

To my colleagues who argue health care should be scrapped and focus given to jobs and the economy, I urge you to note this tragic situation and understand: Health care is all about jobs and the economy.

To my Senator and constituent, MITCH MCCONNELL, who keeps saying we should start over and take our time, 250 Louisvillians, your constituents and mine, Senator, are the ones who are now starting over.

Louisville is anything but alone in this crisis, and the unemployed workers in my community are far from the only casualties of this failed system. I urge my colleagues to directly address our struggling economy and high unemployment without delay by working together to reform our broken health care system.

JOB CREATION IS THE KEY

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, during the 111th Congress, Democrats have taken numerous measures to restore our Nation's fiscal health. Job creation is an essential element of this financial recovery.

We have passed the Small Business Financing and Investment Act, which will make it more affordable for small businesses to get loans and will save or create 1.3 million jobs annually.

We have passed the American Clean Energy and Security Act, which will create millions of jobs and also provide skilled training for workers.

We passed the Jobs for Main Street Act out of the House, which has targeted investment for job training, small businesses, affordable housing, school renovation, hiring teachers, and much more.

At the very beginning of this session, the American Recovery and Reinvestment Act was signed into law, and this legislation has saved or created nearly 2 million jobs. The Recovery Act was the largest middle class tax cut in history, and has helped to provide over 300,000 jobs in the education sector.

As the weather gets warmer, thousands of infrastructure jobs will be created through Recovery Act funds to build bridges, roads, and rails.

Additionally, community health centers around the country are being created through Recovery Act funding.

I ask all of my friends to continue to support job creation.

□ 1015

DO HEALTH INSURANCE COMPANIES REALLY CARE ABOUT YOU?

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, as you know, the people in southern Nevada have been hit hard during these tough

economic times, caused largely by unbridled corporate greed and complicitous government action during the 8 years of the Bush administration. We have the highest foreclosure rate in the country, second highest unemployment rate, and we are one of the highest States for rates of uninsured.

People are struggling every day just to keep body and soul together. But do the insurance companies care? No, no, they don't. They continue to raise premiums up 39 percent in some States while making record profits and handing out obscene bonuses. They finance thousands of lobbyists to come to the Hill to argue against meaningful reform, and they brag about the millions that they are spending on television and radio ads that are filled with lies and distortions aimed at confusing and scaring the people, especially seniors.

So I ask the folks in District Three and beyond: Next time you see or hear one of those ads on TV or the radio, ask yourself, are the insurance companies concerned more about you or more about protecting and growing their bottom line?

HEALTH CARE REFORM NOW

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, as we've heard this morning, in the last month this country has been subjected to jaw-dropping increases of health insurance rates—39 percent in California, over 20 percent in the State of Connecticut. Small businesses and the self-employed are being asked to make a choice between jobs and paying for health care. But it is not just limited to small businesses. School districts that are now putting together their school budgets are getting increases. In the State of Connecticut, 14 percent increase in Coventry, 16 percent in Old Saybrook, 18 percent in Clinton, 21 percent in Plainfield, and 25 percent in Waterford.

For school districts who cannot afford their budgets because of the bad economy, they are now going to be forced with making choices between laying off teachers, closing schools, forcing our kids into bigger school classrooms, or paying for health insurance.

For those who say start over, the insurance companies aren't going to start over. These school districts have to make decisions now, and it is time for this Congress to make a decision now to reform our health care system, protect our school districts, and help small businesses who are getting killed with these rate increases.

IMPEACHING JUDGE G. THOMAS PORTEOUS, JR.

Mr. CONYERS. Mr. Speaker, by direction of the Committee on the Judiciary, I call up House Resolution 1031

and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1031

Resolved, That G. Thomas Porteous, Jr., a judge of the United States District Court for the Eastern District of Louisiana, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and all of the people of the United States of America, against G. Thomas Porteous, Jr., a judge in the United States District Court for the Eastern District of Louisiana, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

G. Thomas Porteous, Jr., while a Federal judge of the United States District Court for the Eastern District of Louisiana, engaged in a pattern of conduct that is incompatible with the trust and confidence placed in him as a Federal judge, as follows:

Judge Porteous, while presiding as a United States district judge in Lifemark Hospitals of Louisiana, Inc. v. Liljeberg Enterprises, denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg. In denying the motion to recuse, and in contravention of clear canons of judicial ethics, Judge Porteous failed to disclose that beginning in or about the late 1980s while he was a State court judge in the 24th Judicial District Court in the State of Louisiana, he engaged in a corrupt scheme with attorneys, Jacob Amato, Jr., and Robert Creely, whereby Judge Porteous appointed Amato's law partner as a "curator" in hundreds of cases and thereafter requested and accepted from Amato & Creely a portion of the curatorship fees which had been paid to the firm. During the period of this scheme, the fees received by Amato & Creely amounted to approximately \$40,000, and the amounts paid by Amato & Creely to Judge Porteous amounted to approximately \$20,000.

Judge Porteous also made intentionally misleading statements at the recusal hearing intended to minimize the extent of his personal relationship with the two attorneys. In so doing, and in failing to disclose to Lifemark and its counsel the true circumstances of his relationship with the Amato & Creely law firm, Judge Porteous deprived the Fifth Circuit Court of Appeals of critical information for its review of a petition for a writ of mandamus, which sought to overrule Judge Porteous's denial of the recusal motion. His conduct deprived the parties and the public of the right to the honest services of his office.

Judge Porteous also engaged in corrupt conduct after the Lifemark v. Liljeberg bench trial, and while he had the case under advisement, in that he solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash. Thereafter, and without disclosing his corrupt relationship with the attorneys of Amato & Creely PLC or his receipt from them of cash and other things of value, Judge Porteous ruled in favor of their client, Liljeberg.

By virtue of this corrupt relationship and his conduct as a Federal judge, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for, and confidence in, the Federal judiciary, and

demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE II

G. Thomas Porteous, Jr., engaged in a longstanding pattern of corrupt conduct that demonstrates his unfitness to serve as a United States District Court Judge. That conduct included the following: Beginning in or about the late 1980s while he was a State court judge in the 24th Judicial District Court in the State of Louisiana, and continuing while he was a Federal judge in the United States District Court for the Eastern District of Louisiana, Judge Porteous engaged in a corrupt relationship with bail bondsman Louis M. Marcotte, III, and his sister Lori Marcotte. As part of this corrupt relationship, Judge Porteous solicited and accepted numerous things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefited the Marcottes. These official actions by Judge Porteous included, while on the State bench, setting, reducing, and splitting bonds as requested by the Marcottes, and improperly setting aside or expunging felony convictions for two Marcotte employees (in one case after Judge Porteous had been confirmed by the Senate but before being sworn in as a Federal judge). In addition, both while on the State bench and on the Federal bench, Judge Porteous used the power and prestige of his office to assist the Marcottes in forming relationships with State judicial officers and individuals important to the Marcottes' business. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench.

Accordingly, Judge G. Thomas Porteous, Jr., has engaged in conduct so utterly lacking in honesty and integrity that he is guilty of high crimes and misdemeanors, is unfit to hold the office of Federal judge, and should be removed from office.

ARTICLE III

Beginning in or about March 2001 and continuing through about July 2004, while a Federal judge in the United States District Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., engaged in a pattern of conduct inconsistent with the trust and confidence placed in him as a Federal judge by knowingly and intentionally making material false statements and representations under penalty of perjury related to his personal bankruptcy filing and by repeatedly violating a court order in his bankruptcy case. Judge Porteous did so by—

(1) using a false name and a post office box address to conceal his identity as the debtor in the case;

(2) concealing assets;

(3) concealing preferential payments to certain creditors;

(4) concealing gambling losses and other gambling debts; and

(5) incurring new debts while the case was pending, in violation of the bankruptcy court's order.

In doing so, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for and confidence in the Federal judiciary, and demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE IV

In 1994, in connection with his nomination to be a judge of the United States District

Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., knowingly made material false statements about his past to both the United States Senate and to the Federal Bureau of Investigation in order to obtain the office of United States District Court Judge. These false statements included the following:

(1) On his Supplemental SF-86, Judge Porteous was asked if there was anything in his personal life that could be used by someone to coerce or blackmail him, or if there was anything in his life that could cause an embarrassment to Judge Porteous or the President if publicly known. Judge Porteous answered "no" to this question and signed the form under the warning that a false statement was punishable by law.

(2) During his background check, Judge Porteous falsely told the Federal Bureau of Investigation on two separate occasions that he was not concealing any activity or conduct that could be used to influence, pressure, coerce, or compromise him in any way or that would impact negatively on his character, reputation, judgment, or discretion.

(3) On the Senate Judiciary Committee's "Questionnaire for Judicial Nominees", Judge Porteous was asked whether any unfavorable information existed that could affect his nomination. Judge Porteous answered that, to the best of his knowledge, he did "not know of any unfavorable information that may affect [his] nomination". Judge Porteous signed that questionnaire by swearing that "the information provided in this statement is, to the best of my knowledge, true and accurate".

However, in truth and in fact, as Judge Porteous then well knew, each of these answers was materially false because Judge Porteous had engaged in a corrupt relationship with the law firm Amato & Creely, whereby Judge Porteous appointed Creely as a "curator" in hundreds of cases and thereafter requested and accepted from Amato & Creely a portion of the curatorship fees which had been paid to the firm and also had engaged in a corrupt relationship with Louis and Lori Marcotte, whereby Judge Porteous solicited and accepted numerous things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefited the Marcottes. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench. Judge Porteous's failure to disclose these corrupt relationships deprived the United States Senate and the public of information that would have had a material impact on his confirmation.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

Mr. CONYERS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Is there objection to the request of the gentleman from Michigan?

There was no objection.

CALL OF THE HOUSE

Mr. SENSENBRENNER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

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|----------------|-----------------|------------------|
| Ackerman | Delahunt | Kingston |
| Aderholt | Dent | Kirk |
| Adler (NJ) | Diaz-Balart, M. | Kirkpatrick (AZ) |
| Akin | Dicks | Kissell |
| Alexander | Doggett | Klein (FL) |
| Altmire | Donnelly (IN) | Kline (MN) |
| Andrews | Doyle | Kosmas |
| Arcuri | Dreier | Kratovil |
| Austria | Driebeaus | Kucinich |
| Baca | Duncan | Lamborn |
| Bachmann | Edwards (MD) | Lance |
| Bachus | Edwards (TX) | Langevin |
| Baird | Ehlers | Larsen (WA) |
| Baldwin | Ellison | Latham |
| Barrett (SC) | Ellsworth | LaTourette |
| Barrow | Emerson | Latta |
| Bartlett | Eshoo | Lee (CA) |
| Barton (TX) | Etheridge | Lee (NY) |
| Bean | Fallin | Levin |
| Becerra | Farr | Lewis (CA) |
| Berkley | Fattah | Lewis (GA) |
| Berman | Filner | Linder |
| Berry | Flake | Lipinski |
| Biggert | Fleming | LoBiondo |
| Bilbray | Forbes | Loehsack |
| Bilirakis | Fortenberry | Lofgren, Zoe |
| Bishop (GA) | Foster | Lowe |
| Bishop (NY) | Fox | Lucas |
| Bishop (UT) | Franks (AZ) | Luetkemeyer |
| Blackburn | Frelinghuysen | Lujan |
| Blumenauer | Fudge | Lummis |
| Blunt | Gallagher | Lungren, Daniel |
| Bocchieri | Garamendi | E. |
| Bonner | Garrett (NJ) | Lynch |
| Bono Mack | Gerlach | Mack |
| Boren | Giffords | Maffei |
| Boswell | Gingrey (GA) | Maloney |
| Boucher | Gohmert | Marchant |
| Boustany | Gonzalez | Markey (CO) |
| Boyd | Goodlatte | Markey (MA) |
| Brady (PA) | Gordon (TN) | Marshall |
| Brady (TX) | Granger | Matheson |
| Braley (IA) | Graves | Matsui |
| Bright | Grayson | McCarthy (CA) |
| Broun (GA) | Green, Al | McCarthy (NY) |
| Brown (SC) | Green, Gene | McCaul |
| Brown, Corrine | Griffith | McClintock |
| Brown-Waite, | Grijalva | McCollum |
| Ginny | Guthrie | McCotter |
| Buchanan | Gutierrez | McDermott |
| Burgess | Hall (NY) | McGovern |
| Burton (IN) | Hall (TX) | McHenry |
| Butterfield | Halvorson | McIntyre |
| Calvert | Hare | McKeon |
| Camp | Harman | McMorris |
| Campbell | Harper | Rodgers |
| Cao | Hastings (FL) | McNerney |
| Capito | Hastings (WA) | Meeks (NY) |
| Capps | Heinrich | Melancon |
| Capuano | Heller | Mica |
| Carnahan | Hensarling | Michaud |
| Carney | Herger | Miller (FL) |
| Carson (IN) | Herseth Sandlin | Miller (MI) |
| Carter | Higgins | Miller (NC) |
| Cassidy | Hill | Miller, Gary |
| Castle | Himes | Minnick |
| Castor (FL) | Hinchey | Mitchell |
| Chaffetz | Hinojosa | Mollohan |
| Chandler | Hirono | Moore (KS) |
| Childers | Hodes | Moore (WI) |
| Chu | Holt | Moran (KS) |
| Clarke | Honda | Moran (VA) |
| Clay | Hoyer | Murphy (CT) |
| Cleaver | Hunter | Murphy (NY) |
| Clyburn | Inglis | Murphy, Tim |
| Coble | Inlee | Myrick |
| Coffman (CO) | Israel | Nadler (NY) |
| Cohen | Issa | Napolitano |
| Cole | Jackson (IL) | Neal (MA) |
| Conaway | Jackson Lee | Neugebauer |
| Connolly (VA) | (TX) | Nunes |
| Conyers | Jenkins | Nye |
| Cooper | Johnson (GA) | Oberstar |
| Costa | Johnson (IL) | Obey |
| Costello | Johnson, E.B. | Olson |
| Courtney | Johnson, Sam | Olver |
| Crenshaw | Jones | Ortiz |
| Crowley | Jordan (OH) | Owens |
| Cuellar | Kagen | Pallone |
| Culberson | Kanjorski | Pascarell |
| Cummings | Kaptur | Pastor (AZ) |
| Dahlkemper | Kennedy | Paul |
| Davis (CA) | Kildee | Paulsen |
| Davis (IL) | Kilpatrick (MI) | Payne |
| Davis (KY) | Kilroy | Pence |
| Davis (TN) | Kind | Perlmutter |
| DeFazio | King (IA) | Perriello |
| DeGette | King (NY) | Peters |