

## INTRODUCTION OF THE FREEDOM FROM UNNECESSARY LITIGATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2007

Mr. PAUL. Madam Speaker, I am pleased to introduce the Freedom from Unnecessary Litigation Act. As its title suggests, this bill provides an effective means of ensuring that those harmed during medical treatment receive fair compensation while reducing the burden of costly malpractice litigation on the health care system. This bill achieves its goal by providing a tax credit for negative outcomes insurance purchased before medical treatment. The insurance will provide compensation for any negative outcomes of the medical treatment. Patients can receive this insurance without having to go through lengthy litigation and without having to give away a large portion of their award to a trial lawyer.

Relying on negative outcomes insurance instead of litigation will also reduce the costs imposed on physicians, other health care providers, and hospitals by malpractice litigation. The Freedom from Unnecessary Litigation Act also promotes effective solutions to the malpractice crisis by making malpractice awards obtained through binding, voluntary arbitration tax-free.

The malpractice crisis has contributed to the closing of a maternity ward in Philadelphia and a trauma center in Nevada. Meanwhile, earlier this year, surgeons in West Virginia walked off the job to protest increasing liability rates. These are a few of the examples of how access to quality health care is jeopardized by the epidemic of large (and medically questionable) malpractice awards, and the resulting increase in insurance rates.

As is typical of Washington, most of the proposed solutions to the malpractice problem involve unconstitutional usurpations of areas best left to the States. These solutions also ignore the root cause of the litigation crisis: the shift away from treating the doctor-patient relationship as a contractual one to viewing it as one governed by regulations imposed by insurance company functionaries, politicians, government bureaucrats, and trial lawyers. There is no reason why questions of the assessment of liability and compensation cannot be determined by a private contractual agreement between physicians and patients. The Freedom from Unnecessary Litigation Act is designed to take a step toward resolving these problems through private contracts.

Using insurance, private contracts, and binding arbitration to resolve medical disputes benefits patients, who receive full compensation in a timelier manner than under the current system. It also benefits physicians and hospitals, which are relieved of the costs associated with litigation. Since it will not cost as much to provide full compensation to an injured patient, these bills should result in a reduction of malpractice premiums. The Freedom from Unnecessary Litigation Act benefits everybody except those trial lawyers who profit from the current system. I hope all my colleagues will help end the malpractice crises while ensuring those harmed by medical injuries receive just compensation by cosponsoring my Freedom from Unnecessary Litigation Act.

## SUPPORT FOR JUAN AND ALEX GOMEZ

HON. DEBBIE WASSERMAN-SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise in support of Juan and Alex Gomez, two brave and talented young men in Miami who are struggling to remain in the United States and contribute to the only country they have ever really known as their homeland.

Juan and Alex Gomez came to the United States from Colombia when they were just toddlers. Throughout their lives they worked hard in school and played by the rules.

A model student, Juan is now 18 years old and he recently graduated at the top of his class from Miami Killian High School. Juan earned high scores on 15 Advanced Placement exams and a nearly perfect score on the SAT.

Just a few days ago, Juan was looking forward to beginning college at Miami Dade College's Honors College. But sadly, today Juan and his family are at risk of deportation.

Juan's friends and classmates learned of his imminent deportation and decided to take matters into their own hands. Twelve teenage friends quickly organized a trip to Washington to enlist the support of Members of Congress. Madam Speaker, yesterday I met with Juan's classmates.

The passion and determination with which these students advocated on behalf of their friend is nothing short of inspirational. Working with immigration lawyers, members of the press, and Congressional offices, Juan's friends are advocating for a fair immigration policy while emphasizing the benefits Juan and Alex bring to the United States and vice versa.

I commend these young people for their true leadership and true public service; they are an inspiration for their entire generation. Because of their outreach to Members of Congress from Florida on both sides of the aisle, and the support of several others, we learned yesterday that the Gomez boys have received a 45-day temporary stay of deportation.

I thank and commend my colleagues who have diligently worked to intervene on behalf of Juan and Alex.

Senator BILL NELSON, Congressman LINCOLN DIAZ-BALART, Congresswoman ZOE LOFGREN, Congresswoman ILEANA ROS-LEHTINEN, and Congressman MARIO DIAZ-BALART have worked in a bipartisan fashion to bring justice to the teenagers.

Throughout the next month, we must continue to work with immigration officials to make sure that Juan and Alex can remain in the United States.

This case brings increased attention to the need for Congress to pass legislation like the DREAM Act, which would allow students like Juan and Alex, who have grown up in the United States and are pursuing higher education or military service, the opportunity to realize the American dream.

In this increasingly competitive market, the United States must not forfeit the talent that students like Juan and Alex can contribute to our Nation.

Additionally, one has to question what is going on in our system, when rather than fo-

cusing their limited resources on criminals who are here illegally, our immigration officials are going after academic all-stars like Juan Gomez.

Madam Speaker, I would like to close with Juan's own words describing the motivation that has kept him and Alex optimistic despite all odds.

Juan wrote, "Our whole family has worked hard in order to better ourselves in the country we call home. Academically, we have both strived and succeeded with hopes that our accomplishments would outshine our immigration status. All of our hard work will hopefully allow us to continue living and contributing to this wonderful country."

I call on my colleagues to learn more about this case and to work to enact legislation that will allow talented students like Juan and Alex, who have benefited from our Nation's public education system, to continue to contribute to the country that has given them hope.

## VIRGINIA NEEDS AMERICA'S HELP

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2007

Mr. POE. Madam Speaker, the State of Virginia has had it with illegals feeding off of their State and want them sent back to their homeland.

So, Virginia is asking the Federal Government for help. Seeking funds and training available for States under the 287(g) program. This Federal program trains local and State law enforcement in immigration laws. Virginia aims to train every staffer at jails across the State on how to check immigration statuses and deport illegals.

But when the State asked the Federal Government for help, the Immigration and Customs Enforcement, ICE, said no. The reason: ICE says it lacks resources, including funding and personnel, to make that commitment to Virginia.

Currently, there are 22 State and local agencies that have entered into agreements with ICE to be trained on the 287(g) programs; 65 more are waiting for approval. But because the Federal Government is not providing ICE with the necessary funds, law enforcement won't get trained and illegals won't get deported.

Maybe some of the pork earmarks going to study the lifecycles of fish should be used in this immigration battle.

Madam Speaker, this is absurd. Once again, illegals are getting a free pass to the U.S. due to the ineptitude of the Federal Government and its inability to cooperate with local cities that want to help stem the flow of illegals into our homeland.

Madam Speaker, this ought not to be. And that's just the way it is.

## HONORING MANUELITA GUAJARDO JUAREZ 100TH BIRTHDAY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2007

Mr. CUELLAR. I rise today to honor Mrs. Manuelita Guajardo Juarez on her reaching

her 100th birthday. She is an inspiring member of the community in Laredo, TX.

Mrs. Manuelita Guajardo Juarez was born on July 30, 1907 in Laredo, TX. She is the third child to Manuel Guajardo and Rafaelita Esparza Guajardo. Her siblings were Abelino, Adela, Jose, Alberto, Guadalupe, Elijia, and Tomasita. As a child, she attended the El Profesor Dominguez School. Her father worked for the Tex-Mex Railroad Company and moved his family to a Tex-Mex substation named "El Pescador" where she attended school for several years.

In 1918, at the tender age of 11, she lost her mother to the influenza epidemic that hit Laredo in late 1918. Her father then moved his family to a ranch in Devine, TX, to live with his brother, Guadalupe Guajardo and his family. Manuelita's father lived at the ranch until he passed away in 1924 and is buried in Big Foot, TX.

Manuelita stayed in Devine until she married Victorino Juarez on May 14, 1930 at San Jose Catholic Church in Devine. She returned to Laredo as a young bride and lived with her in-laws in a home located several blocks from San Agustin Cathedral. Manuelita and Victorino Juarez are the parents of three daughters: Maria Minerva Juarez Ramirez from San Antonio, TX, Rosa Alicia Juarez Sciaraffa, and Amelia Juarez Magallanes, who reside in Laredo, TX. Manuelita still lives at 803 O'Kane Street in a home her late husband bought in 1937.

Every morning up to the age of 99, she watered her plants that surround her home. Because she can no longer do this, her daughters now attend to her garden. Gardening and sewing have always been her two favorite hobbies. Manuelita has 15 grandchildren who live throughout Texas, 19 great-grandchildren, and two great-great grandchildren. She is the proud matriarch of five generations in her family.

Madam Speaker, I am honored to have had the opportunity to recognize the dedication of Mrs. Manuelita Guajardo Juarez to her community, and ask you to join me in honoring her on her birthday.

**CANCER SCREENING COVERAGE ACT**

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 3, 2007*

Mrs. MALONEY of New York. Madam Speaker, today I am reintroducing, along with Representative DEBORAH PRYCE (R-OH) and Representative ROBERT BRADY (D-PA), the Cancer Screening Coverage Act, a bill that will ensure that a greater number of Americans are covered for breast, cervical, prostate, and colorectal cancer screening. This legislation will increase the access to cancer screening exams for patients of private insurance and the Federal Employees Health Benefits plan.

Cancer is the second leading cause of death among Americans. According to the American Cancer Society, more than 1,500 Americans die of cancer every day. Cancer screening allows for the detection of cancer in its earliest form, when the cost of treatment is the least.

Many advances have been made, but the key to survival is early detection. It is esti-

mated that the rate of survival would increase from 80 percent to 95 percent if all Americans participated in regular cancer screening. By providing increased access to screening procedures, the Cancer Screening Coverage Act would help save the lives of many Americans from this deadly disease.

**PAYING TRIBUTE TO LAS VEGAS FIRE & RESCUE**

**HON. JON C. PORTER**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 3, 2007*

Mr. PORTER. Madam Speaker, I rise today to honor the Las Vegas Fire & Rescue for celebrating their 65th anniversary serving the Las Vegas community.

The Las Vegas Fire & Rescue got its start in 1906 as the Las Vegas Volunteer Fire Department located in downtown Las Vegas on Fremont Street. Through the 1920s, the Las Vegas Volunteer Fire Department was the only department in southern Nevada to serve the construction of the Hoover Dam and the newly constructed army base, now known as Nellis Air Force Base. In 1942, volunteer firefighters petitioned at City Hall to create a full-time fire department. On August 1, 1942, the first 16 full-time employees of the Las Vegas Fire & Rescue began their shift.

Today, the department has 16 stations across the Las Vegas valley and oversees more than 650 employees. Las Vegas Fire & Rescue is one of eight departments in the country to be accredited by the Commission on Fire Accreditation International and to hold a Class One rating from the Insurance Services Offices, Inc., making it one of the safest departments in the country.

Madam Speaker, I am proud to honor Las Vegas Fire & Rescue and the men and women who make up the department. To risk their own lives on a daily basis for the safety of others is truly commendable. I applaud Las Vegas Fire & Rescue for its leadership and wish the department continued success for years to come.

**TRIBUTE TO MS. VIRGINIA GUFFEY**

**HON. PETER J. VISCOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 3, 2007*

Mr. VISCOSKY. Madam Speaker, it is with great pride and sincerity that I wish to honor Ms. Virginia Guffey, who on August 12, 2007, will be honored at the U.S. Steel Yard by the Youngstown Sheet and Tube Old-Timers Club for her 58 years of service at U.S. Steel.

Virginia Guffey was born in the town of Seymour, Indiana. Until 1949, she worked at the National Veneer and Lumber Company in Seymour. At that time, she was told that her services were no longer needed. Not to be discouraged, Virginia traveled north to seek one of the many employment opportunities in Gary, IN. That same year she was hired at U.S. Steel, and as they say, the rest is history. In the beginning she lived with relatives in order to send her earnings back home to Sey-

mour to support her parents and siblings. Virginia eventually settled in Merrillville, IN.

It is important to understand that Virginia was one of only 300 women working in a workplace dominated by males at U.S. Steel. The small group of 300 women is epitomized by Virginia, who demonstrated strength of character and devotion to her career, and over time she persevered to gain acceptance and make great strides to ensure women's equality in the workplace. Fifty-eight years later, her loyalty to U.S. Steel and passion for her job still burns strong. Virginia is now an inventory clerk in the tin division's coating-packaging warehouse. At 82 years old, she does not intend to retire any time soon.

Virginia has overcome a life of hardships and discrimination with courage and determination. She is a dedicated employee who loves her work and who greets each workday with enthusiasm. Her optimism and tenacity are an example to us all. Her strong work ethic and positive attitude have earned her the respect and admiration of not only her co-workers, but of every person who has the pleasure of knowing her.

One such person is Chester Lobodzinski, founder of the Youngstown Sheet and Tube Old-Timers Club, an organization for retired and current employees in the steel industry. Mr. Lobodzinski accurately painted a portrait of Virginia when he stated, "Virginia's work ethic of pride, dedication, concern, and 150 percent effort takes a back seat to no one. She is not just an employee at U.S. Steel, but is a living legend whose survival in life can be credited to her very positive attitude, combined with her many true class of friendships."

Madam Speaker, at this time I ask that you and my other distinguished colleagues join me in congratulating Ms. Virginia Guffey as she is honored for her longevity and unmatched commitment to her job. Her unselfish and lifelong dedication to U.S. Steel is worthy of the highest commendation, and I am proud to represent her in Congress.

**IN HONOR OF THE SERVICE OF AMERICA'S UNSUNG HERO, THOMAS A. O'ROURKE**

**HON. SCOTT GARRETT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 3, 2007*

Mr. GARRETT of New Jersey. Madam Speaker, on June 26, 2007, the world lost one of America's unsung heroes when Thomas A. O'Rourke, originally of Ramsey, New Jersey, succumbed to a bone marrow disease known as Myelodysplastic syndrome.

At the height of the Vietnam war, Tom O'Rourke sought out service to his nation, as both his mother and father had done before him. During college, Tom attended United States Marine Corps Officer Candidate School. He was commissioned as a second lieutenant and sent to flight school in Pensacola, Florida, where he earned his "Wings of Gold." As a naval aviator, he headed off to Vietnam to fly AH-1G Cobra helicopters.

Tom retired as a captain and went to work for Bell Helicopter International as a test pilot and then as manager for their Maintenance Test Flight Division in Iran. In the true spirit of lifelong allegiance to the values of the Corps