

Last week, President Bush spoke eloquently about America's special responsibility to spread freedom around the globe, but his inaugural address did not include a single mention of the actual war we are fighting, the war that 150,000 of our servicemen and -women are fighting every day in one of the most volatile and violent places on Earth. In the realm of rhetoric and abstraction, President Bush has clearly defined ideas about the struggle for human freedom, but his policy for Iraq has not yet included a clear path for when or how we will leave.

Our national conversation about Iraq needs more realism. It needs more focus on the future rather than on the past. We need to refocus on our original goal, a stable Iraq that does not threaten its neighbors, develop weapons of mass destruction, export terrorism, or terrorize and murder its own people. Hard experience and tragedy have taught us that prolonged military occupation in Iraq will not end the insurgency, will not stabilize Iraq or bring us closer to our strategic goals. It will only cause more casualties and more hatred toward America within Iraq and beyond. Iraqis want freedom, and they also want control over their daily lives and their country's future. The best hopes for a stable, peaceful Iraq are achieved by making it clear to the Iraqis that the occupation is not indefinite and that soon they will bear the burden of creating a responsible, democratic state.

Iraq's political development is occurring on a clearly defined timetable. Elections will be held this Sunday; a constitution drafted by August 15; an election to ratify that constitution by October 15; new elections by December of this year; and a permanent government in place by the end of December. Iraq needs a similar timetable for taking responsibility for its own security. By laying out a timetable for a phased-down withdrawal, the United States sends a clear message to Iraqis, and all citizens of the world, that we believe Iraq is capable of governing itself and making decisions about its future.

The removal of Saddam Hussein was a victory for the United States, but lasting success in Iraq will not be achieved until the country is stable and American soldiers have the opportunity to come home and be with their families. I believe adopting a strategy of phased-down withdrawal is the only course of action for the United States, and I would hope that the Members of the Congress of the United States would engage in this very important policy issue and have an influence on the direction this country takes in the weeks and months ahead.

CHALLENGES TO OUR FREEDOMS AND RIGHTS HERE AT HOME

The SPEAKER pro tempore (Mr. MIKE ROGERS of Alabama). Under the Speaker's announced policy of January 4, 2005, the gentleman from Louisiana

(Mr. JINDAL) is recognized for 60 minutes as the designee of the majority leader.

Mr. JINDAL. Mr. Speaker, this month, this year started off as potentially a great month, a great year for democracy and for freedom. The President gave a soaring speech about spreading freedom and liberty across the world. We have elections coming for the first time to the people of Iraq.

Yet even despite this optimism and this hope, there are also serious challenges to our freedoms and our rights right here at home. Tonight I want to speak about both those opportunities and those challenges. We have got opportunity in Iraq with free elections. We have got threats here at home with frivolous lawsuits threatening our freedoms, threatening our way of life. We have got threats here at home with recent IRS rulings and decisions threatening the ability of homeowners to keep their homes, to live in their homes. Finally, we have threats here at home threatening the ability of people across the wonderful State of California from enjoying the great oysters from my home State of Louisiana.

Just today, I want to start first with the threat of frivolous lawsuits and the threat that poses to our way of life. In today's news, we find that a Federal appellate court has reinstated a lawsuit against the McDonald's restaurant, against the McDonald's chain. For those of you not familiar with this lawsuit, it was brought in New York by a family claiming that McDonald's restaurant should be responsible for the fact that their children have eaten too much of McDonald's food.

□ 2045

I am a parent. I have got two beautiful young children, a 3-year-old girl and a little 9-month-old boy. My little 3-year-old girl enjoys McDonald's. She likes eating out. She likes the playground as much as the food. And it is my job, it is her mother's job, it is both of our jobs to make sure that our daughter eats a balanced meal. We would never in a million years think of blaming another, think of bringing a lawsuit against a restaurant for the fact that our daughter eats too many chicken McNuggets or too many French fries.

In my mind this is just one more example of frivolous lawsuits, one more example of how frivolous lawsuits can actually erode our freedoms, our liberties, our economic rights. If this lawsuit in particular and frivolous lawsuits in general are allowed to stand, I fear that we will not have freedoms that we take for granted, the freedoms to go our favorite restaurants, the freedoms to open and operate small businesses, the freedoms to earn a living.

In today's newspaper as well, from today's Wall Street Journal, I want to share with this House, all the way from Europe and Ireland they talk about curbing the "American disease." I put that in quotes, "American disease."

They are not talking about our agricultural products. They are not talking about some kind of new biological threat. They are talking about personal injury lawsuits. Today in the Wall Street Journal, on the front page of the B section, they talk about the fact that litigation has been booming in Europe. Indeed, the nickname in some circles is the "American disease." They talk about a restaurant owner, Pat McDonagh, who is worried about the fact that American-style lawsuits are coming to Ireland. In his restaurant he actually videotaped an adolescent customer pouring water on the floor in the restroom in one of his restaurants so that he could pretend to fall and sue the restaurant owner.

In Ireland they have put in place several reforms. They have put in place a mandatory arbitration panel without involving lawyers, where plaintiffs and defendants can go and argue their case. Both of them still maintain the right to go to court after this arbitration panel. But already despite the fact they have got one of the highest concentrations of attorneys per people, already with some of these reforms, they are beginning to see real results.

In Europe, again quoting from the Wall Street Journal, they said the Republic of Ireland was the Texas of Europe in terms of litigation before the new reforms. The Republic of Ireland was the Texas of Europe. I do not think this is an export we want to become known for. I do not think we want to brag about the fact we are exporting our legal system, our lawsuits to other corners of the world.

In Ireland the number of personal injury claims dropped 20 percent, 20 percent, this year after they adopted these reforms. Liability insurance rates for both government and private employers also dropped 40 percent last year alone. Auto insurance premiums are back to where they were in 1999. It is not just Ireland. The UK has also introduced reforms to cut down the cost of litigation in civil claims courts. In France they are trying to slow down the runaway costs of medical malpractice insurance.

Going back to Mr. McDonagh, going back to Ireland, not only did he see an adolescent stage a fall, he also saw a young pregnant woman with her husband also apparently stage a fall in his restaurant. That adolescent tried to file a 38,000 pound claim. When Mr. McDonagh went public with his evidence, went public with the proof that he had, not only was the adolescent reprimanded but many claims suddenly disappeared. After this video, after these reforms, they have seen the total liability claims, which in Ireland had been climbing at a rate of over 50 percent for the previous 3 years, finally begin to slow down. Insurance rates had tripled in 3 years, and finally they are beginning to see some relief. In Ireland legal fees and related costs account for almost half, 46 percent, of the awards in settlements. So this is

money that is not even going to legitimately injured customers.

The moral of this story: one, when Ireland adopted commonsense reforms, they saw insurance rates drop. They saw the number of claims being filed drop. They saw legal fees dropping. What we can learn from this case is with commonsense reforms, we can restore Americans' trust in our legal system. We can also make sure that we are not known across the world for exporting our legal system.

I am proud of the fact that the administration is introducing three commonsense reforms to reform our legal system, first, in the medical liability area; second, in the class action lawsuit reform area; and, third, in asbestos litigation.

First, let us start off talking a little bit about the need for reforms in class action lawsuits. These are an important part of our legal system. However, when they are abused, they truly harm not only the injured parties; they undermine our country's faith in our entire judicial system. When we look at the reforms that are being offered, first we need to understand the problems that we face. Right now the cost of litigation per person in the United States is far higher than in any other major industrialized nation. Let me repeat that. The cost of litigation per person in United States is far higher than any other industrialized nation. That is an important fact. These are countries we have to compete with economically. And as long as the cost of lawsuits and defending those lawsuits are higher here, that is like a hidden tax on every worker, on every consumer right here in America.

Lawsuit costs have risen substantially over the past several decades. A large portion of these costs are going to lawyers' fees, transaction costs, never even reaching injured parties. Small businesses spend on average about \$150,000 per year on litigation expenses alone. Looking at the medical liability area alone, we could save billions of dollars for American taxpayers. We could lower the cost of health care by billions of dollars just by adopting commonsense reforms.

These are the kinds of reforms that were adopted in my home State of Louisiana, adopted in California decades ago through Democratic legislatures, through bipartisan majorities. These are the kinds of reforms that can restore not only some sensibility to our legal system, save our taxpayers, save our health care patients billions of dollars. They can also make sure that injured patients are truly being compensated for their injuries. Frivolous lawsuits, excessive jury awards, are driving many health care providers out of communities, forcing doctors to practice overly defensive medicine.

In the neighboring State, in Mississippi, last year alone, they had a health care crisis. Many towns, many communities could not find doctors willing to deliver babies because of the

malpractice crisis right next door. They literally had doctors threatening to move across the border into Louisiana, setting up clinics and hospitals across the border to treat patients from Mississippi. Fortunately, they have taken some steps to reform their legal system. We still have a health care system in crisis. We still have many communities that do not have health care providers. Even those communities with health care providers often have to charge higher insurance premiums, higher health care costs thanks to frivolous lawsuits.

The President has proposed a very sensible plan. He allows unlimited compensation for true economic losses. He allows recoveries for noneconomic damages up to a reasonable amount. He allows punitive damages for the worst cases. He also makes sure that old cases cannot be brought to court several years after they have actually taken place. And, finally, he makes sure that defendants only pay judgments in proportion to their actual fault. If we listen carefully, patients will be able to collect their noneconomic damages; they would be able to collect reasonable punitive damages in the worst cases. We would make sure that defendants are only liable for what they caused, that we do not go searching for the deep pockets, we do not just go suing the first person we can find. We would make sure that the people that are hurt are truly compensated. At the same time we control the unnecessary costs, the frivolous lawsuits that are plaguing our health care system today.

The second reform that has been presented is truly reforming our class action system. We support class action reforms to limit the abuse of large nationwide class action cases to return justice to the truly injured parties. The current system, which is so abused, often does not benefit injured parties. It undermines our American judicial system. Often we have injured parties that receive awards with little or no value. They give us little coupons in the mail, while their attorneys receive large fees.

It makes sense to move these cases to the Federal system. And oftentimes we are involving interstate class action lawsuits. We are talking about cases that affect many citizens. We are talking about cases that involve more money, that involve interstate commerce issues. It makes sense that these cases should be heard in a Federal court. This does not alter in one way the right of a plaintiff to bring a legitimate claim to court. So in addition to protecting our physicians, protecting our health care system from frivolous lawsuits, we also need to do more to revamp our current class action system.

Finally, the third piece of tort reform, frivolous lawsuit reform, that has been proposed is fixing our asbestos litigation system. We need to help those workers that have truly been injured with a fairer system and a long-

term solution. The current system leaves little or no funds to pay current and future asbestos victims. Already we have bankrupted over 74 companies. My concern is those that were truly injured, there will be no funds left for them, and in the meantime we will destroy several companies rather than truly compensating those that have been injured.

I think that the frivolous lawsuits and out-of-control legal system can pose a very serious threat to America's freedoms, can pose a very serious threat to the American Dream. We are a country of economic opportunity. We are a country where small business owners can create a better quality of life by serving their customers. We need to preserve the risk-taking, the entrepreneurial spirit that not only makes America great, makes America a beacon of hope and opportunity for people all over the world, but also makes sure that not only we but our children have jobs, make sure that their economic growth continues unabated.

These three reforms are necessary, in the medical malpractice, in the class action area, and then finally in the asbestos area, to make sure that we restore some reason to our legal system, to make sure that we truly compensate those that have been injured, those that have been injured through others' neglect, but at the same time we do not punish honest business people, we do not punish physicians trying to provide high-quality medical care, we do not engage in frivolous lawsuits, we do not perpetuate a lottery-style system.

A second topic I would like to talk about to the Members of the House today is that, now that we have talked about one of the challenges facing us here at home, I would like to talk about an opportunity abroad. And if the Members will permit me, I would like to quote from our President's inaugural address, just a few lines from that stirring speech where he talked about the hope, the freedom, the principles of democracy being spread across the world. I would like to quote from what our President said on that cold morning: "We have seen our vulnerability, and we have seen its deepest source. For as long as whole regions of the world simmer in resentment and tyranny, prone to ideologies that feed hatred and excuse murder, violence will gather and multiply in destructive power and cross the most defended borders and raise a mortal threat. There is only one force of history that can break the reign of hatred and resentment and expose the pretensions of tyrants and reward the hopes of the decent and tolerant, and that is the force of human freedom."

Our President went on to say: "We are led by events and common sense to one conclusion: the survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is an expansion of freedom in all the world."

The President then later in his remarks and as he was talking about how our national interests coincide with the basic principles upon which this country was founded, our national interests lie in promoting freedom and democracy to the peoples of the world. But he goes on to caution: "This is not primarily the task of arms, though we will defend ourselves and our friends by force of arms when necessary. Freedom, by its nature, must be chosen and defended by citizens, and sustained by the rule of law and the protection of minorities. And when the soul of a nation finally speaks, the institutions that arise may reflect customs and traditions very different from our own. America will not impose our own style of government on the unwilling. Our goal instead is to help others find their own voice, attain their own freedom, and make their own way."

As I think about the President's remarks, I think in particular of the situation in Iraq. And I want to share just one last line from the President before I talk further about what is happening in Iraq. Our President went on to say: "Some, I know, have questioned the global appeal of liberty, though this time in history, 4 decades defined by the swiftest advance of freedom ever seen, is an odd time for doubt. Americans, of all people, should never be surprised by the power of our ideals. Eventually, the call of freedom comes to every mind and every soul. We do not accept the existence of permanent tyranny because we do not accept the possibility of permanent slavery. Liberty will come to those who love it."

When I listened to those remarkable words, when I listened to the President's inaugural address, I thought what a wonderful role America has to play. It is not our job to be the policemen of the world. The President was very quick to say this is not primarily a matter of arms, but it is a matter of spreading hope and standing on the side of those fighting for freedom and democracy across the world. Not only is it the right thing to do, and it is, but it also is the best way to secure America's safety.

There is a little girl back at home in Louisiana that gets this, and before I share with the Members what she has to say, I yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I rise to discuss an issue of great importance to the citizens of the Fifth District of North Carolina. We are deeply concerned about the skyrocketing costs of medical malpractice insurance because it is limiting access to quality and affordable health care all over western North Carolina, but particularly in the rural portions. The escalating cost of health care is a major concern in the fifth district.

□ 2100

Just 2 weeks ago, I held meetings with community leaders in all 12 counties in my district. The issue of the ris-

ing cost of medical insurance was raised at each and every meeting. After all, the American Medical Association has determined that North Carolina is one of 19 States in the country that is currently identified as a "crisis" State.

Due to an onslaught of frivolous lawsuits, our physicians are being forced to pay exorbitant premiums on their liability insurance. The rates have risen so high that many family practitioners and OB-GYNs are being forced to retire early or simply go out of business. Doctors are refusing to deliver babies or perform surgery because they are afraid of being sued. That is especially a problem in our rural communities, where many doctors are sole practitioners.

Just as alarming, our medical school enrollments are on the decline, which will limit the health care available to our future generations.

Recently, I spent 2 days with medical professionals in my district. According to the experts in the medical community of Forsyth County, there was at least a 20 to 40 percent increase last year in medical malpractice insurance premiums. The biggest impact, again, was felt in the specialty fields like OB-GYN, emergency medicine and surgery.

What is happening across North Carolina is that doctors are no longer going into specialized fields like obstetrics. This is short-changing the people of the Fifth District, because it is limiting access to the health care specialists they need. We must remember that this is an issue that affects everyone, not just doctors.

In early 2003, with the backing of the Bush administration, the U.S. House of Representatives moved quickly to address medical liability reform by passing H.R. 5, the HEALTH Act, Help Efficient, Accessible, Low-Cost, Timely Health Care. Unfortunately, the U.S. Senate failed to pass this meaningful and important legislation. I look forward to the debate this year in the House.

Mr. Speaker, I urge my colleagues in the House and Senate to address this health care crisis. We need to enact meaningful medical malpractice reform. My priority is that the citizens of Fifth District of North Carolina and all across the Nation have continued access to quality, affordable health care.

Mr. JINDAL. Mr. Speaker, reclaiming my time, I want to thank my colleague for making the point and reiterating the point how important it is to defend our freedoms at home, even as we are fighting to defend freedoms abroad.

As I was saying, the President in his stirring inaugural remarks talked about the importance of spreading freedom across the world; not only that it is consistent with our highest ideals, our goals, our principles, but also as an effective means of defending America's freedoms here at home.

I want to share this with you. There is a little girl back in my district that

understands it. The story in our local paper opens with a quote that says, "They fight for us."

"Four-year-old Katelyn Swansen is talking about her heroes, the American troops fighting overseas in Iraq. It seems like a big statement coming from a very little girl's mouth, but she says it with pride as she shows off the poster she made to send to the troops."

I am going to read a little bit from this article.

Her pre-K teacher at the local YMCA has taught not only little Katelyn, but also her 12 classmates, to know all about what it means to be an American and about the sacrifices the American troops are making in Iraq. These kids, they may not be able to say "patriotism," they may not even know what it means, but they are practicing being good Americans.

The words may seem jumbled, they may not be pronounced correctly, but when they say the Pledge of Allegiance, they say it with pride, they say it from their heart.

On a blackboard behind them, the words say, "The YMCA Supports our Troops USA," and there is a flag. And on Ms. Restivo's desk, that is the teacher, there is a small picture of her stepson, who is a private first class.

Seth Restivo is a member of the U.S. Army National Guard. He is currently deployed to Iraq. The kids have made a stack of posters to send to his unit and made handprints on the posters. The teachers wrote on these handprints, "These small hands support our troops in a big way."

A poster was also made using handprints from Seth's 4-year-old son Triston, who also attends that same YMCA childcare center in Covington.

Ms. Restivo says her son signed up to be in the National Guard when he was only 16. He is now 19. He left for boot camp as soon as he graduated from high school in May 2004. He left for Iraq a week before Christmas. He is currently in Baghdad, spending most of his time cleaning weapons. He has been deployed for 10 months.

She says it is important for her students, even though they are too young to learn about the soldiers who are fighting for their freedom, she says it is important that they know about America and about the true heroes. It is important for them to learn about what is going on for our country.

Those posters will be mailed to her stepson. I think 4-year-old Katelyn and I think her classmates truly understand what it means to be American. I think they truly understand the sacrifices being made by our brave men and women in uniform, being made overseas to defend our way of life and also to help the Iraqi people to find freedom.

On January 30th, an historic day is approaching us as, for the first time in decades, after decades of dictatorship and oppression, the Iraqi people will be finally be able in a free election to decide their own freedom.

Back in December, the International Republican Institute did a survey that showed over 67 percent of Iraqis supported going forth with the elections as scheduled, over 67 percent. According to their own independent election committee, over 7,000 candidates representing 75 political entities, 27 organizations and 9 coalitions plan to participate in the National Assembly elections, over 7,400 candidates.

These elections should reflect the will of the Iraqi people. They should lay the groundwork for the drafting of a constitution that represents the will of the Iraqi people and embraces freedom and democracy, and, finally, to result in a representative government committed to peace, stability and democracy. These are our hopes, these are our goals.

Now, can we in America guarantee what happens after these elections? Certainly there is no guarantee. But what we can know, what we can do is this: We can give the Iraqi people the best chance they have got for stability, for peace, for freedom. We can give them the best chance that entire region has by allowing these elections to proceed.

It will be up to the Iraqi people after these elections take place to decide for themselves. We are not able to impose order externally. What we are able to do is turn over, with time, turn over as quickly as we can, the responsibility for the safety back to Iraqi forces. Over 120,000 forces of varying kinds have been trained.

You have got not only the national elections, but in local elections you have got over 111 political entities that have submitted candidate lists. You have 256 political entities composed of almost 19,000 candidates registered to compete in the 20 different elections.

You see just the birth of democracy in that country. Is it perfect? No. Are there challenges? Absolutely. But what we are witnessing is an historic moment, an important moment for the Iraqi people, an important moment for that entire region.

Now, again, America cannot force its will on another country. We cannot force the Iraqi people to live in peace, or we cannot force upon them a stable democracy. What we can do by giving them these elections is give them the opportunity to take that responsibility for themselves. What we can do by transferring the responsibility of security back to trained Iraqi forces is to make sure they have the best chance for a peaceful future. That is good for the Iraqi people. That is also good, however, for the entire region and also for the American people.

I have talked today about the threats to freedom at home, I have talked about the opportunity to spread freedom across the world. I also want to talk in closing about two additional threats to freedoms right here in America, and in particular threats that impact the people of Louisiana.

The first threat I want to talk to you about concerns a bill that I am filing

tomorrow. This is a bill about people, the Disaster Prevention Protection Act of 2005.

My State and many States have properties that are subject to flooding, and because of this problem, FEMA has got a program, flood mitigation grant program, that has been in place for several years. These grants have been given out in my State in particular for the last 10 years, but there has been a similar program literally in place for decades.

These grants are given to people after a disaster hits or to prevent a future disaster from hitting. They are designed to save the Federal Government money. Instead of allowing homes to flood repeatedly, the Federal Government, in partnership with local homeowners, acts to prevent the worst floods, acts to prevent the worst floods damage from happening.

The grants are 75 percent from the Federal Government, 25 percent from the private homeowner. The States work with local municipalities, so there is a State component as well. Over the last 3 years, this has benefited literally dozens, hundreds of families, in Louisiana. We are talking about approximately \$8 million.

This is a program that has worked well, but here is the challenge: Eighteen months ago the IRS changed how these grants were considered. The grant is now going to be considered as income. The result is we are now forcing families in the higher tax brackets. We are talking about families who were never told these grants would be considered taxable income when they got this money in the first place. So now you have the awful situations where people may be forced to sell their homes to pay the taxes on the grants that they received to save their homes in the first place.

I think this is a tragedy, and one that would be very simple to fix. That is why tomorrow I am filing my very first piece of legislation to address this problem.

This sounds like a theoretical problem. We are talking about 500 homes. But I want to give you three specific examples to show what I am talking.

In Slidell, Louisiana, we have a family whose home was damaged again during two hurricanes, Hurricane Isadore and Hurricane Lili. It has been substantially damaged. The challenge the owner of this home has, she is eligible to receive and received one of these Federal grants. However, she has a son who is now injured and is now a paraplegic. He is going to college on a Pell grant. If she has to pay Federal income tax on her grant, not only will her son lose his grant, he may very well have to drop out of college.

I will give you a second case. We have a 67-year-old widow living in Slidell, Louisiana, in a home her husband built for her many, many years ago. Her only income is Social Security. Her home is substantially damaged, and she is actually in a rental property

right now. She has saved every penny and used all of her savings to participate in the FEMA program, to come up with the matching funds, her 25 percent. Her plans are finally completed, she is ready to go back and construct and repair her home, but now she is afraid. She is afraid to start, because she cannot afford to pay the taxes.

Her house has been sitting empty for 2 years in substantially damaged condition. It continues to deteriorate. If she is not allowed to participate in this program, she will have to sell her home to pay the taxes on the grant. She will lose the home that her husband built for her.

Finally, a third example. We have a family of five whose home was declared substantially damaged, again after Hurricanes Isadore and Lili. The primary homeowner is now disabled, and they are now also in a rental unit. One of their children is receiving a Pell grant for college.

If they are forced to pay Federal taxes on their grant, not only will they lose their Pell grant, they are looking at not only the loss of their home, but they are worried they may have to file for bankruptcy protection.

To me, this is the worst kind of tragedy. We are adding insult to injury. We are talking about families that have already been hurt through a natural disaster. We as the Federal Government have tried to help them recover and to avoid future losses.

To come in now, after the fact, to try to impose an income tax after the fact I think does serious harm not only to their personal finances, but to their liberties, their ability to live in their own homes, to own their own homes. For their sake and for the sake of many families that may find themselves in a similar situation, I hope this House will pass this legislation.

Finally, the final threat to our freedoms at home that I would like to talk about today, we in Louisiana are proud of the fact that we are home to some of the world's finest seafood. I know many people in this House and across the country watching tonight have enjoyed our shrimp, have enjoyed crawfish. You have probably also enjoyed our oysters.

This week we are celebrating in Washington Mardi Gras. Many people will be eating Louisiana's fine oysters this week. To this House, I want to make sure that we free the American people, we allow the good people of the Great State of California to enjoy the freedom of also partaking in Louisiana's oysters. I call upon the good Governor of California to lift the ban and allow Louisiana's oysters to be consumed in California so they might not be deprived of this valuable commodity.

It has been my privilege, Mr. Speaker, to address this House, to talk about the opportunities to spread democracy and freedom across the world; the excitement of watching the Iraqi people participate in their first free election

in decades. A perfect election, no; an historic election, yes; and one filled with great promise and potential for the future.

I have also talked today about the threats we face to our future right here at home, through frivolous lawsuits, what we can do to address that. Just today we found out that McDonald's is yet again going to court to defend itself from the claims of a family who ate too much McDonald's food and now wants to blame the restaurant.

We also heard from my colleague today from North Carolina, also talking about the threat of frivolous lawsuits and the threat that we may lose doctors in our most underserved communities.

We also talked about the threat to that most important property right in America, the right to own one's home, posed by a recent IRS ruling.

And finally, not to trivialize it, but finally the threat being faced by those communities who may not have access to Louisiana's fine seafood.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, JANUARY 20, 2005, AT PAGE H140

OMISSION FROM THE CONGRESSIONAL RECORD OF THURSDAY JANUARY 6, 2005, AT PAGE H129

The tellers delivered to the President of the Senate the following statement of results.

JOINT SESSION OF CONGRESS FOR THE COUNTING OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, OFFICIAL TALLY

The undersigned, TRENT LOTT and TIM JOHNSON, tellers on the part of the Senate, ROBERT W. NEY and JOHN B. LARSON of Connecticut, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the Twentieth day of January, two thousand and five.

Electoral votes of each State	For President			For Vice President	
	George W. Bush	John F. Kerry	John Edwards	Dick Cheney	John Edwards
Alabama—9	9	.....	.....	9	.....
Alaska—3	3	.....	.....	3	.....
Arizona—10	10	.....	.....	10	.....
Arkansas—6	6	.....	.....	6	.....
California—55 .....	.....	55	.....	.....	55
Colorado—9	9	.....	.....	9	.....
Connecticut—7 .....	.....	7	.....	.....	7
Delaware—3 .....	.....	3	.....	.....	3
District of Columbia—3 .....	.....	3	.....	.....	3
Florida—27	27	.....	.....	27	.....
Georgia—15	15	.....	.....	15	.....
Hawaii—4 .....	.....	4	.....	.....	4
Idaho—4	4	.....	.....	4	.....
Illinois—21	4	21	.....	4	21
Indiana—11	11	.....	.....	11	.....
Iowa—7	7	.....	.....	7	.....
Kansas—6	6	.....	.....	6	.....
Kentucky—8	8	.....	.....	8	.....
Louisiana—9	9	.....	.....	9	.....
Maine—4 .....	.....	4	.....	.....	4
Maryland—10 .....	.....	10	.....	.....	10
Massachusetts—12 .....	.....	12	.....	.....	12
Michigan—17 .....	.....	17	.....	.....	17
Minnesota—10 .....	.....	9	1	.....	10
Mississippi—6	6	.....	.....	6	.....
Missouri—11	11	.....	.....	11	.....

Electoral votes of each State	For President			For Vice President	
	George W. Bush	John F. Kerry	John Edwards	Dick Cheney	John Edwards
Montana—3	3	.....	.....	3	.....
Nebraska—5	5	.....	.....	5	.....
Nevada—5	5	.....	.....	5	.....
New Hampshire—4 .....	.....	4	.....	.....	4
New Jersey—15 .....	.....	15	.....	.....	15
New Mexico—5	5	.....	.....	5	.....
New York—31 .....	.....	31	.....	.....	31
North Carolina—15	15	.....	.....	15	.....
North Dakota—3	3	.....	.....	3	.....
Ohio—20	20	.....	.....	20	.....
Oklahoma—7	7	.....	.....	7	.....
Oregon—7 .....	.....	7	.....	.....	7
Pennsylvania—21 .....	.....	21	.....	.....	21
Rhode Island—4 .....	.....	4	.....	.....	4
South Carolina—8	8	.....	.....	8	.....
South Dakota—3	3	.....	.....	3	.....
Tennessee—11	11	.....	.....	11	.....
Texas—34	34	.....	.....	34	.....
Utah—5	5	.....	.....	5	.....
Vermont—3 .....	.....	3	.....	.....	3
Virginia—13	13	.....	.....	13	.....
Washington—11 .....	.....	11	.....	.....	11
West Virginia—5	5	.....	.....	5	.....
Wisconsin—10 .....	.....	10	.....	.....	10
Wyoming—3	3	.....	.....	3	.....
Total—538 ..	286	251	1	286	252

TRENT LOTT,
TIM JOHNSON,
Tellers on the part of the Senate.
ROBERT W. NEY,
JOHN B. LARSON,
Tellers on the part of the House of Representatives.

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 538, of which a majority is 270.

George W. Bush, of the State of Texas, has received for President of the United States 286 votes;

JOHN F. KERRY, of the Commonwealth of Massachusetts, has received 251 votes;

JOHN EDWARDS, of the State of North Carolina, has received 1 vote.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

DICK CHENEY, of the State of Wyoming, has received for Vice President of the United States 286 votes;

JOHN EDWARDS, of the State of North Carolina, has received 252 votes;

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the twentieth day of January, two thousand and five and shall be entered, together with the list of the votes, on the Journals of the Senate and House of Representatives.

Note: The certificate from the State of Minnesota reflected that one elector cast ballots for JOHN EDWARDS, of the State of North Carolina, for both President and Vice President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BERKLEY (at the request of Ms. PELOSI) for today and January 26 on account of official business—congressional delegation to Poland.

Ms. ESHOO (at the request of Ms. PELOSI) for January 6.

Mr. ISRAEL (at the request of Ms. PELOSI) for today and January 26 on account of official business.

Mr. LANTOS (at the request of Ms. PELOSI) for today and January 26 on account of official business.

Mrs. BONO (at the request of Mr. DELAY) for today and the balance of the week on account of illness.

Mr. BURTON of Indiana (at the request of Mr. DELAY) for today and January 26 on account of a family emergency.

Mr. EHLERS (at the request of Mr. DELAY) for today and the balance of the week on account of illness.

Mr. FOLEY (at the request of Mr. DELAY) for today and the balance of the week on account of illness in the family.

Mr. MCCOTTER (at the request of Mr. DELAY) for today and the balance of the week on account of his leading a congressional delegation to the 60th anniversary of liberation of Auschwitz.

Mr. ROHRBACHER (at the request of Mr. DELAY) for today and the balance of the week on account of illness.

Mr. WAMP (at the request of Mr. DELAY) for today on account of family reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUELLAR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. RAMSTAD, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today.

Mr. MURPHY, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. WOLF, for 5 minutes, January 26.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

Mr. GOHMERT, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)