

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 15, 2007.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that a judicial subpoena for documents, issued by the U.S. District Court for the Eastern District of Virginia, has been delivered to my Virginia Beach, Virginia District Office.

After consulting with the Office of General Counsel, I will make the determinations required by rule VIII.

Sincerely,

THELMA DRAKE.

#### POST-TRAUMATIC STRESS CENTERS NEEDED IN UNDERSERVED AREAS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Let me take the opportunity, Mr. Speaker, to acknowledge the crisis that many of us see occurring with the brave men and women that return from fighting in Iraq and fighting in Afghanistan.

We have just finished a very thoughtful and collaborative effort to address the serious questions of our military and the Department of Defense, and the good news is that this bill has impacted or emphasized more on the needs of families.

I look forward to working with this body to develop more post-traumatic stress centers in underserved areas where military personnel will be returning to their homes. We already know the dastardly conditions that our military face in Iraq and Afghanistan, the long hours and tediousness of the DMZ and many other places around the world.

Our military personnel are suffering, and I look forward to working with this committee, the Veterans Affairs Committee, to ensure that centers like the Riverside Medical Center in Houston, Texas, can be a site for post-traumatic stress for our soldiers returning home so that their physical needs and their mental needs can be serviced. I look forward to this.

I believe we can do better by our soldiers as we move forward on helping them improve their mental health.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

#### COMMENDING SOUTHWEST AIRLINES

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

Mr. CONAWAY. Mr. Speaker, I rise today to commend Southwest Airlines and their 30 years of service to the Permian Basin. For the past three decades, Southwest Airlines has provided friendly and affordable air services in and out of Midland International Airport. With over 13 daily departures to six cities in three States, the people of the Permian Basin are free to move about the country.

On my many flights on Southwest Airlines, I am always struck by the friendly, good natured flight attendants, agents and pilots that make up the employees of this airline. There is an unmistakable sense of pride that comes with working with Southwest that can be seen in the faces of the pilots to the ground crew.

I am honored to represent the many employees of Southwest Airlines that are headquartered at Midland International Airport and look forward to 30 more years of friendly and accommodating service.

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

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

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

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

#### OPPOSE THE SECOND CHANCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, as always, it is such an honor to be part of this body when you know the sacrifices that have been made by so many just to allow us to be here at this time in history.

There is a defense bill that we will be talking about some in the next 60 minutes, but in leading up to that, I wanted to address a bill that was on the suspension calendar earlier this week and was pulled from the suspension calendar, and I have been told it probably will be coming up very soon.

Like so many things that have been done in this body that has unintended consequences, the Second Chance Act is very well intentioned. As a former

judge, I know well that we have got to do a better job of rehabilitating, of educating, with drug treatment and alcohol treatment for those that are incarcerated in our prisons. There is just no question that we should do a better job with those things.

Unfortunately, this well-meaning bill, the Second Chance Act, goes so far beyond what is helpful. This bill will provide more benefits to felons than are available to those risking their lives in the service of our United States military.

For example, this bill apparently will provide over \$360 million. I say apparently will provide over that amount, because one provision says "such sums as may be necessary." There is no way to know how much money that may be. But, in any event, this bill, for example, seems to leave medical care potentially unending after confinement.

I realize as a Republican I was in the minority in our Judiciary Committee hearing, so I attempted to limit the medical care to 6 months after a criminal was released from prison for the extent of the medical care. That was voted down by the majority, who believed that we should leave it open-ended.

I was in the United States Army for 4 years, and I can tell you that unless you retire with over 20 years of active military service or you are disabled as a result of your military service, you have no medical care waiting for you at the end of your service. That means if a military member who serves less than 20 years wants a chance at free medical, he will need to commit a serious enough crime to get him locked up.

When a military member is sent to serve on one of the many unaccompanied tours of duty, his family suffers greatly, particularly if this is a Reservist or a National Guard member. However, under this Second Chance Act, which is really more of an "Infinite Chance Act," we will provide taxpayer dollars to help with transportation for an inmate's family to get to and from the prison. Grant dollars are there for that.

□ 2245

If you are in the military on an unaccompanied tour and you would like to have your children nearby, you are out of luck. However, if you are a confined felon, under this bill there will be tax dollars in the way of grants to pay for nurseries or preschools at the prison so you can have your children close to you.

If you are a U.S. servicemember away from home and long to provide your family or your children the technology to ease the distance between you and to ease the loneliness, you either must reach into your small amount of pay, or you could commit a felony and get locked up because there are millions of dollars in this Second Chance bill for grants for technology or tapes or DVD or players, even cell phones, things that help bridge the distance.

A criminal may have broken into your home and stolen or destroyed your property, but under the Second Chance Act, we are going to take some more of your tax dollars to help provide criminals or their families with this type of technology.

Law enforcement in this country get paid very little compared to the protection they afford us, and they do not get the government to buy such things for their families, but the criminals they lock up under this Democratic majority bill will have this as a bonus.

If you are in the military and you want plastic surgery to make you look better, normally you are out of luck for elective surgery. But when I tried to limit this legislation in the Judiciary Committee to prevent tax dollars from being spent for things like rhinoplasty, a nose job, liposuction, breast augmentation, even that amendment was voted down by the majority.

Now, if you are a law-abiding citizen and you do not like your field of employment, you have to scrape together enough money to also go to school or be retrained in order to find another job. Not so under this bill if you commit a heinous crime. If you go to prison, there is grant money in this bill, not merely to train you in prison; but after you get out, there is grant money. We can retrain you every time you want to change jobs. We can pay grant money to agencies to find you new jobs.

This is a well-intentioned bill, just as the legislation in the 1960s that decided to do something to help mothers, single mothers, unwed mothers who were having children and having to deal with deadbeat fathers. So back in the 1960s, the decision was made, best intentioned, we want to help these single moms so we are going to start as a Federal Government paying for every child you can have out of wedlock. It was well-intentioned, but 40 years later we have gotten exactly what we have paid for.

As a broken-hearted judge, I had to sentence women who said they were encouraged to have a baby in order to start getting a government check. So they dropped out of school, had a baby, and then tried to live off the relatively small income they were paid from the government to have babies out of wedlock. And they told me that started their decline into desperation that ultimately led them to my courtroom, either for welfare fraud when they got so desperate they realized they needed to get a job but they couldn't give up their child support from the government, so they didn't report it and then they came to me for welfare fraud. Or some others would realize in desperation they couldn't live on the small amount that the government paid them to have children out of wedlock, so they got into the terrible drug trade and that brought them to my court.

I came to Congress deeply desiring to avoid creating benefits for doing something that hurts you. Yet here we are

again taking this same kind of well-meaning perilous road.

The bill is well-intended, but when Congress creates more benefits for creating serious crimes than for risking life and limb in the United States military, guess which one you will have more of 40 years from now?

There are a number of groups who support the Second Chance Act. They have big hearts. They mean well. They want to help criminals turn their lives around; but they don't realize the full parameters of this bill.

So we are going to talk a bit tonight about the military, but I wanted to start off and touch on this since it is a bill that provides more benefits for those who commit serious enough crimes to be locked up than we are currently providing for our United States servicemembers in a number of areas, and so I think it needs a second look. I am hopeful that we will be able to do that. I don't know when it comes up if we will be able to make amendments. I certainly hope that the procedures that have been followed so far this year that make this the most partisan Congress in history, there was a rule that was attempted to be changed today that has not been changed since 1822. That would have made it an even more partisan Congress since 1822.

So I am glad after a procedural stand taken by the minority that we were able to get that worked out at least for the next couple of weeks and we will be able to have some limited participation. I hope we will be able to have participation in this bill.

I see that my colleague and dear friend, the gentlewoman from Tennessee (Mrs. BLACKBURN) is here, another former judge, a recovering judge as he likes to say, the gentleman from Texas (Mr. CARTER) is also here. At this time I yield to the gentleman from Texas (Mr. CARTER).

Mr. CARTER. I thank my good friend and fellow judge from Texas.

I would like to ask a couple of questions. This Second Chance Act is a very new concept in criminal justice from my viewpoint. When you point out that we are actually going to create a series of benefits for people who have committed felony crimes that are not available to the average American citizen, not even available to those people who stand in harm's way and stand on the wall to protect our Nation every night from harm, and yet they are going to be available to people who commit acts, felony acts, punishable by long terms in the penitentiary.

I want to get clear exactly this Second Chance Act and these benefits, almost entitlements that are being created by this bill, does that pertain to only people who are incarcerated in Federal penitentiaries or does it expand to the States and localities?

Mr. GOHMERT. I appreciate the question, and the answer is that this is such a big-hearted bill from the majority that it will be able to provide grants to people in Federal prisons,

after they are released from Federal prison, people in State prisons, people in county jails.

We are going to make this program, and this is just a start. This \$360 million really is just seed money to see how many we can help with that and then take off after that. This is just the beginning. But the answer is it will be for anyone who commits a serious enough offense or alleged offense to get themselves locked up wherever they get locked up in the United States.

Mr. CARTER. I apologize to my colleague, Mr. GOHMERT. I didn't hear all of the benefits because I came in on the tail-end, but you and I have talked about this briefly. But this training and finding jobs benefit, would that include being able to get a grant to say attend the University of Texas or your beloved Texas A&M University?

Mr. GOHMERT. It will provide training education grants. It is open-ended enough, that is a possibility, yes.

Mr. CARTER. So you could apply for a grant to attend the college or university of your choice?

Mr. GOHMERT. There are organizations that could apply for the grants to assist in that education, yes.

Mr. CARTER. I think you will agree with me at least in the Texas prison system, an ambitious prisoner who is trying to turn his life around can get a bachelor's degree, can also get a master's degree, and I suppose if he stayed in prison long enough, he can get a doctor's degree. One school that has correspondence courses is the University of Maryland, which is not far from here, and a prisoner in the Texas prison system can get the degree of his choice if he is willing to work hard enough there.

I happen to know in the Texas prison system one of the most sought-after jobs, and I point out jobs where you work for the skill, is in the print shop with very high tech print training. And most of the people who finish that training, and I have actually had prisoners that I have sent to prison who have asked not to be paroled until they have completed their term of working in the print shop because after they have done their print apprenticeship, they could get jobs coming straight out of prison at \$60,000 to \$75,000 a year as a master printer. It is not like we are not offering an opportunity to work your way to success in prison today; would you agree with that?

Mr. GOHMERT. Yes, that is absolutely true. But another dimension that is added to this is the fact that it can go on beyond your incarceration.

You and I both agree that when it comes to retraining and education and drug and alcohol treatment, we really do need to do a better job of that in prisons. But this goes even beyond that, and there is no end in sight. Like I said, I tried to end some of these benefits at 6 months after release. One of our colleagues on the other side of the aisle asked me what was so magic about 6 months after release from prison. I said there was nothing magic

about it. I think the training and education should end when you are released, but since I am a Republican and I am in the minority, I knew that they didn't want to end it the day you got out of prison. I was hopeful they would be willing to stop spending tax dollars for criminals who had been incarcerated at least 6 months after they are released. Unfortunately, they voted that down. At this point it is open end. As you are aware, we have never continued to provide benefits to convicted felons after they get out of prison.

Mr. CARTER. Right now you are talking about \$350 million. If this program continues the way most programs that we breathe life into in Congress, then it will continue to grow like mushrooms after a rain, and at some point in time, this theoretically could go on forever in the life of a prisoner. But did you say they are also being guaranteed medical benefits?

Mr. GOHMERT. It is not a guarantee, but it is the provision that there are grants available to provide medical care, open-ended medical care. I tried to limit it to 6 months after prison. It should be limited to the day they walk out.

I tried to limit it to no plastic surgery in prison. They didn't do that. So, yes. You can continue to apply for medical care.

Mr. CARTER. So if I understand what you are talking about here, we have people in the United States today that work 10 or 12-hour days, some of them 6 days a week, and they are struggling to pay their own medical bills and pay for health care insurance. They are asking us, crying out to us for help on paying their medical bills.

So there is an easy solution to their problem. Under this bill, quickly get a handgun and commit a felony. You serve a little time, and you are back out with the ability to get grants to pay for your medical bills.

It reminds me of stories that we have heard and experienced of the guy who just before Christmas throws a brick through a window so he can spend a warm night and have Christmas dinner in the county jail. There are people who do that. You know that happens and I know that happens. But is that what we want? Are we saying that the good-heartedness of the American people, and I think there are good-hearted people that are behind thing.

□ 2300

I don't think they have thought it out, and I am not for punishing criminals. I'm for giving them a start, but what do we owe to the people who have violated the laws of our society? I think we owe them a fair chance, but I don't think we owe them an open-ended chance for the rest of perpetuity.

Mr. GOHMERT. You make a great point about this being just the start, the well over \$360 million, but I love Ronald Reagan's old quote about, beginning a government program is the closest thing to eternal life on earth

that we. Have and so if Reagan was right about that, just beginning a program like this means as long as there's a United States, it's probably going to have a life.

Mr. CARTER. I think they told us that that \$25 million was all food stamps was ever going to cost us. I don't even know what the number is, the billions of dollars that we are into that now. These programs do tend to have a life of their own.

I thank you for raising this issue. I think this issue is important for the Members of Congress and for America to know that we are, unfortunately, starting down the road of, in my opinion, the possibility of awarding illegal behavior. It concerns me greatly, and I thank you for raising this issue.

Mr. GOHMERT. I thank the gentleman from Texas, dear friend, and with regard to this bill, it is well-intentioned. They mean well, and I believe they believe the things they said.

And it takes me back to the arguments in this House, on the floor of this House, back in 1935, 1936, when something called Social Security was being created. And I am informed that debate came up regarding this new creation called a Social Security number, and some were upset and they said they were very concerned that that might end up becoming a national identification number. There were people who promised and assured and said there's no way that will ever happen; the Social Security number will be only used to just number the account, it will never be an identification. We can assure you that will never be, that situation, which is kind of like somebody from the government showing up at the door and saying I'm here to help you. You just get really concerned that that's not the case.

But I see our friend from Tennessee (Mrs. BLACKBURN) at the mike. I would yield to Mrs. BLACKBURN.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Texas for yielding, and I am so pleased to be joined by three gentlemen from Texas, if you will, two judges and a physician. And we are all part of the Republican Study Committee and are certainly committed to carrying forth the conservative values that we appreciate here in this House.

Mr. Speaker, I have enjoyed hearing the conversation and listening to the conversation and discussion between my two colleagues as they have talked about this law that is a fairness issue, and I think so many people do look at it and say, my goodness, \$350 million for those that are in prison, and as the gentleman said, rewarding illegal behavior.

And that is something that people are very sensitive to right now, especially in light of the impact that illegal immigration has made on so many of our communities, the cost to those communities and the concern with our citizens that there are some here in this body that would like to consider

amnesty and reward those that have broken the rule of law.

I also enjoyed the conversation about health care and that being provided to those that have been imprisoned. I've been visiting with my Realtors from Tennessee, yesterday and today. They've been on the Hill. The number one issue for them is small business health plans and access to affordable health care. And these are people that really do such a great job in working to improve the quality of life and work with our communities. And they are struggling with providing health care for their employees. They are struggling with providing health care for their families and insurance.

And then when you hear about those that are imprisoned, as they leave having grants for health care provisions, you know, there's just something not right about that. There is something that is a little bit inappropriate about them having access to that when hard-working, middle-class families are struggling with that issue.

We have got so many things to talk about. We have had such an interesting day here. We have had some procedural moves, as Mr. GOHMERT mentioned. There is a rule that the majority was trying to change. It dealt with germaneness. This is a rule that has been on the books since 1822, part of our House rules, part of the decorum and conduct of the House. And for expedience, for convenience, this is something that they were choosing to try to change, very unfortunate, and the kind of change the American people certainly did not vote for. They want to see the rules of the House and of this great institution respected, and it's been unfortunate.

I have been greatly disappointed, and as my constituents, I've heard from three or four of them during the day that have said what's going on. And it's been with great disappointment that I've explained to them that for power, the sake of power, we saw the majority trying to eliminate a rule that has been a part of the order of this House since 1822. And we hope that they will push that aside and decide that they are going to abide by the rules of the House as they have been laid forth and have worked well for centuries, if you will.

I think also we could touch today on the fact that today marks 100 days since President Bush sent the request over for supplemental spending for our troops. It has been 100 days of inaction or putting forward bills that they knew were going to be vetoed, of political grandstanding, and I find that to be unfortunate. And it is with regret that we have to admit that that is a tactic and a mode of operation that the majority has decided to take.

They have had time to pass D.C. having the right to vote. They've had time to pass bills that would recognize schools. They've had time to name post offices. They've passed bills on global warming. They've passed legislation to

protect wild horses, but there hasn't been time to craft a bill to get money to our troops in the field.

It is a matter of priorities, Mr. Speaker, and how unfortunate that the frivolous nature of some of the legislation that has come before us, that has consumed the time of this body, would be placed as a priority above the legislation to get funding to our troops in the field. And our soldiers are running out of cash. This effort is running out of cash, and we are in a global war on terror, and it is imperative that we get that money where it needs to be to those troops.

But that has not been the priority of the majority. They chose to bring forward a supplemental bill that they knew was going to be vetoed because it had an additional \$24 billion worth of pork barrel spending. So then they decided to rework it and break it into two supplementals so that the California salmon could get their money and you could get Ag money and you could get Katrina relief money. You could get all this spending and not put it through regular order, but let's get that money to that California salmon out there. We've already had Tuna-gate; so now let's go throw some more money in here for this.

And how very unfortunate to that put into a wartime supplemental. This is a wartime supplemental. Our primary responsibility is keeping our Nation safe, keeping it secure, making certain that when you get in that car to get those children to the bus stop, to go to school, when they go to that school, you know that they are safe, that you're not going to have a group of terrorists like the Ft. Dix six come show up at the shopping mall or at the college baseball game and try to destroy our citizens. People want that type security, and it is unfortunate that that has not been a priority.

I tell you, I look at what is happening before us and some of the things that have been passed by this body, naming the post offices and recognizing schools and horse legislation and some of those things, and you'd think maybe the Democrats have an insecurity agenda. Maybe that is their agenda for this session, this 110th Congress.

And then as we look at the supplemental, which was supposed to be passed and out of the way before we started on DOD appropriations for next year, and that is what has been before us today, we also are in the midst of looking at the budget which contains a \$392.5 billion tax increase over 5-years, the single largest tax increase in American history, \$392.5 billion. You would see your marginal rates increase. You would see the cap gains rate increase. Child tax credit would be cut in half. Tennessee and Texas are two States that enjoy sales tax deductibility because we're wonderful States without a State income tax. That would go away. \$392.5 billion tax increase over 5 years, single largest tax increase in history. It would cost \$2,611 per taxpayer in my

State of Tennessee. That is the amount of increase that we are looking at.

And quite frankly, Mr. Speaker, my constituents know that government is overspent and taxpayers are overtaxed and they are tired of it. They also know that government does not have a revenue problem. It is a spending problem that government has, and my constituents also believe that if 10 percent is good enough for God on Sunday, then it ought to be good enough for the government. And they believe that we should learn to live within our means.

They are tired of working hard, getting their paycheck, looking at that pay stub and realizing that the Federal Government has first right of refusal to their paycheck because before that worker ever gets that paycheck deposited in his account, the Federal Government has put his hand into that wallet and has extracted every dollar they want out of that paycheck. Social Security comes out, your Medicare comes out, all your taxes come out. There you go. There you go, Mr. Speaker. The Federal Government has first right of refusal on your paycheck, and that is something that it is time that we should be changing.

We have so many things that are budget issues, and I want to circle back around to the health care issue that comes back to us every time we look at the budget, every time we look at DOD, Department of Defense, health care comes to the forefront. And we're so fortunate at our Energy and Commerce Committee that we have some physicians who serve on that committee with us, who are articulate and well-versed in health care and what it is, what we need to do in order to be certain that this Nation stays healthy, individuals stay healthy but that our health care delivery systems stay healthy.

I would like to yield to the gentleman from Texas (Mr. BURGESS) for some comments on the health care issue.

Mr. BURGESS. Mr. Speaker, I thank the gentlewoman for yielding, and I want to talk about something that really may be a fairly small part when we talk about the overall \$2.99 trillion Federal budget. But in the Republican budget, in the minority's budget, that was not passed when we did our budgetary work 2 months ago, I included some work on a bill, a medical liability reform bill based off of law that was passed in Texas in 2003. This bill is essentially a bill that limits, that it does cap awards on noneconomic damages a little different from the bill that we passed several times on the floor of this House in the past 4 years.

The bill that we have had on the floor of the House the past 4 years has been based off the California law, the Medical Injury Compensation Reform Act of 1975 which caps noneconomic damages at \$250,000.

□ 2315

Now, in Texas, back in the legislative session that occurred in 2003, an effort

was made, Texas was in a significant problem as far as medical liability was concerned. We had lost most of our medical liability insurers from the State. They had simply closed up shop and left because they could not see a future in providing medical liability insurance in the State of Texas. We went from 17 insurers down to two by the end of 2002. Rates were increasing year over year. My personal situation, rates were increasing by 30 to 50 percent a year.

The State of Texas, the State legislature, passed a medical liability reform based off the California law, but updated for the 21st century. Instead of a single \$250,000 cap, there was a \$250,000 cap on noneconomic damages as it pertained to the physician, a \$250,000 cap on noneconomic damages as it pertained to the hospital, and an additional \$250,000 cap as it pertained to a second hospital or nursing home, if one was involved, so an aggregate cap of \$750,000.

Well, the States are great laboratories for public policy. How is it done back in the State of Texas? Remember we dropped from 17 insurers down to two because of the medical liability crisis in the State? We are now back up to 14 or 15 carriers; and, most importantly, those carriers have returned to the State of Tex tech without an increase in premium.

What about the physicians who were paying the premiums that were inexorably going up? Again, a 20 to 50 percent per year increase that I saw myself, in my practice. What has happened? Texas Medical Liability Trust, my last insurer of record before I came to Congress, has reduced rates for physicians now an aggregate of 22 percent in the past 3 years.

That is significant, because, remember, the rate of rise was going up 20, 30, 40 percent a year. Now it's back down 22 percent and aggregate since this bill was passed.

Probably one of the most important unintended beneficiaries of this was the small community not-for-profit hospital, who was self-insured for medical liability. They have been able to take money out of those escrow accounts and put it back to work for those hospitals capitalize improvements, paying nurse's salaries, the kinds of things you want your small not-for-profit community-based hospitals to be doing, not holding money in escrow against that inevitable liability suit that might occur.

Well, under the Texas plan, I took the language of the Texas plan, worked it so it would fit within our constructs here in the House of Representatives, offered it to the ranking member of the Budget Committee. He had scored by the Congressional Budget Office, and the Texas plan, as applied through the House of Representatives to the entire 50 States, would yield a savings of \$3.8 billion over 5 years. Not a mammoth amount of money when you are talking about a \$2,999 trillion budget, but savings nonetheless, monies that we will

leave on the table in this budgetary cycle that could have gone to some of the other spending priorities that we hear so much about.

It could have gone for anything else so far as increase in providing medical services. We will have to reauthorize SCHIP this year. We will have to find billions of dollars for that program. Here is \$3.8 billion that he with left on the table because the majority chose not to look at this in the budgets that they passed.

The other thing that is missing in this debate which we just cannot pay enough attention to, people say, well, you are from Texas, Texas has done the work. Why do you even care if there is any type of national solution? Well, it's not just the \$3.8 billion that we would save under the budgetary cycle over the next years. It's the cost of defensive medicine. It is very, very hard to get a handle on the cost of what that defensive medicine is.

But consider this, 1996, a study done, Stanford University, revealed that in the Medicare system alone, in the Medicare system alone, the cost of defensive medicine was approximately 28- to \$30 billion a year. That was 10 years ago. I suspect that number is higher today. That's why we can scarcely afford to continue the trajectory we are on with the medical liability issue in this country.

Another consideration, young people, getting out of college, considering medical school, put the brakes on their dreams. I don't know if I want to do that. I don't know if I want to face all of the hassles you have to face in the practice of medicine and those large liability insurance payments as well.

We are keeping young people out of the practice, of considering the practice of a health care profession for their livelihood because of the burden that we put upon them, not just with how we reimburse physicians at a Federal level, that's a discussion for another day, but with the burden that we put on them with health professions, loans that they have to take out to get through school, they carry a big debt load when they get out of medical school. Then on top of that, they will have to go out and borrow huge sums of money just to pay their liability insurance. Many of them simply turn off that dream and say I will do something else. There is another path for me. I don't need to choose a career in health.

This is the thing that we have to consider. We have to focus on how we are affecting our physician workforce for the future, how we are affecting the health care that you are our children and our children's children will receive.

I appreciate the opportunity to talk on this subject. As you know, I will do it at almost any time and work it into any context. But it does have a budgetary role. It is a significant one.

We shouldn't turn our backs on that \$3.8 billion that's lying on the table right now waiting for us to pass the sensible legislation.

Mrs. BLACKBURN. I thank the gentleman from Texas. I appreciate this so much. How interesting that something that would yield a \$3.8 billion savings has been overlooked and left on the table. But I think that what we see from this, and what the takeaway for us is, that we have an innovative idea, and as the physician from Texas said, our States are great labs for finding things that work. They do such a great job looking at needed reforms, whether they are educational reforms or health care reforms, and finding things that work.

You take a program like the liability reforms in Texas that have reduced insurance rates by over 22 percent, and then you run that out on a national basis and you say, okay, over 5 years, we can save \$3.8 billion, not to include it, when you know it's a concept that works, not to bring it forward for discussion from the House, so that you can elevate the awareness of this.

Look for a pilot project for this if you need be, if you need further evidence and some qualified data to work from. But to be able to say, all right, we are just not going to do this because we like the status quo, we like the way the status quo is, and we are not interested in something that will be new, different, or maybe save some money.

We would rather be spending money and spending they are, to the tune of the single largest tax increase in history that the liberal majority and the liberal leadership in this House is bringing forward in their budget, \$392.5 billion over a period of 5 years.

It has been a pleasure to stand with my colleagues tonight and to talk a little bit about our budget, to talk about some of the gamesmanship, if you will, that has taken place as the majority has tried to change a rule that has been on the books since 1822, lack of respect for the traditions of the institution.

We also would recognize with sorrow the fact that this is the 100th day since President Bush said, our men and women in uniform need additional funds. It is an imperative that we get the funds to them, and still no bill in sight. We have a Memorial Day break coming up upon us. I think it's unfortunate.

Mr. GOHMERT. I yield to my friend from Texas.

Mr. CARTER. I want to expand a little bit on what my good friend from Tennessee was talking about.

I happen to be blessed to have Fort Hood, Texas, in my district, which is the only division 2 post in America. It is the largest gathering of military forces on Earth, and we have experienced already, since I have been in Congress, a delay on getting a supplemental to the post.

Now, I think the American people need to know, and I would hope my colleagues in Congress would know, that today, as we speak, there are between 4- and 5,000 American soldiers going door-to-door in Baghdad and looking

for three soldiers. Why is that? Why that concentration of effort?

Because the United States Army and the United States Marine Corps and every one of our services, they value every human life that they have. They care about their soldiers, and they are showing it by 24/7 putting their lives on the line looking for these guys, because they know what happens to these prisoners, what has happened in the past, people who were castrated and skinned alive, and their throats cut, and left on the side of the road dead with bombs strapped to their bodies. So they care about those soldiers.

This issue goes right down to what happens at home, when the supplemental money that provides the bullets, ammunition, transportation, vehicles for our soldiers in harm's way, when this Congress fails to meet its obligation to those brave men and women. By passing a supplemental, what does the Army do? Do they let the guys in the war suffer the consequences? No.

What happens is they look into the pocketbooks back home, and they have to cut the soldiers that are back in Texas or back in Tennessee or back in one of the other fine States in this union, they have to reduce what they have available for training, for services on their post.

You know, last year, when we didn't get the supplemental done until August, I can tell you that the people of Killeen, where Fort Hood is located, the people on the post, were talking about will we have enough money to pay the bills, the kinds of bills that American citizens understand, light bills, water bills, service bills, cutting the grass.

Are we going to be able to provide that at this post because the money, first, goes to the war fighters. They don't leave American soldiers in harm's way. So they cut their own pocketbooks.

Are we going to be able to pay the people we have contracted with to provide services? These issues are facing our soldiers today, because of the 100-day delay in providing this supplemental for our soldiers.

So it's important to know that our Army will not leave those guys without the goods that they need, and they will cut whatever they have to at home much.

But what does that mean to the next round of people that may have to go back to that war or any war? Also, you have at risk the possibility of cutting the training budgets for these soldiers, and what makes the American fighting man so superior to anybody on Earth? He is the best-trained soldier that ever took to the field. But if you cut the training bills in order to provide bullets for the guys in harm's way, then the training has to sacrifice. We can't get to that point. It is critical that we get a supplement passed from the standpoint of the American soldier.

Finally, today, we heard all rhetoric on this great, by the way, great bill

that we just passed on defense authorization. We are providing funds for the soldiers in Iraq and Afghanistan, yes, in 2008.

But what are we going to do about it now? I think this is something that really has to be addressed because we are harming the best military on earth.

Mr. GOHMERT. I thank my former judge friend. You brought up about our soldiers going door-to-door in Iraq looking for the three soldiers that are missing, how critical intelligence is.

Now, I know the gentleman from Texas, my friend, the gentlelady from Tennessee, you both recall, though none of us were in Congress, I recall, because I was in the Army, and when President Carter started making Draconian cuts in our intelligence, and started cutting out critical areas of intelligence that would help us in the military, it hurt.

Now, when you are in the military, you cannot say anything derogatory about your Commander in Chief, that is a court martialable offense.

But we took up an intelligence bill, and, of course, as we know, some of the information that we have to go up and review in a classified setting, in a top secret setting, and things we learned cannot be revealed and will not be disclosed and divulged, but something that has been discussed on this floor in that intelligence bill is we cut some vital programs. We cut some vital eyes and years information that would help our military to have what they need to know where the enemy is, where they are coming from, what they are doing, those kinds of things.

□ 2330

And to help look for global warning evidence, to look for global warming evidence. I don't know about you all, I was seeing just this week some information about the polar ice caps melting, how devastating that can be, how that can bring about the end of the world, and we have to cut CO<sub>2</sub> emissions. But the polar ice caps I am talking about were on Mars.

Now, how are our CO<sub>2</sub> emissions on Earth, staying in our atmosphere, causing the Mars polar ice caps to melt? Gee, could it have something to do with maybe just more sunspots? In any event, that is a whole different matter.

The Constitution says we are to provide for the common defense. And when you cut programs that will help with eyes and ears to our military, I don't see how you can go home feeling too good about what we have done.

I yield to my friend from Tennessee.

Mrs. BLACKBURN. I thank the gentleman for yielding. It has been so interesting to me, and the gentleman mentioned Fort Hood and Killeen, Texas and his constituents there. Fort Campbell is in my district in Montgomery County, Tennessee, and to see these men and women, and to hear their stories and to see their need, as I have worked with that post since com-

ing to Congress and working to meet their needs, one of the lessons to me has been, and I think this should be one of the lessons learned for all of us who are Members in Congress, when you cut funding to programs like the military, then there is a price to pay for that. And we are constitutionally charged and directed to provide for the common defense and the security of this Nation.

One of the things that happened during the Clinton Presidency, in order to generate a surplus, was cutting the military funding and cutting the intelligence funding. And we have heard, 4 years. This is not anecdotal, it is something that is fact and something that was bragged about, actually, a little bit in the late 1990s, was not putting that money into R&D, not researching the next generation of tanks or choppers or fighters or artillery or armor, because the Cold War was over and there wasn't a big threat. So let's cut that funding, and then let's put that money into something else.

And the same thing happened with intelligence, as the gentleman was saying. There was money that was cut back from that and put into social programs and domestic programs and not put into keeping that intelligence network strong and viable. And it takes about 5 years for one of our intelligence agents to develop an asset that is a reliable asset for information to protect our country. And I hope this is a lesson learned.

When we look at what happened to our country on September 11th, that is the date our Nation stopped responding to acts of terrorism as civil disobedience and started responding to acts of terrorism as an act of war, September 11th. We had been attacked for 2 decades prior to that, but that day was the day it changed. And as we looked at that and realized that on September 11, 2001, we were not under a George Bush budget, we were still under a Bill Clinton budget, and the Bush budget was kicking in about the 1st of October.

We have to realize that what you had were many years where our military had been telling us, we are pulling down on all of our resources, our reserve resources, we are pulling these down; and we need to be replenishing, we need to be careful where we are. I think that is a lesson, and I hope it is a lesson that we realize, that when you put something in place, you have to maintain it. When you build for the common defense, you need to maintain that in order to be able to stay strong.

I yield to the gentleman.

Mr. GOHMERT. I thank the gentlelady. You have made some great points.

During the 1990s, though, we were assured; we heard so many times all these lies about weapons of mass destruction. And maybe it is unfortunate that it turns out that all the times President Clinton assured us that Iraq had weapons of mass destruction,

maybe they were right, maybe President Clinton was lying all those times that he said Iraq had weapons of mass destruction. Maybe Madeline Albright was lying all those times she said Iraq had weapons of mass destruction. Maybe George Bush should not have believed all the information they provided to him about Iraq having weapons of mass destruction.

But, nonetheless, we are now hearing people even in some of the debates and whatnot blaming this President and saying, if we would just leave the jihadist extremists alone, they will leave us alone.

And they want to blame President Bush, the current President Bush for our Americans being killed. If you are going to do that, though, you have to blame President Clinton for 9/11 because all the time, he was President. Of course, they tried the World Trade Center bombing in 1993 that failed, and then they began planning for the next, and that was 9/11.

Now, I feel like President Clinton made a lot of mistakes, but to blame him for Muslims plotting during the entire time he was President to blow up and kill thousands of Americans doesn't fit, because during his Presidency this country, nearly every time President Clinton committed troops or military assets it was to protect Muslims around the world. And yet all that time the jihadist extremists were plotting to kill thousands of Americans. So this stuff about blaming President Bush doesn't wash.

You go back to 1979. I was at Fort Benning. The first jihadist attack, taking our American embassy, that is an act of war. You are attacking American property, that is an act of war. Taking hostages. We did nothing but wring our hands and beg them to let them go. That was a breakdown and that was a glitch right after we fled from Vietnam. It was not a good chapter.

But the fact is, there are people that want to destroy our way of life. And we took an oath to support and defend the Constitution. The President did. I know, having taken that oath as a member of the United States military before, that is all taken very seriously. And there are people that want to destroy our way of life. We owe it to them to provide them the common defense. And we see things being weakened here, and it breaks my heart.

The American people, any time you see a program cut, whether it is under President Carter, President Clinton, or now under the Democratic majority cutting some intelligence program, and then you find out that it goes to some pork barrel earmark to somebody in the majority, it just breaks your heart, I can tell you, having been in the military when those things happen. And so it is heartbreaking to see the way it looks like we are going to head down that path with this Democratic majority.

I would yield to my friend from Texas for further comment.

Mr. CARTER. I agree completely with what my friend Judge GOHMERT had to say. You have given a very good history of what has been the history of the Democrat Party when they were in the majority or where they were in control of the White House. They have a history of cutting and providing less than the necessary supplies for our military.

In fact, one of the great brags that Al Gore used to say is that he reduced the number of employees in the Federal Government by this huge amount. But if you looked at where they came from, they were United States soldiers. Members of the military made up the vast majority of the numbers of reducing the size of government that were taken credit for during the Clinton administration. They cut our Army down from multidivisions, down to where it is now.

But you know what? That is all water under the bridge. You had mentioned something that is very important to me: We took an oath.

We took an oath, and our colleague from Texas (Mr. NEUGEBAUER) got asked a question by one of his folks back home: Why do you feel so that you are doing the right thing by providing for these guys that are fighting over in Iraq?

He said, You know, it is easy to criticize. But when you become responsible, then you have really got to look at it. And he said, I am by my oath responsible to the American public to provide for the common defense.

It as a perfect answer. That is exactly what we all did, Republican and Democrat, is we took an oath to be responsible to the American people to provide protection for those people. And some of these are hard calls and hard votes. These are not for me. These are not for me nor for anyone in this room. But it is a hard vote for some. So it is just sad. And sometimes we have just got to remember why we are here.

I would like to mention one more thing because I know our time is getting late. But we talked about this \$392.5 billion tax increase that is coming down the road. Let me point out to folks that are paying gas prices. If you don't like \$3 a gallon gasoline, which, by the way, there was supposed to be an instant solution for that problem when the new majority came into power, but we haven't seen it. In fact, it has only been made worse, in my opinion.

But take that, and I looked at that long list of what it means to everybody's district for this tax increase, and everybody gets—at least \$2,000 it is going to cost the average family, At least \$2,000. So take that money that you are putting aside to pay for that gas and subtract \$2,000 a year from it. So the price of gas is going up. If nothing else, the price of gas is going up for the average American family by this tax increase, and it is something that will hurt our economy and turn us in the wrong direction.

I just wanted to mention that before we have to quit.

Mr. GOHMERT. And I appreciate the gentleman yielding back. It is a good note to finish on because people are paying too much for gasoline. And I go back to something I said in, January a few months ago, after the Democratic majority rammed another bill through that was going to cut the incentives for drilling, for refineries, some of the things that we have done in the last couple of years that we were here.

And I came to the well and I said then, and I will finish with this: If you are going to do things that make gasoline go up, at least have pride enough when the price goes up to come to the floor and say, "You bet you we are the Democratic majority, and we drove up the price of gas and we are proud of it."

#### 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. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, May 21, 22, and 23.

Mr. BISHOP of Utah, for 5 minutes, May 23.

Mr. CONAWAY, for 5 minutes, today.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Thursday, May 17, 2007, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1795. A communication from the President of the United States, transmitting certification that the export to the People's Republic of China of the specified items is not detrimental to the United States space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from such exports, will not measurably improve the missile or space launch capabilities of the People's Republic of China, pursuant to Public Law 105-261, section 1512; (H. Doc. No. 110-34); to the Committee on Foreign Affairs and ordered to be printed.

1796. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Alliance, NE. [Docket No. FAA-2006-25945; Airspace Docket No. 06-ACE-15] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1797. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Change of

Controlling Agency for Restricted Area R-6601; Fort A.P. Hill, VA. [Docket No. FAA-2007-27294; Airspace Docket No. 06-ASO-17] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1798. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of High Altitude Reporting Point; AK [Docket No. FAA-2007-27438; Airspace Docket No. 07-AAL-2] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1799. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Covington, GA. [Docket No. FAA-2006-26086; Airspace Docket No. 06-ASO-14] received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1800. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Mekoryuk, AK [Docket No. FAA-2006-26314; Airspace Docket No. 06-AAL-37] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1801. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Northway, AK [Docket No. FAA-2006-26316; Airspace Docket No. 06-AAL-39] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1802. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Gulkana, AK [Docket No. FAA-2006-26315; Airspace Docket No. 06-AAL-38] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1803. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Saratoga, WY [Docket No. FAA 2006-24233; Airspace Docket No. 06-ANM-1] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1804. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Adak, Atka, Cold Bay, King Cove, Nelson Lagoon, Saint George Island, Sand Point, Shemya, St. Paul Island, and Unalaska, AK [Docket No. FAA-2006-26164; Airspace Docket No. 06-AAL-34] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1805. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nucla, CO [Docket No. FAA-2006-24826; Airspace Docket No. 06-ANM-3] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1806. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Gillette, WY [Docket No. FAA-2005-20381; Airspace Docket No. 05-ANM-3] (RIN: 2120-AA66) received May 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.