeting with military officials in both places to discuss the Pentagon's media policy. CPJ is particularly concerned by the specific language in the recently released Public Affairs guidance document on embedding and the Coalition Forces Land Component Command Ground Rules Agreement, which embedded journalists will be required to sign. The language could be used to justify unreasonable limits on coverage.

For example, among the information deemed "not reasonable" in the agreement is that which pertains to "on-going engagements." According to the guidelines, such information will not be released unless authorized by an on-scene commander. What constitutes an ongoing engagement is not clear from this document, and unit commanders could interpret it in an extremely broad manner as a basis to restrict reporting.

We, of course, recognize the need to protect certain kinds of information to ensure the safety of U.S. forces. However, we are concerned that under the embedding guidelines, unit commanders have the authority to request that embedded reporters refrain from reporting on a number of broadly defined categories of information. Despite explicit guarantees that journalists' material will not be censored, the guidelines state that when a unit commander believes a reporter may be in a position to reveal sensitive information, he or she may ask a reporter to submit copy for security review. The commander may then ask the reporter to remove information that is classified or sensitive. Access to such information would be contingent on agreeing to this review.

Moreover, despite general assurances from Pentagon officials that they will limit reporting only in cases where operational security would be jeopardized, reporters have expressed fears that officials will restrict coverage by limiting movements or delaying journalists' ability to file stories. The current guidelines grant broad discretion to

unit commanders to limit the dissemination of information likely to be contained in news reports.

Perhaps more important than the embed plan itself is the extent to which journalists not embedded with U.S. troops will be allowed to move and gather news freely. To date, U.S. officials have offered no convincing guarantees that "unilateral" reporting, or reports by nonembedded journalists, will be allowed to proceed without interference. Pentagon officials have stated that they anticipate the presence of unilateral reporters in a potential military theater, and military units that encounter journalists will treat them "like any other civilian person found on the battlefield." Officials, however, have never provided details or assurances about the kind of access unilateral reporters would experience on or around the battlefield but instead have warned journalists about the dangers associated with not embedding.

Lastly, CPJ is concerned for the safety of the significant number of journalists who will likely be working in Baghdad should conflict erupt. While we are worried about possible threats from Iraqi authorities, who detailed and imprisoned several international correspondents during the 1991 Gulf War, we also fear that foreign reporters working in Baghdad could be endangered by U.S. air strikes. We note with concern that U.S. and NATO forces have targeted local broadcast facilities in previous conflicts, including the 1999 strike on the offices of the Yugoslav state broadcaster RTS television. Furthermore, your office has failed to assuage the concerns highlighted in our January 31, 2002, letter requesting clarification on the November 2001 U.S. military strike that destroyed the offices of the Arabic language broadcaster Al-Jazeera in Kabul, Afghanistan. We remind you that statements made by Pentagon officials to U.S. media representatives on February 28, 2003, warning of the potential dangers to unilateral reporters operating in Iraq do not absolve U.S. forces of their responsibility to avoid endangering media operating in known locations.

Today, hundreds of journalists are preparing to cover what could be a potentially hazardous assignment in Iraq and the Persian Gulf should the U.S. decide to attack Iraq. Despite these inherent dangers, journalists have an obligation to report the news, especially in times of war, when public information is crucial. Any U.S. military action must take into account the safety of working journalists and their ability to work freely. As an independent organization of journalists dedicated to defending press freedom worldwide, we urge you to take the following actions to make certain that journalists covering a possible war with Iraq can do so freely and safely: Ensure that journalists operating within the embed system be allowed the maximum possible freedom to report; provide public assurance to journalists who will be reporting outside the embed system that the U.S. military will not interfere in their work and will impose only those restrictions absolutely necessary to ensure the safety of U.S. military personnel and operations; refrain from targeting broadcast and other media operating in Baghdad; and ensure that maximum precaution is taken to avoid harm to journalists operating in known locations in potential military theaters.

Thank you for your attention to these important matters. We await your response.

Sincerely,

JOEL SIMON,  
*Acting Director.*

#### CHILD ABDUCTION PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Madam Speaker, surely he came to save that which was lost.

As the father of two beautiful daughters, I was elated last night to see a little girl by the name of Elizabeth Smart lost 9 months ago to her family and her community restored to hearth and home. It was an awesome sight and a reunion that is difficult to imagine in its joy this side of eternity.

As a member of the Committee on the Judiciary and as the author of legislation protecting children from Internet pornographers, Madam Speaker, I am delighted to report this week against the backdrop of that awesome news Congress was caught doing something. It is truly astonishing.

In the midst of the disappearance of Elizabeth Smart and far too many others, last year Congress passed the Child Abduction Prevention Act, taking strong action to prevent child kidnappings in the future. It included a national Amber alert. But sadly, the Senate failed to act on that important legislation. Undeterred, the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENBRENNER), was already moving this bill last week when public vigilance restored Elizabeth Smart to her family.

Different from action in the other body earlier today, that creates a national coordinator that already exists within the Justice Department and a voluntary national Amber alert. The Child Abduction Prevention Act that was already marked up last week and scheduled for consideration in the Committee on the Judiciary this coming week creates a national Amber alert communication network. It gives the judicial branch the ability to impose life sentences for child sex offenders, creates a mandatory life sentence for two strike offenders. It eliminates the statute of limitation for child abduction and it doubles Federal funds to the National Center for Missing and Exploited Children.

There is real substance in the Child Abduction Prevention Act. This is a time against the backdrop of this extraordinarily joyous news that we in Washington need legislation, not symbolism and photo ops. To the family of Elizabeth Smart and her brave and courageous parents, may the Lord bless your reunion. But to my colleagues, let us seize this historic occasion of joy to pass meaningful legislation. Let us move the Child Abduction Prevention Act among my colleagues on the Committee on the Judiciary, and as swiftly as is possible, let us move it to the floor of the House of Representatives and to the President's desk. Our children, including Elizabeth Smart, deserve no less.

#### PUBLICATION OF THE RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION, 108TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. NEY) is recognized for 5 minutes.

Mr. NEY. Mr. Speaker, pursuant to clause 2(a)(2) of Rule XI, I hereby submit for the RECORD the Committee on House Administration's Rules for the 108th Congress. The Committee Rules were adopted by the Committee on House Administration on February 5, 2003.

##### RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION

###### RULE NO. 1: GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and, subject to the adoption of expense resolutions as required by House Rule X, clause 6, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to distribute such information by electronic means. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under House Rules X and XI during the Congress ending at noon on January 3 of such year.

(e) The Committee's rules shall be published in the CONGRESSIONAL RECORD not later than 30 days after the Committee is elected in each odd-numbered year.

###### RULE NO. 2: REGULAR AND SPECIAL MEETINGS

(a) The regular meeting date of the Committee on House Administration shall be the second Wednesday of every month when the House is in session in accordance with Clause 2(b) of House Rule XI. Additional meetings may be called by the Chairman of the Committee (hereinafter in these rules referred to as the "Chairman") as he may deem necessary or at the request of a majority of the members of the Committee in accordance with Clause 2(c) of House Rule XI. The determination of the business to be considered at each meeting shall be made by the Chairman subject to Clause 2(c) of House Rule XI. A regularly scheduled meeting may be dispensed with if, in the judgment of the Chairman, there is no need for the meeting.

(b) If the Chairman is not present at any meeting of the Committee, or at the discretion of the Chairman, the Vice Chairman of the Committee shall preside at the meeting. If the Chairman and Vice Chairman of the Committee are not present at any meeting of the Committee, the ranking member of the majority party who is present shall preside at the meeting.

###### RULE NO. 3: OPEN MEETINGS

As required by Clause 2(g), of House Rule XI, each meeting for the transaction of business, including the markup of legislation, of the Committee, shall be open to the public except when the Committee, in open session and with a quorum present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to