

## EXTENSIONS OF REMARKS

### PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. COURTNEY. Mr. Chair, since 1965, Medicare has provided seniors guaranteed health benefits and today, close to 50 million Americans who have paid into the system now rely on the program for care. While the program's sustainability is stronger than in recent past, this Congress, like those before it, has an obligation to ensure sustainability of the program for current enrollees and future beneficiaries. The Independent Payment Advisory Board, IPAB, was created with this objective in mind. However, despite best intentions, I believe that IPAB is the wrong approach to achieve this shared goal.

Relinquishing control of Medicare provider reimbursements to an unelected IPAB is problematic to me for a number of reasons. Congress has helped shape a Medicare system that reflects unique care needs of varying demographics as well as differences between regions and states. Further, this system has been developed with transparency and accountability in congressional debates. Implementing IPAB would limit the strengths of the current system, and would continue a trend of ceding congressional authority to the Executive branch. This is, in part, why I cosponsored the Medicare Decisions Accountability Act, H.R. 452, legislation to repeal IPAB.

The fact is that the Affordable Care Act will contain spending growth in the Medicare program—independent of proposed IPAB reforms—through integrated and coordinated care models and modest reimbursement changes. The Congressional Budget Office, CBO, estimates that the law will slow annual Medicare growth from seven to four percent over the next decade. And, over the past year, the S&P has measured the lowest rate of growth in the history of Medicare—below three percent.

Today, the House considered legislation to repeal IPAB, a goal that I support. Unfortunately, a calculated choice to polarize the vote by incorporating the HEALTH Act (H.R. 5)—an unrelated and divisive bill—emphasizes the cynical gamesmanship of Republican leadership who clearly are not interested in forging a partisan coalition to repeal IPAB. The HEALTH Act, in part, limits intentional torts or cases where harm is deliberate. A recent case in Connecticut, which involved victims of sexual assault, underscores the harm in these restrictions. Under H.R. 5, these victims would be denied their day in court.

Over the next ten years, Medicare will cost between \$8 trillion and \$9 trillion and there are a whole host of offsets which would easily counter the costs of IPAB repeal without injecting scorched earth partisan politics. For example, MedPAC has recommended rescinding duplicative bonus payments to private insurance providers that administer Medicare Advantage plans, which have historically been overpaid by 14 percent. At the very least, this option provides a more tempered approach to offset H.R. 452 and build an honest consensus on repealing IPAB.

Despite my long-standing support for the repeal of IPAB, I cannot support H.R. 5 as presented to the House today. It is my sincere hope that this chamber can debate the repeal of IPAB through a more measured, balanced, and reasonable approach in the future.

### ON THE OCCASION OF THE RE- TIREMENT OF ROBERT GRACELY FROM GENISYS CREDIT UNION AFTER YEARS OF FINANCIAL SERVICE TO THE COMMUNITY

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to recognize Mr. Robert Gracely on the occasion of his retirement from Genisys Credit Union after more than three decades of dedicated and passionate service to its members and the greater Southeast Michigan community. A member of Genisys since October 1967, his work has been significantly focused on Genisys' role as a steward of the Southeast Michigan community.

Within the varied positions he has served during his time with Genisys Credit Union, Mr. Gracely has been a passionate advocate of its mission as a not-for-profit, member-owned financial institution that has been committed to helping its members since its formation in 1936. Based out of Auburn Hills, Michigan, Genisys is one of the largest credit unions in Michigan and one of the strongest in the country with over \$1.4 billion in assets. Genisys and its members are deeply involved in altruistic work which supports local charities, organizations and events that enrich the lives of many throughout Michigan. These endeavors have earned Genisys and its members not only considerable praise but numerous awards for their commitment to community service and volunteerism.

Throughout his tenure with Genisys, Mr. Gracely's colleagues have routinely praised his exceptional talent for recognizing client needs and recommending the right services. With his focus on building community partnerships, Mr. Gracely has leveraged his leadership within Genisys Credit Union to partner with and support local businesses, which has cultivated a vibrant small business community. Furthermore, Mr. Gracely has been praised for

his ability to work within a team, to work with his staff and to identify issues and find innovative solutions. His strong command of financial issues, dedication to high quality customer service, and focus made him an invaluable asset. Genisys continues to develop its partnerships within the community and could not have been done without the help of Mr. Gracely.

Mr. Speaker, as a leader within Genisys Credit Union Mr. Gracely has done so much to guide it and its members in their philanthropic activities within the communities that Genisys serves. Like so many of his colleagues in senior leadership positions at Genisys, he has worked tirelessly to provide the credit union's members with quality customer service and financial advising. His spirit of collegiality, dedication to his employees and the greater community, and his creativity will be sorely missed. I wish Mr. Gracely many happy years in retirement and I know he will continue to be involved in volunteer efforts here in Southeast Michigan for years to come.

HONORING BLAKE HUDDLESTON

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Blake Huddleston is a senior at Pasadena Memorial High School in Harris County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

The American form of Democracy is built upon the principle that every man has the right to have his voice heard, yet today many Americans revoke this right. Neither Congress nor the President can adequately govern such a vast land and people as the United States without participation in government, which has been declining in recent years due to an increase in American apathy.

Adequate governance does not require petitions, marches, or protest; simply voting for issues and candidates is enough to ensure that the American voice is heard in the white halls of the Capital. But in order to create a sense of honor in participating in our centuries old processes, both those who are in positions of power and those who seek office must offer their constituents something worth speaking for.

In times of discord and partisanship the American people become disillusioned with

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

what is perhaps the greatest Democracy to ever exist. By compromising, by understanding not only their own personal beliefs, but the beliefs of those opposed to them, congressmen and presidents inspire the people they represent to become involved in the American process because their electors believe that the system does work; that the system can solve serious problems without mindless bickering over irrelevant issues. There exist a social bond between electors and the elected in America: when the elected rise above politics and become statesmen, Americans will rise as well. When the elected fall, so too does the will of Americans to participate.

CONGRATULATING THE MY POSSIBILITIES HIPSTORE: OPEN FOR BUSINESS

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am glad to recognize the great staff, board of directors, and Hugely Important People—or HIPsters—of My Possibilities in Plano, Texas as they celebrate the organization's newest venture, the HIPstore.

My Possibilities is a non-profit organization that provides daytime, year-round vocational training and other programs for adults with special needs. The first organization of its kind in Collin County, My Possibilities opened its doors in June of 2008 when caring moms joined forces to create a safe, social atmosphere for young adults who had "aged out" of secondary education. Today, ten full-time staff members serve 125 HIPsters each week.

Inspired by the My Possibilities motto, staff and HIPsters alike work hard to "Make every day count." The new HIPstore provides a great enterprise opportunity to do just that.

The store is a 3,000 square-foot facility that features gift items like candles, jewelry, and artwork all handmade by HIPsters. The HIPsters not only learn creative skills, put them into practice, and watch their handiwork make a profit, but learn the ins and outs of operating a retail outlet. For instance, they help to stock the shelves, monitor inventory, interact with customers, and operate the cash register.

To the folks whose hard work and forward thinking have made the HIPstore possible:

Thank you for your efforts. It is my pleasure to join you in celebrating this exciting new chapter of My Possibilities' service to the North Texas community. I'm glad to help announce that the HIPstore is "open for business!"

RECOGNITION OF IDA MAE BYRD

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Ms. Ida Mae Byrd. A native of Waycross, Georgia, Ms. Byrd has enjoyed a very active life looking after her family and her community. We celebrate your 100th birthday.

Ms. Byrd was born to Maebelle and Jack Smith in Waycross, Georgia, on March 13,

1912. She is the third of six children. At the young age of 16, Ms. Byrd was looking for more opportunities so she moved to Brooklyn, New York. Once in New York City, Ms. Byrd worked diligently to bring her immediate family with her.

At the age of 19, Ms. Byrd married Wily Byrd, forming a strong union that produced five children. The family was a close knit group held together by her strict control and discipline. She set an example for her siblings on how to properly raise children—supporting a strict environment with a loving and warm personality.

In her younger days, Ms. Byrd loved to dance and one of her favorite places to dance was the Savoy Manor in the Bronx. Along with dancing, Ms. Byrd enjoyed her occasional Miller High Life beer and her beloved New York Mets. As an avid fan, she was rewarded with two World Series championships. Through the years she was an active member of Pilgrim Baptist Church under the leadership of Bishop Roy E. Brown. Ms. Byrd enjoyed these church events most with her family who attempted to make every moment a memorable one.

Ms. Byrd has lived through an incredible century that has witnessed two World Wars, the Jim Crow South, the invention of the television and the computer, and the Civil Rights movement. She has also lived to see apartheid end in South Africa and the election of the first African American President of the United States.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Ms. Ida Mae Byrd on the celebration of her 100th birthday.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF THE FLORA-BAMA AND GULF COAST RESIDENTS SUPPORT OF NEW YORK CITY AND HARLEM AFTER SEPTEMBER 11, 2001

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the 10th Anniversary of the Flora-Bama and Gulf Coast support of New York City and Harlem after September 11, 2001.

In 2002, Joe Gilchrist, owner of the Flora-Bama Lounge in Pensacola, Florida brought to New York a group of more than 100 visitors, including musicians and songwriters, to pay respect to the ground zero site and support New York. Gilchrist also encouraged the group to spend money to help uplift New York City's economy and provide moral and spiritual support to the victim's families. The group also toured New York City fire houses, the Empire State Building and Central Park. The visit culminated in a great celebration at the Waldorf Astoria, which included performances by Chuck Jackson, and other musicians and singers who participated in the Frank Brown International Songwriters Festival.

On Saturday February 4, the Harlem community, along with Joe Gilchrist and the Frank Brown Songwriters Festival celebrated the 10th Anniversary of the Flora-Bama and Gulf Coast historic visit to New York. Musicians, songwriters, business leaders and residents

from the Flora-Bama and Gulf Coast toured the 911 Memorial site and performed in lower Manhattan and in Harlem. This Cultural Exchange was promoted with the theme of, "Merging Manhattan Music with Southern Sounds." Kicking off the diverse musical tribute were original songs by "Lil Man," an eight year old "Hip Hop" artist who writes his own songs; stellar performances by Michael Jackson impersonator, Jesse Valenca; and Urica Rose, an electrifying singer and songwriter, representing the "New Generation of Rock" performers.

The group attended Open House events at the world famous Apollo Theater, including performances by Ballet Hispanico, the Dance Theatre of Harlem, Amateur Night winners and was given a tour by Apollo historian Billy Mitchell. The group joined Commander E. Randy Dupree at Harlem's historic Colonel Charles Young American Legion Post 398, where Flora-Bama musicians joined Hammond B3 Organist and Jazz legend Seleno Clark, Percussionist Don Eaton and the Harlem Groove Band for a jam session to commemorate the 10th Anniversary of their visit to New York City.

As Dean of the New York Congressional Delegation, I want to extend my thanks to Joe Gilchrist and the Frank Brown Songwriters Festival for their outstanding economic, moral and spiritual support to Harlem and the great State of New York.

PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. JOSEPH CROWLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. CROWLEY. Mr. Chair, today, the House is considering legislation that would repeal the Independent Payment Advisory Board, or IPAB. To be clear, I am not a big fan of IPAB—I had concerns with this new entity when it was first being discussed, and I remain concerned with it today.

I do find it interesting, however, that my colleagues on the other side of the aisle are suddenly so troubled about IPAB's effect on Medicare, when their plan to end Medicare is so much worse.

I fear that today's floor action is less about a real concern for seniors, hospitals and physicians in the Medicare program, and more about trying to win a battle in the war against health insurance reform.

They have shown with their words and their actions, even down to their choice of offsets, that this yet another political exercise.

But that is a game that I refuse to play. Our seniors deserve real answers and real solutions, not yet another repeal-but-not-replace attempt.

So even though I don't think that IPAB is the best answer to strengthening Medicare, I can't in good conscience vote for this bill, at

this time, with this kind of clear and blatant political agenda at the core of this debate.

What we need is a real, substantive discussion about solutions to keep Medicare costs, and medical malpractice costs as well, under control for the long term. But with today's floor action, these needed discussions are too likely to get lost in a sea of shouting.

And that's not what we need right now.

If my colleagues on the other side of the aisle want to work with us to address the concerns that many of us have with IPAB, to make changes, then I'm willing to meet them halfway.

But if they want to blame the Affordable Care Act for everything wrong in the world, even when it has controlled costs so well that IPAB won't even come into play for years to come, and even when it has given millions of American families control back over their health care, I can't join them in these political attacks.

So I have to oppose passage of this bill today.

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HONORING THE LIFE OF HIS  
HOLINESS POPE SHENOUDA III

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Ms. KAPTUR. Mr. Speaker, this month, the world laid to rest a holy and wise spiritual leader, His Holiness Pope Shenouda III, the 117th Pope of Alexandria and the Patriarch of All Africa on the Holy Apostolic Seat of Saint Mark the Evangelist of the Coptic Orthodox Church of Alexandria and head of The Holy Synod of the Coptic Orthodox Patriarchate of Alexandria, who passed from this life on March 17, 2012.

His Holiness Pope Shenouda III presided more than 40 years over a worldwide expansion of the Coptic Orthodox Church. During his papacy, he appointed the first-ever bishops to preside over North American dioceses. When His Holiness became pope in 1971, there were only four churches in North America. Today there are over 100.

Pope Shenouda III was well known for his deep commitment to ecumenism and interfaith dialogue. He believed that Christian unity was a matter of faith rather than of jurisdiction. In 1973, Pope Shenouda III became the first Coptic Orthodox Pope of Alexandria to meet the Roman Catholic Pope in over 1500 years. In this visit, Pope Shenouda III and Pope Paul VI signed a common declaration on the issue of Christology and agreed to further discussions on Christian unity. He led dialogues with various Protestant churches as well as Islamic clerics and Muslim leaders worldwide.

In an address he gave at an ecumenical forum during the International Week of Prayer in 1974, he declared, "The whole Christian world is anxious to see the church unite. Christian people, being fed up with divisions, are pushing their church leaders to do something about church unity and I am sure that the Holy Spirit is inspiring us."

A biographer aptly described Pope Shenouda III as "A distinguished and promi-

nent religious leader, a profound theologian, a gifted preacher, a talented author, a spiritual father, a man of God his entire life. He devoted his writings, teachings and actions to spread and propagate for the rules of understanding, peace, dialogue and forgiveness."

I had the unforgettable honor of meeting Pope Shenouda III as our local Coptic Christian Church in Northern Ohio was being constructed. He was a man of immense faith, great humanity, and deep intellect. When I asked him about future unity among various faith confessions, I will never forget his steady, strong countenance as he advised me "that would take love." He was a very profound man.

President Obama called Pope Shenouda III "a beloved leader of Egypt's Coptic Christians and an advocate for tolerance and religious dialogue," and said he will be remembered "as a man of deep faith, a leader of a great faith, and an advocate for unity and reconciliation." The faith community around the world and people of good will everywhere joins the Coptic Orthodox Church in mourning the passing of Pope Shenouda III from this life. We extend our sympathy to church members worldwide and in our own community. His contributions to world understanding and bridging horizons yet unmet will flower in decades hence. May God bless his soul and allow his unfinished work to progress in his memory.

[From The New York Times, Mar. 20, 2012]

THOUSANDS MOURN COPTIC POPE IN CAIRO

(By Kareem Fahim)

CAIRO—In front of a tearful crowd of thousands including members of Egypt's emerging political class, a funeral service was held on Tuesday for Pope Shenouda III, the popular and charismatic leader of the Coptic Orthodox Church, who died on Saturday.

The pope's body lay in an open white casket through the emotional two-hour ceremony in St. Mark's Cathedral, where he was remembered as a "wise captain" who built bridges to Muslims and other Christian denominations and who strengthened the identity of the church, especially among its younger members. Hundreds more people stood outside the cathedral, unable to gain entry to the invitation-only service.

The scene turned to pandemonium later in the day when thousands of people mobbed a van carrying the pope's body to his burial site, in a monastery in northern Egypt. Red-faced military policemen wrestled with mourners carrying the pope's portrait who were straining for a last glimpse of him through the dark windows of the white van.

The flood of grief for the only pope many Egyptian Copts had ever known—he was enthroned in 1971—underscores feelings of unease that many Christians have felt in the ongoing tumult of Egypt's political transition. Roughly 1 in 10 Egyptians belong to the Coptic Orthodox Church, which was founded in the first century and was the majority religion here before the coming of Islam. In recent years, long-held complaints about anti-Coptic discrimination have been replaced by deeper fears that Islamist parties will further marginalize the Christian population as they try to refashion Egypt into a more observant Muslim state.

For most of his four decades as patriarch, Pope Shenouda managed a delicate balancing act, strongly supporting President Hosni Mubarak in exchange for a measure of protection as the pope strengthened the church's power and reach. He was broadly

popular among Egyptians, and was especially well-known for his wit. He was also seen as rigid defender of a conservative church, and some Copts faulted him for resisting reform.

Criticism of Pope Shenouda's relationship with Mr. Mubarak became more pronounced after the popular uprising against Mr. Mubarak's rule took hold in January 2011, with attacks on churches and Coptic protesters, by hardline Islamists and the government's troops following behind. Since the pope's death, though, that criticism has been laced with sadness.

"I don't disagree that he interfered with politics," said Mina Samy, a 30-year old physician outside St. Mark's on Tuesday. "But when he spoke, he did it for Egypt's best interest, not for his personal interests, like others do."

"I'm hoping for another copy of him," he said. "Nothing is too much for God. He was a great scholar, and he led the church through major crisis. He left us at a time when Egypt needed him."

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HONORING BILL KEFFLER OF  
RICHARDSON, TEXAS FOR 35  
YEARS OF OUTSTANDING PUBLIC  
SERVICE

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. SAM JOHNSON of Texas. Mr. Speaker, with great appreciation for his selfless public service, I rise to recognize before the U.S. House of Representatives Bill Keffler of Richardson, Texas on the occasion of his retirement.

Bill's résumé of accomplishments closely matches that of the City of Richardson itself. During his 35-year career with the City, 17 as city manager, he has played an integral role in bringing first-rate transportation entities, higher education institutions, healthcare providers, and corporations to Richardson. Under his watch, the City has also received countless awards for its responsible, transparent, and innovative administration.

Those of us who have been fortunate enough to work with Bill know him as a true leader not just in Richardson, but in the entire North Texas region. A current member of the Board of Directors and Executive Committee for the North Texas Commission, Bill is also the immediate past-president of the Texas City Manager's Association and an advisory board member for Methodist Richardson Medical Center, Leadership Richardson, and the University of Texas at Dallas Development Office, to name a few.

Bill, a mix of Irish Green and Raider Red, kicked off his stellar career back in 1977 having already obtained a bachelor's degree in government at Notre Dame and a master's degree in public administration at Texas Tech University. He and his wife, Chrissie, raised five great kids in Richardson. Bill's family and friendliness are considered staples in the community—as are his famous striped ties.

To Bill, thank you for all you've done to build Richardson into the city it is today. It is a pleasure to know you, and I wish you the very best in the years to come. God bless you, and I salute you.

VOTE ON THE SENATE  
TRANSPORTATION BILL

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the motion to move the previous question to allow for debate and a vote on the Senate transportation bill.

With millions of Americans still unemployed through no fault of their own, what is the House considering today? In the Budget Committee, we are discussing a budget that slashes targeted investments in transportation, scientific research, and education to give additional tax breaks to the wealthiest Americans. The proposed budget also dismantles the Medicare guarantee, transferring rising costs of care to seniors. And on the House floor, we have another attempt to repeal parts of the Affordable Care Act, this time targeting a provision in the law that would address real, systemic health care costs. This is not an agenda that creates jobs or grows our economy.

Instead, we should bring forward the Senate transportation bill that received an overwhelming bipartisan vote of 74–22 last week. This bill would invest in critical infrastructure projects, supporting over 1.8 million jobs nationwide and over 28,000 in my home state of Maryland. It would help revive the construction industry, which continues to face 17.1 percent unemployment. And it would make our Nation's transportation system safer and more efficient.

Mr. Speaker, we must focus our agenda on improving the economy and putting Americans back to work. We have a bipartisan solution to do just that—let's bring it to the Floor.

SENSELESS ACTS OF VIOLENCE

**HON. DONNA M. CHRISTENSEN**

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mrs. CHRISTENSEN. Mr. Speaker, yesterday we laid to rest a young man, Deniel Brow who was killed after he turned away from an argument—shot as he began to walk away.

Every time our children are out, not only in the Virgin Islands but across the country, and certainly as we now see in Florida, we worry that they will be injured or killed in some senseless act of violence.

In the case of young Traynor Martin, he was not killed because of an argument with a peer which would have been bad enough, it appears he was pursued by an adult, allegedly, a self appointed overly aggressive neighborhood watch person who seemed to be just looking for trouble, and who even after being told by dispatchers to leave the boy alone pursued him and in the midst of his pleas for help heard on the 911 tape, shoots and kills him.

I am glad the Justice Department has begun its investigation and I thank our colleague CORRINE BROWN for getting involved and being the strong advocate she is on behalf of the grieving Martin family and his community.

But you know the blame for this incident goes beyond the shooter. All who have engaged in violent rhetoric against racial and

ethnic minorities, who have been contributing to the poisonous environment in which we now find ourselves in this country and who have been encouraging this kind of vigilante activity are also responsible for young Traynor's death and his family's loss.

I hope this incident will be a wake-up call and have us come to our senses and sense of fairness, justice and community—the kind of community that looks out for and takes care of its children, not kills them or fosters an atmosphere where this kind of action is encouraged.

IN RECOGNITION OF THE 50TH AN-  
NIVERSARY OF SAN JACINTO  
COLLEGE AND GULF COAST  
PASS GRANT

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to recognize the contributions of San Jacinto College, a Hispanic-Serving Institution and community college located in our district which is celebrating its 50th anniversary this year.

The mission of San Jacinto College is to deliver accessible, affordable, high-quality post-secondary education programs designed to meet the needs of the residents of Harris County.

The primary focus of the College is helping students to achieve their personal and professional goals, create seamless transitions among educational levels, and to prepare students to enter the job market or transfer to senior institutions. Through its programs and services, and partnerships with industry, the College supports the economic growth of the community and the region.

San Jacinto College recently received a grant that will fund collaborative programs with local secondary school districts focused on increasing college readiness and completion of community college developmental education courses. The grant, provided through the Community College Leadership Program at the University of Texas at Austin, was made possible by The Houston Endowment.

The \$1.2 million, three year grant, known as the Gulf Coast Partners Achieving Students Success, or Gulf Coast PASS, will help San Jacinto College and its partners, Pasadena and Sheldon Independent School Districts, ISDs, expand existing projects and implement new partnerships. Special focus will aim to increase college readiness and completion of community college development education courses where necessary.

With the help of these funds, San Jacinto College is partnering with local ISDs to start up two early college high schools, one with Pasadena ISD and another with Sheldon ISD. The Sheldon ISD Early College High School will open in Fall 2012.

The Texas Education Administration states that early college high schools must provide access to under-represented populations, lower socio-economic students, and first-in-college students to provide a pathway for higher education attainment for these students who would be less likely to pursue higher education.

Our nation must do more to close the gaps between secondary and post-secondary edu-

cation in the areas of academic experiences, expectations, and curriculum. San Jacinto College is committed to bridging these gaps by facilitating communication and collaboration between high school and college faculty to identify these gaps locally.

In order for our students to make the successful transition from high school to some kind of post-secondary experience, the College and our school districts must intentionally design programs that address those gaps. We must commit to creating multiple pathways to student success and completion of post-secondary credentials.

I am proud to rise to commend the work of San Jacinto College, which provides a model of excellence in higher education for the people of Harris County and the nation.

PROTECTING ACCESS TO  
HEALTHCARE ACT

SPEECH OF

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. DINGELL. Mr. Chair, the people have sent us up here to legislate and pass laws that will benefit and protect the American public and move our country forward. It is more than disheartening, it is shameful that once again we find ourselves here today wasting time to vote on a piece of partisan, Republican legislation that has no hope of moving beyond this chamber. H.R. 5 does nothing to benefit the American people, nor does this Act do anything to protect access to healthcare as its name declares.

Even worse, this misguided legislation is being considered during the same week we are celebrating the second anniversary of the Affordable Care Act (ACA). I am unbelievably proud of that fact that the bill I authored has guaranteed that 105 million Americans no longer face lifetime limits on their insurance, 2 million young adults are now insured under their parents' plans, and seniors no longer find themselves lost in the "coverage gap" and lacking access to prescription drugs. With all of these tangible, quantifiable benefits, why are my colleagues on the other side of the aisle spending their time attempting to dismantle a law that is already being implemented? Why do they spend their time trying to chip away at it piece by piece when they could be working on legislation that would benefit their constituents? Working to repeal the Independent Payment Advisory Board (IPAB) and not even bothering to come up with any sort of replacement seems dubious and makes no sense to me. But then again, I am just a poor, Polish lawyer from Detroit.

Not only are my Republican friends attempting to repeal IPAB, they have added it to their medical malpractice legislation, H.R. 5, which contains provisions that they have brought time and again to this floor, failing every time. Each time they resurrect the same language.

In doing so, they do not demonstrate genuine interest in legislating on behalf of the American people. The Republicans know the Senate will not vote for such a bill. Nor will I. I will not approve a bill that caps non-economic medical malpractice damages at \$250,000. Apparently, this is the price the Republicans put on a lifetime of physical impairment, pain, suffering and even wrongful death.

I know our medical malpractice system needs improvement. If only my Republican friends would come to me with a third way, a new fair and workable way, to approach this problem. I would be more than happy to work with them on a bipartisan basis, which this Congress so desperately needs right now.

But, until that time, I am forced to vote against this piece of legislation. I will not approve of a bill that reshapes the same old medical malpractice language. I will not vote for a bill that attempts to wear down bits of the Affordable Care Act. If they had their way, the Republicans would repeal the entire ACA, and take away insurance from over 30 million Americans. Instead, we are busy granting insurance coverage to 17 million children with pre-existing conditions.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. MARCHANT. Mr. Speaker, due to the sudden passing away of my father, I was unable to participate in House floor votes on March 22, 2012.

THE CURRENT SITUATION IN AFGHANISTAN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. HONDA. Mr. Speaker, tragic events in the last few weeks in Afghanistan have underscored the messages I have continuously emphasized in Congress in the past. As long as we pursue military solutions to the unrest in Afghanistan while foregoing attention to economic, political and social solutions, security will remain elusive. Our military service officers are heroes, but we are failing them as we continue to pursue a strategy that lacks proper understanding of both the social constructs of the Afghan people and the meaning of peace.

It is our duty as Americans to give the people of Afghanistan what they want, not what we want to give them. Afghan citizens want peace, they want security and they want the right to self-determination based on their own social, cultural, and religious values. Afghans do not want to be at the constant risk of night raids and air strikes that could kill their friends and neighbors, checkpoints and security barriers that keep their families apart, or incidences of violence which sometimes involve International Security Assistance Force (ISAF) troops and contract security forces. And they certainly do not want foreigners burning the Holy Quran, which all Muslims hold as dear as life, or have their very own

safety compromised by foreign forces who should be there to protect them.

As members of the United States government, we also owe the American people what they want, and not what we want to give them. In this regard, we are failing our own people as they face the difficulties brought on by the global economic crisis while lives, money and resources are being wasted abroad in an effort which has, sadly, led to resentment and the incitement of hatred against America.

Last week, the Department of Defense Comptroller confirmed one of our worst kept secrets—that the deployment of one soldier to Afghanistan for one year costs \$850,000. We currently have 90,000 soldiers deployed in Afghanistan. Additionally, we have 1,142 U.S. civilians from the State Department and other non-defense agencies currently in Afghanistan, and each civilian costs taxpayers \$570,000 per year, according to the most recent estimate from the Special Inspector General for Afghanistan Reconstruction. Furthermore, in 2011, our taxpayers spent \$11.2 billion to pay, train and equip Afghanistan's security force. Over the past ten years the U.S. has spent more than \$550 billion in Afghanistan alone, or about \$1 billion per week.

A new Washington Post poll finds that sixty percent of American voters feel that the war was not worth fighting. It also finds that, for the first time, Republican voters are "evenly split" on the wisdom of continuing this war. This is what America wants, and it is our duty to respect that.

Last year, as co-chairman of the Congressional Progressive Caucus's Peace and Security Taskforce, I urged President Obama to bring about the swift, safe and responsible withdrawal of U.S. troops and military contractors from Afghanistan. We asked for plans for a significant drawdown, beginning no later than July of this year.

We welcome the news that Congress's calls to the White House have finally been heard. On February 1, 2012, Defense Secretary Leon Panetta said that while American troops will still leave Afghanistan by the end of 2014, plans were laid out so that by late next year, U.S. and NATO troops in Afghanistan will switch from a combat role to a training mission. The Administration may further want to take heed of the same Washington Post poll which revealed that fifty-four percent of all voters want the U.S. to withdraw troops even faster than the President's 2014 timetable.

As we look forward to our future role as global leaders of peace and security, we must not forget our past and present mistakes. Our international affairs priorities must be anchored in the recognition that our national security is inextricably linked to our economic vitality. We cannot fight for global security but ignore the economic security of the people of America. We need a budget that reflects the fact that diplomacy and development prevents wars, because smart security can lead to global stability at a fraction of the cost, freeing up funds to engage in nation building here at home. As we look forward to the question of how to handle future matters in the Middle East, these are the priorities that we simply cannot afford to forget.

Mr. Speaker, Peace and Security are created through a well-functioning government, a fair and prosperous economy, and a harmonious society. We have failed the Afghan people on each and every one of these fronts,

and in so doing, we, we have also failed ourselves and our constituents. As we reflect on the recent military tragedies in Afghanistan, we must ask ourselves how many more apologies we can afford to offer.

IN RECOGNITION OF THE TOWNSQUAREBUZZ FOUNDATION AND PARTNERS: HONORING THOSE WHO SERVE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am proud to recognize the TownSquareBuzz Foundation and the City of McKinney, Texas, as they join forces to declare Red Shirt Fridays in McKinney.

The Foundation's "Paint McKinney Red!" campaign was launched last year to raise awareness about the unique challenges veterans face when they return from war.

To date, TownSquareBuzz has printed 500 red t-shirts that are being sold by 10 local partner businesses. The shirts remind us, "Honor Those Who Serve: Past, Present, Future," and all sale proceeds go directly to the local Community Lifeline Center in McKinney.

The Lifeline Center's great operation serves folks in need in 17 cities across Collin County. Its veterans-support initiative, funded in part by a grant from the Texas Veterans Commission, helps local veterans and their families with housing, utilities, medical and dental treatment, transportation, counseling, and job training, to name a few.

Inspired by the nationwide Red Shirt Fridays project, the local efforts of TownSquareBuzz and the City of McKinney will provide direct assistance to our friends, family members, and neighbors who are the returning heroes of today's military campaigns.

These brave men and women put their lives on the line to keep America strong, proud, and free. Through partnerships like Red Shirt Fridays, the North Texas community is reminded of the privilege and duty we bear to honor, thank, and give back.

To the TownSquareBuzz Foundation, City of McKinney, Community Lifeline Center, and every individual and business helping to paint McKinney red:

Thank you for your efforts. May God continue to bless the United States of America through great folks like you. I salute you!

JACK SILLIMAN

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. HULTGREN. Mr. Speaker, it is with great pride that I rise today in honor of U.S. Marine, Jack Silliman. Tragically, Jack was killed during the Vietnam War. In 1961, when Jack was still a boy in the 7th grade he wrote a winning speech that was presented to President John F. Kennedy.

I submit Jack's speech.

WHAT I CAN DO FOR MY COUNTRY

Madam president, honorable judges, fellow C.Y.C.L. members, parents, teachers and

friends, The subject of my speech is, "What I Can Do For My Country".

First of all I can be a good citizen. I can honor and respect the flag of the United States in which I live. I can be proud of our president and his ten cabinet members.

When I am ready to vote I should know and understand the rules of voting. I should think of the privilege I have of being able to cast a free and secret ballot.

In being a good citizen I should allow each person to speak his own opinion.

I can give help to the ill and friendless.

I must help make safety rules for my community and endeavor to carry them out.

Second, I should get the best education possible by learning the principles of my classroom.

I can learn to enjoy the company of others.

I must do my best to understand the governmental problems of my nation.

I can read and listen to the news and current events of my state and nation.

I can take an active part in political affairs and learn all I can about them.

I must learn all I can about the science and progressiveness of other nations as well as my own.

I must be able to contribute to the defense effort.

Third, I must keep myself physically fit by eating the right kinds of food, getting the right amount of sleep and correct exercise, and avoiding the use of those things harmful to me.

I must train myself so as to make a real contribution to the defense of my country in the fields of science and education.

In conclusion, I can be a good citizen, get the best education possible and keep myself physically fit.

Thank you.

IN RECOGNITION OF MR. ROBERT  
E. CASEY, JR.

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Mr. Robert E. Casey, Jr., the Special Agent in Charge of the Federal Bureau of Investigation's Dallas Field Office. Mr. Casey is retiring from the FBI on April 30, 2012.

Upon graduation from Indiana State University, Mr. Casey joined the Houston Police Department in 1981. During his tenure, he served as a patrol officer and an investigator on the organized crime squad and earned the prestigious "Police Officer of the Year" Award in 1983. In September 1986, he joined the Federal Bureau of Investigation (FBI) as a Special Agent in the Phoenix Field Office and began working on organized crime and drug investigations. Throughout his tenure with the FBI, Mr. Casey served in a variety of offices including Washington, D.C., Chicago, Miami, and Dallas. Due to his exemplary service, he was promoted to the ranks of Senior Executive Service and was the recipient of the prestigious 2006 Presidential Rank Award for Meritorious Executive.

I have had the privilege of knowing and working with Mr. Casey. He is a principled man with a keen sense of civic duty. He has dedicated his life to public service and proven to be a great leader and a true patriot. Our Nation is a better and safer place because of individuals like him.

As he retires from the FBI, I know Mr. Casey will be delighted to spend more time

with his wife, Leslie, and their two children, Gayle and Drew, who have faithfully supported him throughout his career. Mr. Speaker, I ask my esteemed colleagues to join me in congratulating Mr. Casey on twenty-six years of dedicated service to the FBI and this great Nation. I wish him all the best in his future endeavors. May God bless him and his family.

CHILDREN'S SERVICE CENTER

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. BARLETTA. Mr. Speaker, I rise to honor the Children's Service Center, which will celebrate its 150th anniversary on April 11, 2012. The Children's Service Center has been serving families of the Wyoming Valley in Northeastern Pennsylvania since it was incorporated on April 11, 1862, to create a sanctuary in order to provide shelter, food, and instruction to a number of underprivileged children in the Wyoming Valley.

The Children's Service Center was originally called The Home for Friendless Children. As its programs grew and developed, it became a nationally renowned shelter and educational center for infants and children. By 1929, the Home for Friendless Children had become the Children's Home. As time went on, it appeared the children needed more than a shelter—they needed a home. Two cottages were built, the Martha Bennet Home and the Children's Home, and they became the first two open psychiatric residential settings for children in North America. During this time, the Martha Bennet Estate and Children's Home Foundation requested that a newly formed organization called the Children's Service Center become established in order to manage the residential program. The creation of the Children's Service Center occurred in 1938.

As a mental health care system, the Children's Service Center is deeply committed to the wellness of young people in our community. Their services are designed to meet the individual needs of children, adolescents, and their families. Children's Service Center assessment, crisis, and referral services are working 24 hours a day, seven days a week, to help these children lead a better lifestyle.

Mr. Speaker, today, Children's Service Center stands as ray of hope for young people in the Wyoming Valley of Pennsylvania. I commend this agency for its 150 years of dedicated service to our children, to community, and to country.

RECOGNIZING THE ACHIEVEMENTS  
OF TAMARA C. CANSLER

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Tamara C. Cansler on the occasion of being honored with the Sixth Annual Rebecca Lukens Award by The Greystone Society. As an outstanding candidate for this recognition, Tamara was chosen for this honor as she has demonstrated the same love of com-

munity as the award's namesake, Rebecca Lukens.

Tammy began her career as a high school and elementary school teacher in South Carolina, but moved with husband, Dale, to Pennsylvania where she took positions with Lukens Steel and Merck Pharmaceuticals. Employed by Merck from the mid 1970s to 1985, Tammy served as the first female production supervisor in the company's history. She then started her own development company, Cansler Investment Group, and focused on creating clean and safe living environments for underprivileged adults in the City of Coatesville.

Over the years, Tammy's efforts have resulted in the creation of successful complexes such as Coatesville's North Second Avenue Redevelopment Project, Penn's Crossing Townhomes, and the Brandywine Health Center. Such projects are examples of entire communities established for the benefit of economically-challenged adults, helping to give these folks more secure, more attractive places to live. Philabundance and others donate food to these complexes, and quality used clothing from Freedom Village Senior Living Community is sold to the residents for a very nominal fee.

Mr. Speaker, in light of her years of contributions to the community and litany of outstanding accomplishments, I ask that my colleagues join me today in recognizing Tamara C. Cansler on the occasion of her being honored with The Greystone Society's Rebecca Lukens Award.

TRIBUTE TO BISHOP J. DREW  
SHEARD ON THE CELEBRATION  
OF HIS OUTSTANDING LEADERSHIP  
IN THE CHURCH OF GOD IN  
CHRIST

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to salute Bishop J. Drew Sheard, Pastor of Greater Emmanuel Institutional Church of God in Christ of Detroit, for his exceptional leadership in the great State of Michigan.

A Detroit native and Wayne State University graduate, Bishop Sheard was called to the Ministry under the guidance of his father, Bishop John H. Sheard.

He has worked diligently and dutifully in several positions in the Church on both the local and national level, including serving as choir director, and chairman of local and State youth departments.

In addition to his Church Of God In Christ ministry, Bishop Sheard has served as Executive Director of the Michigan Chapter of the SCLC, and a Board Member of the Michigan Anti-Apartheid Council.

He currently leads Greater Emmanuel Institutional Church of God in Christ, one of the largest churches in the Church of God in Christ denomination.

Exhibiting a genuine concern for our community's children and young adults, Bishop Sheard has initiated the Greater Emmanuel TV Ministry, annual Youth and Women Conferences, the Greater Emmanuel Men's Society (GEMS), as well as annual programs such as "Sanctified Men in Black" and "Holy Women in Red."



In December of 2002, Bishop Sheard received an honorary Doctor of Divinity degree by the St. Thomas Christian College. He is married to Grammy Award-winning gospel artist Karen Clark-Sheard and they have two children, Kierra Valencia and J. Drew, II.

Mr. Speaker, I ask my colleagues to join me today in saluting and congratulating Bishop J. Drew Sheard, Pastor of Greater Emmanuel Institutional Church of God In Christ, on the celebration of his outstanding leadership in the great State of Michigan.

#### HONORING BRANT MEREDITH

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Brant Meredith is a sophomore at Clements High School in Fort Bend County, Texas. His essay topic is: In your opinion, why is it important to be involved in the political process?

Our government is what represents each citizen of the United States. It is important to be politically active because we all have a voice in the path that our country takes. It is necessary to express your governmental opinion so that the best choices for the majority may be made. Because our government represents us, it should play a major role in our lives. Our representatives voice our opinion so it is important that we elect them and advocate who we think will do the best job so they will in return play an active duty in our own lives.

The government of the United States should regularly exercise its powers. The people elected their representatives to represent them in the government. Therefore, they should represent the people by enacting decisions that would satisfy who they are representing. In order to please the masses our government should play an active role by satisfying the popular goals. The needs of the public are very numerous. In order to meet all of them, it is necessary for our government to play an active part in our lives. If they do not play a crucial part then many needs will not be met.

As an American it is very important to be involved in the political process. It is necessary to vote for an official that will best meet your needs. If you are not involved with elections then officials who will not meet your needs could come to office. If the majority of our country does not vote a politician who should not be in office could come to it because the vote would be lopsided due to political inactivity. By not being politically active, your needs will not be met. That is why everyone needs to be involved in the political process.

One of the most memorable events that has greatly impacted our history were the terrorist attacks on September 11th, 2001.

This marked the beginning of the war on terrorism. We also began to enter a recession. These attacks marked the beginning of hard economic times. America has encountered many problems and potential threats since 9/11. This one day was the most Significant event in the 21st century.

In conclusion, we are represented in our government by people who represent us and make decisions for us. It is important for us to be involved with this political process so we can choose pleaders who will do a good job representing us and getting through hard times.

#### RECOGNITION OF WILLETT THOMAS

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Ms. Thomas. A native of Macon, Georgia, Ms. Thomas has enjoyed nearly a century of good health with the love of her family and her deep faith in God. We celebrate your 100th birthday.

Ms. Thomas was born Willett Evelyn Smith on March 19, 1912, in Macon, Georgia. She is the oldest of three daughters born to her mother. During the early years of her life, Ms. Thomas grew up in Macon, Georgia in the household of her grandparents, Lucinda Jackson (Momma Lucinda) and Papa Dudda. Ms. Thomas has said, "Her family was very poor people, but she lived a rich and privileged life surrounded by lots of love."

Ms. Thomas completed her elementary education at Rutland Station School, a public school with grades one through seven. She attended high school at Hudson High located in the city limits of Macon, Georgia, but she had to walk a long distance to reach the bus line, where she then took a bus through the city to the school. She was motivated by her cousin Mary Washington, who was also determined to get an education. They, along with a few others, weathered many a stormy days in triumph of a better life.

Ms. Thomas moved to New York where she would meet and marry the late Nelson Brown. They had one son, Thomas Brown, but the marriage would later fall apart. Ms. Thomas continued to attend Antioch Baptist Church and served at Brooklyn Hospital until she met and fell in love with Army officer, Leroy Thomas.

Ms. Thomas struggled with her husband's post war syndromes but they weathered the storm and raised her son together. When her son took ill becoming disabled in 1976, she and her husband needed to share sacrifice. For several years, she continued to work her night shift while her husband worked during the day. This worked out great for them because one of them was at home at all times to be of assistance to their son.

Ms. Thomas took advantage of new opportunities and landed a position as a Nurses Aide at Brooklyn Hospital. She was a devoted, prompt and competent worker until her reluctant retirement after 60 years of service in 1996.

As her son's health continued to decline, Ms. Thomas turned to worship and began attending New Faith Community Baptist Church every Sunday. Over time his health improved

and together they attended fundraising events and became very active at the church. On December 29, 2005, her son passed quietly in his sleep.

Today, Ms. Thomas remains in good spirits enjoying every moment of every day. She enjoys going out for a ride, taking in the sights of the city and various cultural events.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Ms. Willett Thomas on her 100th birthday. She continues to live a life full of joy and is a model citizen to us all.

#### PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. DUNCAN of Tennessee. Mr. Chair, I am caught between a rock and a hard place on this bill. I spoke and voted against the health care bill that is most frequently referred to as "ObamaCare."

I am strongly opposed to this Independent Payment Advisory Board, which many see as being a major step towards rationing of medical care.

I strongly favor protecting access to healthcare which is the title of H.R. 5.

However, legislators have been talking about \$250,000 caps probably since the late 1970s, if not earlier.

I can assure you that \$250,000 in the 70s is far more than \$250,000 today.

Secondly, it does not seem fair to me to tell all of my constituents—or at least more than 99 percent—that they can be sued for everything they have, but we are going to limit suits against this one small, privileged segment of our society.

I have great admiration and respect for physicians, but I also believe they should not be placed on a pedestal way above everyone else.

Third, every trial judge sits as a 13th juror and can set aside or reduce a ridiculous or unjust judgment. If the trial judge does not act, then there are courts of appeal. There are safeguards throughout the system, and most really excessive judgments have been reversed in some way by a trial court or at a higher level.

Fourth, USA Today published a box 4 or 5 years ago which showed that for the then most recent five-year period, medical malpractice judgments had gone up only 1.8 percent while medical malpractice premiums had gone up 131 percent.

A few big insurance companies have given the public a very false impression of what is really happening in the courts so that they can impose very exorbitant rate increases.

Last, some members, including me, believe that this should be handled by the states under our Constitution and that this malpractice part of the bill goes against the spirit and intent of our tenth amendment.

IN REMEMBRANCE OF LEON EARL WYNTER IN HONOR OF NATIONAL BLACK HISTORY MONTH

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. RANGEL. Mr. Speaker, I rise today in honor of writer, journalist, former commentator and dear friend Leon Earl Wynter who passed away on Tuesday, January 18, 2011 at the age of fifty-seven. Born in 1953, Leon grew up in the Bronx, New York and was fond of saying that he arrived “just in time for most of the things that mattered; the space race, the triumph of the civil rights movement, disco, cable and the Macintosh computer”.

He described himself as “first a Christian, then American and black by way of his Jamaican heritage”. He is survived by his daughter Grace Alexandra, his mother Sylvia, and his brother Stephen. Leon left behind an abundance of those who knew him personally and loved him, as well as those who knew him professionally and respected him. Leon created a legacy of friendship, a body of work to be proud of, and a life time of vivid memories of those of us who have been privileged, like me.

Leon had an extraordinary career, which began in commercial banking, and continued in journalism as a Washington Post staff reporter in 1980. At the Washington Post, he covered education and racial change in suburban Prince George’s County, Maryland. He later joined the Wall Street Journal’s bureau in 1984, and covered the federal banking beat on Capitol Hill, as well as federal telecommunications and technology policy. He then created and wrote a monthly column for the Wall Street Journal called “Business & Race”. He considered the title alone as a victory, and he wrote it for ten years, from 1989–1999. In his twenty-years as a journalist, essayist, commentator, speaker and an author, Leon develop into an acclaimed voice on the racial and ethnic transformation of American identity.

As a sought-after public speaker in business, Leon shared his expertise and perspectives with strategic marketers at Time Warner, Pepsico, GlaxoSmithKline, Cox Cable and the Strategic Research Institute. His commentaries on race, pop culture and life were frequently heard on National Public Radio’s “All Things Considered”. Leon published dozens of essays in newspapers and magazines, including the Wall Street Journal, Savoy, Washington Post, and New York Newsday, among a few.

In August 2002, Leon realized his goal in life after publishing his first book, “America Skin: Big Business, Pop Culture and the End of White America”. In 2007, Leon helped co-write my memoirs, “And I Haven’t Had a Bad Day Since.” Later, Leon would begin a new career with the Harlem Community Development Corporation where he served as Director of Communications.

Leon was known by many as one of the Valley elite, a committed Christian, professor of journalism, an Elder of the Presbyterian Church, an enthusiastic blogger, an evolving musician, a lover of Public Radio, a tireless debater, and someone capable of great passions. He once wrote, “I’m just in time to dis-

cover that life is not about being current it’s about being present with God for my child and my loved ones”.

Mr. Speaker, in celebration of National Black History Month, I ask my colleagues to join me in remembrance of my dear friend, Leon Earl Wynter. If you knew him, these are the facts and the celebration of his life. If you did not know him . . . you missed something very special.

HONORING THE 125TH ANNIVERSARY OF THE AMERICAN PHYSIOLOGICAL SOCIETY

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. VAN HOLLEN. Mr. Speaker, I rise today to salute the outstanding achievements of the American Physiological Society as it celebrates its 125th anniversary. The APS is a scholarly association dedicated to fostering scientific research, education, and the dissemination of information about human and animal physiology. Its headquarters are in Bethesda in Maryland’s Eighth Congressional District.

Physiology is the study of how living systems function and plays a pivotal role in advancing medical discovery. The APS is an outstanding example of a not-for-profit organization that supports the advancement of science in the public interest.

APS publishes research findings on physiology in its 13 peer-reviewed journals. These journals—the oldest of which has been publishing since 1898—collectively publish about 3,000 research articles each year. All of this scientific content is made freely available on the web 12 months after initial publication.

The APS also sponsors scientific meetings and conferences throughout the year where physiologists can share their latest findings with their colleagues.

The APS offers educational outreach programs for students beginning at the elementary school level and provides support to students of physiology in graduate school and beyond. The APS has been recognized with a Presidential Award for Excellence in Scientific, Mathematics, and Engineering Mentoring, PESMEM, for its long standing effort to increase diversity in physiology and to encourage the progress of underrepresented minority students and professionals.

Over the course of 125 years, the APS has grown from 28 founding members to more than 11,000 members. These physiologists teach and conduct research in medical schools, hospitals, colleges, universities, industry, and government throughout the U.S. and 66 other countries.

Mr. Speaker, I urge my colleagues to join me in recognizing the APS on its 125th anniversary and honoring this organization for its many accomplishments.

TRIBUTE TO DR. CHARLES EDWARD GUNNOE

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a good friend of mine, Dr. Charles “Chuck” Gunnoe. Dr. Gunnoe passed away March 10, 2012, in Corona, California, with his wife Becky and his family at his side. Chuck was a pillar of the community in Corona, California, and he will be deeply missed.

Chuck was born September 25, 1928, in Chicago, Illinois, the son of Andrew Benton and Anna Gunnoe. After honorably serving in the United States Air Force, Chuck earned his medical degree from Indiana University. Chuck worked as a family physician for 54 years. Chuck, and his wife Becky, were known throughout the community and Dr. Gunnoe was the longest practicing physician in Corona. Chuck considered himself a country doctor and was inspired by his hometown doctor in Indiana who would make house calls. Dr. Gunnoe moved to Corona in 1956 after completing his residency at Riverside General Hospital and took over the practice of a local doctor.

Chuck was a visionary in Corona; he immediately saw the need for more medical services in the community and purchased land that would become the site for the second hospital in Corona. After many years of work, that hospital would become part of the Corona Regional Medical Center. As a physician, Dr. Gunnoe never rushed with his patients, would visit some at home if they were unable to come to the office, and gave many his home telephone number. That kind of service and commitment to the health of his patients is rare today. Dr. Gunnoe retired in 2010, having been a doctor to three generations of Corona residents. He would still see some patients in his home after he retired; his dedication to his patients as steadfast as ever.

It is hard to imagine that Chuck would have any free time on his hands yet he always found time for his community. He was past president of the Corona Chamber of Commerce, its Citizen of the Year in 1996, founder of the local Jaycees, and owner of Deerfield Station, a gourmet restaurant. In his free time, Chuck enjoyed spending time with his family, traveling in his motor home, playing tennis, golf and bowling.

Chuck is survived by his wife, Becky Gunnoe of 35 years; daughters, Dawne (David) Malone, Janis Tedesco, Laura Leigh (Michael) Gunnoe-Pass; sons, Bryan A. Gunnoe, Charles E. (Susan) Gunnoe, Jr.; sister, Mabel Pugh; seven grandchildren, Dylan and Nicolas Tedesco, Jessica, Danielle and Jake Gunnoe, Michael Benton and Sean Christian Pass, and three great-grandchildren, Sienna, Jonah and Sebastian.

On Friday, March 16, 2012, a memorial service was held celebrating Chuck’s extraordinary life. Chuck will always be remembered for his unwavering care for his patients, incredible work ethic, generosity, contributions to the community and love of family. His dedication to his work, family and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to



Chuck's family and friends; although Chuck may be gone, the light and goodness he brought to the world remain and will never be forgotten.

PROTECTING ACCESS TO  
HEALTHCARE ACT

SPEECH OF

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. FITZPATRICK. Mr. Chair, over the course of the last two years since the President signed the Affordable Care Act into law, bipartisan opposition to many portions of this legislation has steadily grown in this chamber.

Today, the House of Representatives passed the Protecting Access to Healthcare Act as part of a deliberate, transparent, and comprehensive plan to fix America's broken and expensive health insurance system.

While I favor a full repeal of the Affordable Care Act, this effort represents removal of the most harmful provisions of President Obama's flawed law. The PATH Act does this by enacting much needed medical malpractice tort reform to reduce healthcare costs and it repeals President Obama's unaccountable Independent Payment Advisory Board, IPAB, which would limit Medicare patient access to health care services.

As the House puts forward ideas to protect and save Medicare, the Administration has decided it can better serve seniors by cutting benefits for seniors by more than \$575 billion, and creating a panel of unelected, unaccountable Washington bureaucrats tasked with cutting Medicare even further.

More than 230 of my colleagues in the House from both parties and over 380 groups representing doctors, patients and employers have joined us in opposition to the IPAB.

I urge the Senate and President to stand with us against this overreach of government power and make the Protecting Access to Healthcare Act law. Congress must work to reform health care in a way that reduces costs for both patients and providers while preserving the quality of care that Americans deserve.

SUPPORTING JOBS WITH THE  
JONAS SALK ELEMENTARY CAP  
UNDO REGULATORY ENVIRONMENTAL  
DELAY (CURED ACT)

**HON. BRIAN P. BILBRAY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. BILBRAY. Mr. Speaker, today I am introducing legislation that will place a 90-day deadline on the U.S. Fish and Wildlife Service to issue a final decision for a permit to build an elementary school in my district. After near-

ly 10 years of delays, it is time to move forward on this critical school for the children in my congressional district. The bill does not sidestep environmental review. Endangered species and habitat will be protected. It is time to recognize and place the impact of delay to the community on equal footing.

Jonas Salk Elementary is a proposed school site within the community of Mira Mesa in San Diego, California. With nearly one in 10 San Diego residents out of work, this is a "shovel-ready" project that has been the victim of nearly a decade of bureaucratic regulatory delays. This has hurt students, deprived the community of park amenities and much needed jobs.

This school is needed to ease existing overcrowding at Mason Elementary, Hage Elementary and other San Diego-area schools. The proposed project is located within an existing community, on a lot that has been vacant and graded since 1978. Along with the school, the project envisions a park and joint-use facilities to benefit the region.

The San Diego Unified School District Board approved the plans to build Jonas Salk Elementary in 2003, with the intent of serving students in 2006. Unfortunately, the elementary school has been indirectly delayed by an environmental lawsuit and various agency delays for nearly a decade. If enacted, my legislation will help ensure that students will be able to attend this long delayed school in 2014.

At a time when schools are overcrowded and the resources to build schools are scarce, to delay a project with both the need and the resources to construct with no real impact to the environment is unacceptable. The intent of this bill is to not allow the opening of the school to slip any further. The San Diego Unified School District has done its due diligence to protect the environment and provide for students. My bill recognizes the school district's efforts and ensures that the final determination is issued in a timely manner so that the school can finally be built and begin servicing the community. Projects that provide an obvious community benefit and produce much needed jobs should be encouraged, not punished with costly and pointless delays.

NATIONAL SAFE PLACE  
AWARENESS WEEK

**HON. JOHN A. YARMUTH**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. YARMUTH. Mr. Speaker, I rise today in honor of National Safe Place Awareness Week. Every year in America, as many as 2.8 million young people run away from or are pushed out of their homes. Almost half of them do so because of a family conflict.

A young person in crisis is often scared and confused. The distinctive yellow-and-black sign that marks a Safe Place location is a universal symbol of safety and assistance. It signifies a place—a business, school, fire station, library, or many others—where a young person in crisis can get help.

There are almost 20,000 Safe Place locations throughout the country, in 40 states and 1,562 communities. During the past 12 years, National Safe Place agencies have counseled nearly 90,000 young people in person and more than 110,000 via telephone.

Sadly, the need for Safe Place services continues to grow. In response, National Safe Place is seeking to give more young people a place to turn for help—regardless of their circumstance.

[Mr.] Speaker, I have introduced a resolution recognizing March 18–24 as "National Safe Place Awareness Week." The goal is not only to have more signs hanging across the country, it is to raise awareness and support of the vital programs National Safe Place provides for young people in the most vulnerable of situations.

I urge my colleagues to join me in supporting this resolution.

EXPRESSING CONDOLENCES TO  
THE VICTIMS OF THE RECENT  
TORNADOES IN THE MIDWEST  
AND SOUTH

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise to express my heartfelt sympathy for the people who have been struck by the recent tornadoes in the Midwest and South. These disasters have caused the deaths of more than 30 people in five States and left several communities in need of support, including volunteers, food, clothing, and monetary contributions. Although we will be able to rebuild these communities, we can never replace the lives lost, and my thoughts and prayers are with those families today.

These disasters are a reminder that the needs of relief and recovery efforts are constant. When disasters—be they hurricanes, earthquakes, fires, floods, or tornadoes—wreck entire communities and drive whole families from their homes, rapid and generous outside assistance is essential to preserving lives and property. I hope that we can learn from this disaster—and other recent natural disasters around the country—that we need to better coordinate and find Federal disaster relief efforts.

Mr. Speaker, I once again extend my deepest sympathies to the people who have been affected by these tornadoes. I urge all the appropriate Federal agencies to ensure that these communities receive the help they need.

RECOGNIZING THE 60TH ANNIVERSARY  
OF THE ARC OF CHESTER  
COUNTY

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate The ARC of Chester County, Pennsylvania on its 60th anniversary of improving the quality of life for individuals with developmental and intellectual disabilities.

The history of The ARC of Chester County is a long and storied one, extending back to 1952 when local Chester County parents founded the organization as an affiliate of The ARC U.S., which was founded in Philadelphia and counted this group among its first local

chapters. When The ARC was founded, there were few programs and services for the special needs population it served, and in fact many were institutionalized at the state institutions of Pennhurst and Embreeville. The founders of The ARC defied the conventional wisdom of the time by advocating and working for public education and community inclusion for their children.

The only group in Chester County whose services are completely community-based, The ARC of Chester County has celebrated many significant firsts in its illustrious 60 year history. It is responsible for the first sheltered workshop in Chester County, the first community-based classrooms for children with developmental or intellectual disabilities, the first and only recreation program of its kind in Chester County for folks with such disabilities, the first organization in Pennsylvania to advocate for public education for children with special disabilities, the first group home in Pennsylvania, and the first community-based job coaching and employment program.

Mr. Speaker, I ask that my colleagues join me today in congratulating The ARC of Chester County on the occasion of its 60th anniversary and to extend best wishes for the agency's continuing work to meet the needs of the community through the 21st century and beyond.

HONORING JOSH HURLBERT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Josh Hurlbert for his dedicated service over the past three years as a member of my staff. Josh will be leaving my staff to pursue his dream of serving the people of Missouri in elected office.

Josh has been an invaluable part of my office. His was the first voice that many constituents heard when they called my office. Josh gave them the information they asked for whether it was information about a bill, a way to contact a government agency or if the latest email going around was true. He also worked with the people of Clinton, Caldwell and Daviess Counties to make sure their voices were heard in Washington.

Josh also cheerfully took on additional office duties or tasks without being asked. His professionalism and dedication to serving my constituents was a great example of how government should work.

While I am losing a valuable member of my team, I am excited for Josh to begin the next chapter of his career in public service. He knows that the best way to truly represent someone is to listen to their ideas and their concerns. Josh will be a voice for common sense and limited government the rest of his life.

Mr. Speaker, I proudly ask you to join me in commending Josh Hurlbert for his service to the people of the Sixth Congressional District. I, and the rest of my staff, wish him success in his future endeavors.

PERSONAL EXPLANATION

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 118–120. Had I been present, I would have voted “no” on #118, “no” on #119, and “yes” on #120.

PERSONAL EXPLANATION

**HON. DONALD A. MANZULLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. MANZULLO. Mr. Speaker, I missed votes this week because of the primary election in Illinois. If I had been here, I would have voted “Yea” on Rollcall No. 111; “Yea” on Rollcall No. 112; “Yea” on Rollcall No. 113; “Yea” on Rollcall No. 114; “Nay” on Rollcall No. 115; “Nay” on Rollcall No. 116; “Yea” on Rollcall No. 117; “Yea” on Rollcall No. 118; “Yea” on Rollcall No. 119; “Yea” on Rollcall No. 120; “Yea” on Rollcall No. 121; “Yea” on Rollcall No. 122; “Nay” on Rollcall No. 123; “Yea” on Rollcall No. 124; “Nay” on Rollcall No. 125; “Yea” on Rollcall No. 126.

A TRIBUTE TO DUANE AND  
PATRICIA OHLRICH

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to honor two distinguished Nebraskans, Duane and Patricia Ohlrich of Columbus. Their company, Industrial Systems & Supply, Inc., was named the Nebraska Small Business of the Year for 2012 by the U.S. Small Business Administration.

Small businesses like theirs are the engine of our economy. Over their more than 20 years in business together, Duane and Patricia built their company from \$391,000 in sales to nearly \$6 million in 2011. All the while, they successfully expanded their business into additional products to account for the changing economic climate.

Duane and Patricia's success didn't just stop with their business—they also gave back to their community. Among the many examples of their generosity was their collaboration with other Columbus area small businesses to provide seed money for Central Community College's entrepreneurship program, which offers workshops, seminars and other events to educate and promote business ownership.

The success the Ohlrich's have earned through their hard work and perseverance is what the American Dream is all about. It is stories like theirs which make both Nebraska and our nation strong and proud. I ask my colleagues to join me today in congratulating Duane and Patricia for their achievement.

SECOND ANNIVERSARY OF  
OBAMACARE

**HON. DOC HASTINGS**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. HASTINGS of Washington. Mr. Speaker, I rise today to highlight the serious state of health care in our country as we approach the second anniversary of ObamaCare.

When ObamaCare was drafted behind closed doors without bipartisan input and slammed through the legislative process in 2010, President Obama and NANCY PELOSI promised us that this government takeover of health care would allow people who like the health care plan they have now to keep it.

But I and my Republican colleagues knew better when we voted against the bill—and we were right. In the two years since ObamaCare was signed into law, Americans have already experienced significant increases in premiums, loss of choice in medical coverage, and less access for seniors to obtain quality health care.

In addition, Mr. Speaker, a recent report by the Congressional Budget Office stated that as many as 20 million Americans could lose their employer-provided health care coverage as a result of ObamaCare—half of who are low-wage workers whom depend on their employer health coverage. Even the Department of Health and Human Services admitted that portions of the President's health care law, which were originally projected to lower costs, would in fact increase taxes on hardworking American taxpayers.

Americans deserve access to the quality health care they need when they need it and at a cost they can afford. Improvements must be made, but reforms need to focus on putting patients first and lowering costs. Lowering costs for hardworking American taxpayers can be achieved by expanding health care choices and tools to help families save, making it easier for small businesses to afford to offer care, ending lawsuit abuse, and protecting the doctor-patient relationship from government intrusion.

After several years of uncertainty and stagnant economic conditions, the American people need real solutions and real results. This cannot be achieved by budget tricks or accounting gimmicks that do nothing to help hardworking American taxpayers and only result in higher taxes and burdensome federal government mandates.

Efficient, effective government that spends less and serves better is the only answer to restoring genuine accountability and faith in our government. The House of Representatives has voted 25 times to repeal, defund or dismantle this law. It is my hope that before the next anniversary of ObamaCare, the Senate and President will join the House to repeal this trillion-dollar government takeover of health care and work on real reforms that lower costs for the American people.

MARKING THE 9TH ANNIVERSARY  
OF THE START OF THE IRAQ WAR

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. McDERMOTT. Mr. Speaker, I rise today to mark the 9th anniversary of the start of the Iraq War. Nine years ago this month, members of the U.S. Armed Forces invaded Iraq in what became one of the bloodiest and most protracted missions in our military's history. Today, our country is still paying the extraordinary price for the nine years in Iraq, both in terms of lives lost and trillions of dollars that could have gone toward nation building here at home.

For many veterans, coming home marks the beginning of another fight—fight for treatment, care, and integration into civilian life. Invisible wounds of war, such as post-traumatic stress disorder, affect one in five veterans returning from Iraq and Afghanistan.

Mr. Speaker, I also submit an article by Jon Soltz, a former Iraq War veteran, on the need for my colleagues on the other side of the aisle to own up to the promise to care for veterans instead of paying lip service. The title of his article, "GOP Budget Doesn't Even Say The Word 'Veteran,'" speaks for itself.

[Published in the Huffington Post, Mar. 22, 2012]

GOP BUDGET DOESN'T EVEN SAY THE WORD  
"VETERAN"

(By Jon Soltz, Co-Founder of VoteVets.org  
and Iraq War veteran)

Do Republicans care about keeping our promise to veterans?

Looking at the recently released GOP budget, written by Rep. Paul Ryan, it's hard to see how they do. In fact, looking at the nearly 100 page document, the word "veteran" doesn't appear once. Not once.

Today is the 9th anniversary of the start of the Iraq War. Last night, I spoke with someone who served with me in Iraq during my first tour. And for the first time in almost nine years, she wanted to talk to me about an incident where she drove through an IED and a soldier was killed. It was a profound moment that shows how war and sacrifice stay with us, always. For those of us who served, in many ways, yesterday is today. And today, we read that the GOP doesn't even talk about veterans in their budget.

But, without saying the word "veteran," the budget tells us a lot about what they think about veterans. The budget calls for across the board spending freezes and cuts. If enacted, the Ryan GOP budget would cut \$11 billion from veterans spending, or 13 percent from what President Obama proposes in his own plan.

It's unconscionable that they'd do this at a time when so many Iraq veterans have just come home and rely on veterans care. Over 45,000 US troops were wounded in Iraq and Afghanistan, and more will come who will rely on VA services, on top of veterans of other wars and eras who depend on the VA. But, this shortsightedness isn't new.

Back in 2005, President Bush underfunded the Department of Veterans Affairs by about a billion dollars, despite its need. The result? Secretary Jim Nicholson was forced to crawl before Congress and plead with it to pass emergency supplemental spending, just so it could keep the doors open. After that debacle, I have to admit, I never thought Republicans would do the same thing again, if for

no other reason than that it just looks bad politically, leaving aside the horrible effect it would have on veterans in need.

Additionally, after the backlash against ending Medicare the last time Paul Ryan released a budget, they're at it again. That, too, affects veterans. I was speaking with one veteran in Missouri, who lost both of his legs in Iraq. His entire primary care now relies on Medicare. It pays for all of his primary care, as it does for so many veterans with 100 percent disability. So, no, I couldn't believe that Paul Ryan and the GOP would again propose ending Medicare.

Yet, here we are. A budget from the GOP that short changes veterans, horribly. And where does that money go? Not to reducing the debt. The debt as a share of GDP would actually increase under the Ryan plan. The money doesn't go towards anything, really. But it does go towards some people. As in \$3 trillion in tax giveaways to the richest Americans and corporations. People like Mitt Romney, who already pays a tax rate lower than most of our troops.

That's the choice the Ryan plan presents to America—do we want to fund the wealthiest Americans and corporations, or keep our promise to our veterans? Ryan and the GOP say the former. I can't believe that most Americans wouldn't say the latter.

PROTECTING ACCESS TO  
HEALTHCARE ACT

SPEECH OF

**HON. MAZIE K. HIRONO**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Ms. HIRONO. Mr. Chair, this week we celebrate the 2nd anniversary of the Affordable Care Act.

The Affordable Care Act is designed to fix so many of the things that ail our health care system and burden everyday families. The new law has already had a major impact on families in Hawaii.

Senior citizens in Hawaii now have some relief from the high cost of prescription drugs. In 2010, over 24,000 people with Medicare in Hawaii received tax rebates to cover prescription drug costs.

One senior from Waimea on Hawaii Island told me her \$250 Medicare rebate check was "a blessing" in these tough economic times. She was able to use that money to pay for her other medical bills.

In 2011, more than 21,000 people in Hawaii with Medicare saved close to \$7 million on prescription drugs. The "donut hole" gap in coverage will be closed by 2020.

A mother in Kailua told me that because of the Affordable Care Act, she could now add her 21 year-old son and 24 year-old daughter to her work-sponsored insurance plan.

These are just two of the over 5,000 Hawaii young adults who can now stay on their parents' plan until age 26. This Kailua family is now using the thousands of dollars saved on health insurance each year for other household needs, including paying down past medical debt.

The old saying is true, that "an ounce of prevention is worth a pound of cure." Preventive services like mammograms, colonoscopies, and wellness visits can detect problems early and prevent higher costs later.

Thanks to the Affordable Care Act, nearly all 210,000 Hawaii people with Medicare can now get preventive services without a co-pay or deductible. In addition, 240,000 people in Hawaii with private insurance are now eligible for preventive services—including women's health services such as domestic violence screenings and contraception—without a co-pay or deductible.

The Hawaii Prepaid Health Care Act already covers employees who work for more than 20 hours per week. As a result, a large percentage of our people can get the healthcare they need to stay healthy. We have a low rate of uninsured. And that saves all of us money.

This is why I fought hard to preserve the Hawaii Prepaid Health Care Act in the House bill. I offered an amendment to preserve Hawaii's law and defended my amendment in committee, convincing my colleagues to support my amendment. Then, all of us in the delegation worked together to make sure the final Affordable Care Act law maintained Hawaii's law.

Because of Hawaii's Prepaid Health Care Act, most employers in Hawaii already provide health coverage. The Affordable Care Act makes it easier for Hawaii small businesses by providing tax rebates to help pay for health care costs. Nearly 29,000 Hawaii businesses are eligible for tax credits under the law.

Today I also met with leaders from eight of Hawaii's Community Health Centers. The Affordable Care Act helps fund these 73 health center sites that serve our highest-need rural and underserved communities, especially on the Neighbor Islands and rural Oahu. These health centers care for over 130,000 people and provide nearly 1,300 jobs throughout the state. The message these health leaders shared with me today is that the Affordable Care Act has made a positive difference in the lives of so many.

Given how much the Affordable Care Act is already helping Hawaii, it is unfortunate that some in Congress want to repeal it. Because they can't repeal the law all at once, they have continued to try to de-fund the law or repeal one piece at a time.

Today we're seeing another example of this, with H.R. 5. This bill would repeal the law's Independent Payment Advisory Board, also known as the IPAB.

This board is a panel of experts that will make recommendations so taxpayers aren't paying for unnecessary Medicare procedures. This will save taxpayers billions of dollars, while protecting Medicare patients. The board would not be allowed to recommend any cuts to reimbursement rates that ration or harm patient care. Congress would vote on the board's recommendations, or come up with an alternative that reduces cost growth by more.

In fact, because the Affordable Care Act has already reduced the growth in Medicare costs, the Board's recommendations wouldn't even be triggered until 2022 at the earliest.

I have heard from some medical providers in Hawaii who are worried the IPAB will recommend cuts to their specialty. These providers say they might choose not to see Medicare patients. I can understand their concerns, but here's the thing: Medicare costs are going

up partly because of expensive and sometimes unnecessary procedures. Most members of Congress aren't scientists or health care researchers, so a panel of experts would be better suited to use the best research to recommend reforms. I will vote against a bill to repeal IPAB that doesn't put a better system in its place.

Unfortunately, this week the House Majority released a budget plan (the Ryan Budget) that would end the Medicare guarantee for our seniors. The Ryan Budget would again turn Medicare into a voucher system where seniors would have to purchase private plans. Private plans could deny and delay coverage, without Medicare's consumer protections our seniors get today. Last year's House budget tried this same plan, and the Congressional Budget Office said it would increase costs to people on Medicare by \$6,000 per person starting in 2022.

The bill we're voting on today, H.R. 5, also recycles an old misguided proposal for medical negligence reform. Someone who is harmed by misconduct by a health professional should not be barred from appropriate compensation for a permanent disability or loss of a loved one.

The reality is that most medical providers are doing the right thing. A small percentage of doctors are responsible for over half the medical malpractice cases. We shouldn't be protecting this minority of providers over the rights of patients injured through these providers' negligence. Today's bill would deny justice to those who have been harmed by a small number of medical providers.

Today's bill, H.R. 5, would also hurt states' rights by preempting state medical malpractice laws. A cap on damages for physical impairment, pain, suffering, and even death could not exceed \$250,000, regardless of individual states' existing limits.

Today's bill also extends far beyond medical malpractice. It would also apply to limit patients' rights in all "health care lawsuits," which could include cases against pharmaceutical and medical device manufacturers, nursing homes, HMOs, insurance companies, and hospitals.

While proponents of medical malpractice reform argue that frivolous lawsuits are driving up insurance premiums, the fact is, economic studies have shown that medical malpractice payouts are not the cause of higher premiums for consumers. Instead, premium increases are caused by other factors, such as too little competition in the private insurance market.

I urge my colleagues to reject H.R. 5.

On the second anniversary of the Affordable Care Act, we should be fighting to make healthcare more accessible for our people, not less.

Mahalo nui loa (thank you very much).

CELEBRATING THE SERVICE OF  
MS. SYLVIA WHEELING OF THE  
BALDWIN CENTER

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to salute Ms. Sylvia Wheeling, Baldwin Center Director of Food Services, on the occasion of

her retirement from the human service agency, located in the great city of Pontiac, Michigan.

A 30-year volunteer at Baldwin Center, Sylvia Wheeling truly epitomizes what it means to be a dedicated servant to the community. In 1981, as a member of the former Baldwin Avenue United Methodist Church, Sylvia was the first person to respond to her pastor's appeal to the church that it reach out to the surrounding community and be a good friend and neighbor. She started by cooking a few meals. Now, some 30 years later, Sylvia manages a kitchen that served more than 65,000 meals to men, women and children.

Baldwin Center has grown significantly during Sylvia Wheeling's tenure there and she has been an integral volunteer dutifully supporting its many programs and services.

As testament to her impact on the lives of many neighbors in the Pontiac community, one person recalled how a man, who was trying on a pair of pants at the center's Clothes Closet, had his size 13 pair of boots stolen from him. Within a half hour, a compassionate Sylvia had driven to a store and purchased a new pair for him.

Another person remembered how Sylvia stayed in the Intensive Care Unit with a homeless woman until her father could be found.

Similarly, others can recite many times when her influential presence defused conflicts, and how even when she had to be stern, Sylvia nonetheless showed grace under fire.

In a December 31, 2009 Oakland Press feature story titled, "Soup kitchen volunteer feels 'blessed'" Sylvia Wheeling said the following: "I am very grateful I could be a part of that. I have been very blessed."

We are very grateful and blessed that she has shared her time, her talent and her treasure with Pontiac, Michigan's Baldwin Center for 30 wonderful years.

Mr. Speaker, I ask my colleagues join me today in saluting and congratulating, Ms. Sylvia Wheeling, Director of Food Services at Baldwin Center of Pontiac Michigan. We wish her all the best in her well-deserved retirement.

HONORING DANIEL CASAS

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Daniel Casas is a freshman at Clear Brook High School in Galveston County, Texas. His essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country. Daniel chose September 11th, 2001.

An important event that has occurred in the last 50 years was September 11, 2001. September 11, 2001, was a big disaster for the United States of America. Thousands of people died from this tragic event, people were scared when they boarded airplanes, which were the vehicle by which this much of this destruction was brought on the United States of America. Islamic terrorists that were linked to Osama bin Laden and Al Qaeda, hijacked four American airliners. The terrorists crashed all four planes into different locations on the east coast of America, two crashed into the World Trade Center towers located in financial district of New York City, one into the Pentagon in Arlington, Virginia, and the final one crashed into a rural field in Pennsylvania. The passengers on flight 93 fought to regain control of the aircraft from the hijackers but did not succeed. More than 3,000 people in total were killed during these attacks. Most of the people killed were located in the World Trade Center. New York Army National Guard units were quickly called up to restore order and provide disaster relief in the wake of this tragedy. At the pentagon, 74 military and civilian personnel were killed. President Bush called approximately 10,000 soldiers up to active duty in Iran. Due to this terrorists act which occurred many American's were enraged and then enlisted in the military to retaliate for what the terrorists had done to our country. In December 2001, more than 17,000 soldiers from reserve components from various home land security functions were called to service. The Department of Defense called this effort "Operation Noble Eagle". Because of what these terrorists did a lot of Americans now refer to all Muslims as terrorists. Due to these events the United States has created more effective metal detectors and improved the security around our airports, ports and other points of entry into the country. The United States was bought together as a nation in this great time of despair.

RECOGNITION OF LYNCH  
SYNDROME AWARENESS DAY

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Lynch Syndrome Awareness Day. Lynch Syndrome is a hereditary condition that exposes families to a higher risk of contracting aggressive cancers at a younger than average age.

First identified in 1966 by Dr. Henry T. Lynch, Lynch syndrome is a genetic disorder caused by a mutation in mismatch repair genes MLH1, MSH2, MSH6, EPCAM, and PMS2. Mismatch genes typically protect the body from cancers by repairing the errors in DNA replication, but due to the mutation, those mismatch genes have stopped functioning properly. Consequently, the defective gene causes individuals affected by Lynch Syndrome to sustain a lifetime risk of up to eighty-two percent of developing Colorectal Cancer, sixty-five percent of contracting Endometrial Cancer, nineteen percent Gastric Cancer and a much higher than average risk of contracting many other cancers, most often at a younger than average age.

The only accurate method of diagnosing Lynch Syndrome is through genetic testing and a comprehensive assessment of the family's medical history. To be diagnosed with

Lynch Syndrome, a patient must meet the Amsterdam Criteria II—three relatives must have Lynch Syndrome associated cancers, two must be directly related to the third, and one must be under the age of 50.

In the U.S. alone, there are approximately 600,000 people who are carriers of Lynch Syndrome mutation, yet only five percent of those carriers have been diagnosed. In comparison to the general population, in a lifetime, people affected by Lynch Syndrome are up to eighty-two percent more susceptible to Colon Cancer, up to sixty percent more prone to Endometrial Cancer, eleven to nineteen percent more disposed to Stomach Cancer, nine to twelve percent more vulnerable to Ovarian Cancer, and the list continues.

While researchers have not been able to determine a cure for Lynch Syndrome, there are still various ways to manage and treat this condition. Through screenings and medical management programs, polyps and growths can be detected and removed before becoming life-threatening. In addition to annual colonoscopies, EGDs, endometrial samplings, urinalyses, dermatological examinations, pathological testing of all colorectal tumors in accordance with NCCN guidelines, and abdominal hysterectomies, Lynch Syndrome can be effectively managed.

Mr. Speaker, I urge my colleagues to join me in recognizing today as Lynch Syndrome Awareness Day. Although researchers have yet to find a cure, hopefully, through our support and recognition more people will become educated about this extremely life-threatening disease and a cure will shortly be on its way.

## PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Ms. JACKSON LEE of Texas. Mr. Chair, today we again are considering H.R. 5, the "Help Accessible, Efficient, Low-cost, Timely Healthcare (HEALTH) Act." This bill is intended to change what some of my colleagues on the right believe to be a broken medical malpractice liability system.

Quite paradoxically, many supporters of H.R. 5 are vocal opponents of the recently passed health-related federal law, the Affordable Care Act, whose anniversary we celebrate here tonight. It must be stated that many Americans celebrate with us and dine in good health—thankful that this Congress came together to pass health care 2 years ago.

Foes of healthcare reform claim that the Commerce Clause of the U.S. Constitution, which gives the Federal Government some authority over states, was abused to pass the healthcare law. Under the rules of this Congress, House sponsors of any bill must explain Congress' constitutional authority to pass it.

Rather ironically, H.R. 5's sponsor, Representative PHIL GINGREY (R-GA), cites the

Commerce Clause as he tries to enact sweeping legislation that would completely overhaul State tort law and undermine hundreds of years of precedent.

Yet, for my colleague, Mr. GINGREY, his statement represents a complete reversal from his position on the Affordable Care Act, which he has called "the government takeover of our healthcare system."

Which might explain why my colleague Mr. WOODALL from Georgia submitted an 11th hour amendment during the Rules Committee Hearing on the rule for H.R. 5, striking the Commerce Clause mention from this bill.

The Woodall Amendment struck almost two pages from their bill—and reading it I can see why. It reads:

**EFFECT ON INTERSTATE COMMERCE.**—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

This sounds strikingly similar to the arguments being advanced against the Affordable Healthcare Act. You cannot have your cake and eat it too. Either health care affects interstate commerce or it doesn't. Which is of course the impetus for the amendment offered by my colleague from Georgia. What a dilemma to find oneself in? Trying to gut the Affordable Healthcare Act, but using the precise argument supporting Congress' power to regulate.

While the U.S. Constitution and Supreme Court interpretations do not identify a constitutional right to health care for those who cannot afford it, Congress has enacted numerous statutes, such as Medicare, Medicaid, and the Children's Health Insurance Program, that establish and define specific statutory rights of individuals to receive health care services from the government.

As a major component of many health care entitlement statutes, Congress has provided funding to pay for the health services provided under law.

The Commerce Clause of the U.S. Constitution empowers Congress "to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." The Supreme Court developed an expansive view of the Commerce Clause relatively early in the history of judicial review.

This power has been cited as the constitutional basis for a significant portion of the laws passed by the Congress over the last 50 years, and it currently represents one of the broadest bases for the exercise of congressional powers.

The Supreme Court accords considerable deference to a legislative decision by Congress that a particular health care spending program provides for the general welfare.

If enacted, H.R. 5 would, among other things, cap the noneconomic damages that a plaintiff in a health care lawsuit could recover. It would also preempt existing State laws on proportionate liability, allow courts to reduce contingent fees, and abolish the collateral source rule.

Studies and empirical research have shown that caps diminish access to the courts for low wage earners, like the elderly, children and women. In fact, the American Bar Association has studied this issue for over 30 years.

If economic damages are minor and noneconomic damages are capped, attorneys are less likely to represent these potential plaintiffs. And frankly Mr. Speaker, many of these plaintiffs are not very likely to be able to afford access to legal services. The equal scales of justice would be tipped.

Those affected by caps on damages are the patients who have been most severely injured by the negligence of others. These patients should not be told that, due to an arbitrary limit, they will be deprived of the compensation determined by a fair and impartial jury.

The courts already possess and exercise their powers of remittitur to set aside excessive verdicts, and that is the appropriate solution rather than an arbitrary cap. Let the courts and judges do their jobs and judge.

While the system may need some tweaks to help control ballooning medical malpractice insurance premiums paid by doctors, it is imperative that as we make changes, we are careful not to remove incentive for doctors to perform their duties at the highest standard. We must not leave victims of malpractice without viable recourse.

The bill before us today is not new; in fact, it was first introduced in 2005. As written, the HEALTH Act would severely limit the ability of injured patients and their families to hold health care and medical products providers accountable.

The bill is so broadly drafted that it would also limit remedies against the for-profit nursing home, insurance and pharmaceutical industries, and even against doctors who commit intentional torts, such as sexual abuse.

Let's take a look at the collateral source rule which is the common-law rule that allows an injured party to recover damages from the defendant even if he is also entitled to receive them from a third party. Common third parties, that is, collateral sources, include a health insurance company, an employer, or the government.

To abolish the collateral source rule would be to allow or require courts to reduce damages by amounts a plaintiff receives or is entitled to receive from collateral sources.

But there is a reason that the common law adopted it: it is preferable for the victim rather than the wrongdoer to profit from the victim's prudence, for example buying health insurance or the good fortune in having some other collateral source available.

One commentator has also noted that, when the collateral source is the government, and the benefit it provides are future services, such as physical therapy, there is no guarantee that it will provide such services for as long as they are needed, as government programs may be cut back.

Moreover, I don't many people willing to literally give an arm or leg for cash, but accidents happen due to negligence. Awards serve to educate the public but also serve the added purpose of providing a disincentive for bad actors.

There are a number of reasons why this bill is flawed though, and not just the collateral source rule. Its scope is extremely broad and encompasses much more than necessary to simply protect doctors from high insurance premiums. It contains a sweeping preemption of state law. It reduces the statute of limitations on malpractice claims.

It severely restricts contingency fees, discouraging lawyers from taking on malpractices

cases. And it essentially strips victims of the right to bring a claim against drug and medical device manufacturers.

According to a November 2010 study by the Office of Inspector General of the U.S. Department of Health and Human Services about 1 in 7 patients experience a medical error, 44 percent of which are preventable.

These errors cost Medicare \$4.4 billion annually. U.S. Dept. of HHS, Office of the Inspector General, "Adverse Events in Hospitals: National Incidence Among Medicare Beneficiaries" (November 2010.)

AMENDMENT: EXEMPTION FOR IRREVERSIBLE INJURY

Because this bill is so overbroad, I introduced an amendment in the Rules Committee Hearing on H.R. 5, with my colleagues, Congressmen QUIGLEY and HANK JOHNSON, which would have helped to close the wide gaps created by this bill.

My amendment carved out an exemption for healthcare lawsuits for serious and irreversible injury. This would have exempted victims of malpractice that resulted in irreversible injury, including loss of limbs and loss of reproductive ability, from the \$250,000 cap that H.R. 5 imposes on non-economic damages.

As individuals who are blessed to have all of our limbs and use of all of our senses, it is difficult to understand how challenging day-to-day life can be for someone who lacks these things.

However, it is nearly impossible to imagine the stress and challenges faced by someone who has suffered irreversible bodily injury because of the negligence of another.

Imagine going to the hospital for minor pain and leaving with no limbs because of thoughtless mistakes made by the trained experts who are supposed to take care of you.

For Connie Spears, a Texas woman from Judiciary Chairman SMITH's district, this exact nightmare is a reality. As a patient who had dealt with blood clots in the past, and had a filter installed in one of her heart's main arteries, Ms. Spears went into a San Antonio hospital complaining of leg pain. She was made to wait, eventually treated, and was discharged.

However, three days later, when her legs were the color of a cabernet and she was delirious, she called 911. When Spears, who was rendered unconscious, was treated at a different hospital, they determined that the filter in her artery was severely clotted and had caused tissue death in her legs, as well as kidney failure. Weeks later, Connie Spears regained consciousness, and learned that doctors had to amputate not one, but both of her legs in order to save her life.

As a result of negligence by the emergency room doctors who initially treated Ms. Spears, she lost her legs, and nearly her life. To make matters worse, when she attempted to seek the aid of a lawyer to handle her case, she was unable to find an attorney to represent her. She was repeatedly told, "You have a great case, but not in Texas."

In 2003, state lawmakers in Texas passed tort reform laws, similar to the one proposed today, that make it extremely difficult for patients to win damages in any health care setting, but especially emergency rooms. It caps damages at \$250,000, like H.R. 5, and requires patients to prove that emergency room doctors acted with "willful and wanton" negligence—a near impossible standard to prove. A plaintiff would essentially have to show the

medical professional or company had a vendetta against them to recover.

This nightmare has also become a reality for Jennifer McCreedy, a San Antonio single mother who fell and severely injured her ankle and sought treatment at an emergency room. Despite the severity of the break, the bone in her ankle was never set, a common practice done to prevent excess swelling, and she was not seen by an orthopedic surgeon. She was sent home and told to wait until the swelling went down.

However, the swelling did not go down, and a surgery that should have only taken one hour, took four. Because of the swelling, the surgeon had to slice her Achilles tendon, and wounds that refused to heal required grafts.

To date, Ms. McCreedy has endured five surgeries and has been rendered permanently disabled, curbing her ability to work and provide for her family. As a result of the negligence of those emergency room doctors, Ms. McCreedy went from a hard working, financially secure mother and homeowner, to dodging creditors and nearly losing her home to foreclosure.

For victims of malpractice who have suffered irreversible injury, like Connie Spears and Jennifer McCreedy, it is impossible to put a price tag on the stress and pain and suffering they have already endured.

Furthermore, it is outrageous that we would attempt to pass a law that puts a cap on the future challenges they are sure to face. It is inhuman to neglect the emotional price paid by victims of egregious acts that result in such serious, irreparable harm.

We should not deprive patients who have suffered injury as a result of one of these drugs or devices of the right to receive compensation from the manufacturer or distributor of such.

As we strive to become a healthier, more competitive nation, we need all the outstanding doctors, nurses and other health care providers we can get. They must be unconstrained by excessive health care liability premiums. We also need our nation's students to be excited and encouraged to enter the life sciences without the fear of being crushed under the weight of excessive liability premiums.

Placing caps on medical liability recovery does not necessarily lead to lower liability insurance premiums for doctors and health care providers. In fact, there is evidence that insurance companies have raised premiums in states like my home State of Texas and in California which use medical liability caps to reap an unearned profit at a time when health care lawsuits and the damages from those lawsuits were declining.

If it is the intention of this House to pass legislation that will reform the system of medical malpractice liability in a sensible manner, then it is imperative that we strongly consider the amendments offered by myself and my Democratic colleagues last night.

Let's not send a flawed bill to the Senate.

Again, I would like to thank the Chairman and Ranking Member for their work on these bills—though I hold out hope that Members of the Judiciary Committee and this body could come together for the good of the American people.

IN RECOGNITION OF THE THIRD ANNUAL 2012 HARLEM FINE ARTS SHOW

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. RANGEL. Mr. Speaker, I rise today in celebration of National Black History Month to recognize the prestigious Third Annual 2012 Harlem Fine Arts Show at Harlem's historic cathedral, The Riverside Church. The Harlem Fine Arts Show, HFAS, is one of the nation's largest and most prominent collections of works, paintings, photographs and sculptures by both established and emerging African American artists from around the world. The HFAS always takes place during National Black History Month and this year's exhibition kicked-off with a Diversity Prep Youth Day/ Fine Arts Exhibit and Opening Preview Reception on Friday, February 3, with exhibitions on Saturday, February 4 and Sunday, February 5.

Created by Dion Clarke, the Harlem Fine Arts Show was built upon the tradition of the long-established Black Fine Arts Show, which for fourteen years was the premiere show for exhibiting modern and contemporary art and highlighting some of the most diverse and exciting contemporary popular art. As stated by Mr. Clark, "Our event is one of the largest collections of African American art ever assembled for a fine arts show, representing more than 100 artists—a dramatic reminder during Black History Month of the tremendous contribution of African and Caribbean American artists to the global fine arts landscape."

This year's theme, "A Global Celebration" shines a spotlight on artists around the world. The HFAS will feature the art produced by African Americans within our community and from around the world illustrating shared ancestries, injustices, and shared pride. Our Afrocentric art provides a deep sense of connection between generations of Americans and events they may have only heard about. The art of our people demonstrates the struggle, the pain, and the hardships we have endured, and celebrates the joy, the accomplishments and achievements of our past, present and future.

The three day global celebration will showcase the explosion of culture that began with the Harlem Renaissance in the early nineteen hundreds and will include contemporary artist exhibitors and nationally renowned regional galleries. The Harlem Fine Arts Show is pleased to have John Martin, a seasoned exhibition designer of the JP Martin Group, bring together the artwork of some of the most accomplished and influential American artists of African and Hispanic descent.

The renowned photography of James Van Der Zee (June 29, 1886–May 15, 1983), a prominent documentarian of Harlem, New York from 1915 to 1960, will be among the featured artists who also include:

Héroid Alvares, a Haitian artist born without arms due to a congenital birth defect who began painting at the age of eight, who teaches art to disabled children at St. Vincent's Center for Handicapped Children in Port-au-Prince, Haiti.

Stacey Brown, a visual artist whose creations on glass are inspired by his background in graphic design, with flowing shapes and



contours that express contemporary and edgy artistic style, whose work has garnered acclaim from the Atlanta Journal Constitution, Décor Magazine, and BET's hit reality show, College Hill.

Frank Frazier, a Harlem native whose art career spans over 50 years of perseverance and inspiration, whose genius works depict everything from antagonistic war to jovial jazz concerts.

George Nock, a self-taught artist and former running back with the New York Jets and Washington Redskins, who has distinguished himself among the greatest sculptors of the twentieth and twenty-first centuries through his highly original bronzes.

Kerream Jones, whose work possesses a multifaceted and timeless quality that has led this prolific artist to receive commissions from Verizon Wireless, Pepsi, Upscale Magazine, Atlanta Tribune: The Magazine, the City of Chicago, and various non-profit organizations.

Gwendolyn E. Redfern, a North Carolina native and multi-talented artist who expresses life experiences through her pottery, painting, and mixed media collages.

Najee Dorsey, Founder of Black Art in America and a mixed media artist whose work pays homage to a cast of colorful characters, folk legends and heroes, as well as critiquing aspects of contemporary times.

In accordance with HFAS's commitment to our young scholars, the show will host Diversity Prep Day to give students the opportunity to explore the visual arts, mingle with the artists, and participate in a Youth Information Fair by the show's sponsors and partners.

Mr. Speaker, let me congratulate along with Founder Dion Clark, this year's Mistress and Masters of Ceremony, Barbara Smith and Dan Gasby for your ongoing contributions to Black and American culture. On behalf of my colleagues and a very grateful nation and in celebration of National Black History Month I salute and recognize all of our participating Harlem and world renowned artists and exhibitors of the 2012 Harlem Fine Arts Show.

HONORING AERAS AND THE NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES (NIAID) OF THE NATIONAL INSTITUTES OF HEALTH (NIH)

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. VAN HOILEN. Mr. Speaker, I rise today to commend Aeras and the National Institute of Allergy and Infectious Diseases (NIAID) of the National Institutes of Health (NIH) for their innovative partnership to conduct clinical trial research on a tuberculosis vaccine candidate. Aeras and NIAID are leveraging established NIAID-funded clinical trial networks in Africa including the HIV Vaccine Trials Network (HVTN), the HIV Prevention Trials Network (HPTN) and the International Maternal Pediatric Adolescent AIDS Clinical Trials Network (IMPAACT) to accelerate a multi-center Phase II clinical trial of a tuberculosis vaccine candidate.

The two partners are working together in a novel way that capitalizes on existing infrastructure and displays responsible stewardship

of U.S. government resources. The partnership also showcases the innovative capacity of U.S.-based researchers and the willingness of the American people to engage in solving global health problems such as the TB epidemic.

Tuberculosis is the second leading infectious disease killer worldwide, taking the lives of 1.4 million children, women and men each year. It is extremely deadly for people living with HIV. As drug-resistant strains of tuberculosis evade the best tools we have to fight this disease, new tuberculosis vaccines hold promise to finally help eliminate this disease as a public health problem in a cost-effective way.

Aeras is a nonprofit product development partnership leading efforts to develop new vaccines against tuberculosis, with laboratory, vaccine manufacturing and office facilities in Rockville, MD. Aeras works globally with partners in government, foundations, academia and industry to advance the world's most promising TB vaccine candidates. I am proud to serve the Congressional district where both Aeras and NIH are engaging in cutting-edge research at the forefront of solving devastating health problems. I hope to see the continuation and expansion of important research partnerships that hold promise to save millions of lives, create a world free from TB and secure our country's place at the forefront of world-class research.

A TRIBUTE TO JIM LEWIS

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mr. Jim Lewis on the occasion of his retirement. Mr. Lewis has contributed over thirty-three years of faithful service to the School District of Philadelphia.

Since 1981, Jim has worked for the School District of Philadelphia in various capacities, serving as a Maintenance Mechanic, Foreman, Supervisor, and Compliance Officer; an Assistant to the Chief Operating Officer, and eventually as Senior Vice President for Facilities and Operations and for Special Projects. A registered Master Plumber for twenty-five years, Jim is also the President and CEO of "Just in Time" Plumbing and Heating. He benefitted greatly from this body's enactment of the 1973 Comprehensive Employment Training Act, which helped give him the skills he needed to succeed.

Mr. Lewis's accomplishments and contributions to his community stretch far beyond his employment. He is a past President and current board member of the Emerald Education Committee, of which he has been a member for 32 years; and a current member of the Masons. Jim has been involved in politics for the past thirty years, and serves as a Committeeman for the 58th Ward, 41st Division. He has been married for thirty-two years to Eileen Lewis, with whom he has raised two children, Jim and Christine.

Mr. Speaker, I encourage my colleagues to join me in thanking Jim Lewis for his years of service and dedication to the School District of Philadelphia and for his greater service to his community.

PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise today in opposition to H.R. 5, legislation which makes it more difficult for injured patients to hold medical providers, the drug industry, insurance companies, and nursing homes accountable for patient deaths and injuries. The so-called "Protecting Access to Healthcare Act," is simply the same, repackaged tort reform proposal that has been considered on the House floor many times. This "medical malpractice" bill is a one-size-fits all, anti-individual rights bill that denies individuals their rights to redress when injured.

The medical liability components of H.R. 5 do little to control health care costs and do more to undercut the rights of patients. The \$250,000 cap and high standard of proof for punitive damages would severely weaken the deterrent effect that punitive damages have on egregious misconduct. Forever freezing the damage caps further weakens future deterrent effects while further reducing benefits to injured parties.

According to the Institute of Medicine, approximately 98,000 people die each year in the United States from preventable medical errors. The best way to lessen healthcare costs associated with malpractice is to reduce incidents of malpractice, not bargain away the legal rights of injured patients and consumers. This bill does nothing to address patient safety, quality measurement, and care improvement strategies that could actually reduce costs.

Mr. Chair, H.R. 5 will not do anything to lower the cost of health care. If the compensation for injured patients is not sufficient, American tax payers will be left to pick up the tab. I urge my colleagues to consider very carefully who will end up paying at the end of the day.

RECOGNIZING THE 191ST ANNIVERSARY OF THE INDEPENDENCE OF GREECE

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. GRIMM. Mr. Speaker, today, as we honor the 191st Anniversary of Greek Independence, it gives me great pride as a member of the Congressional Hellenic Caucus in celebrating the ties that connect our two great democracies together as both friends and allies.

In celebrating this day we also honor the accomplishments of Greek Americans, many of which first immigrated to our country and made their homes in New York, and the fantastic contributions they have brought to our

country as a whole. I represent the 13th Congressional District of New York and am proud to have a large and thriving Greek American community in my district. Anyone who visits the remarkable cultural festivals thrown by the Holy Cross Orthodox Church in Bay Ridge, or the Holy Trinity/St. Nicholas Greek Orthodox Church on the West Shore of Staten Island, can attest to the strength of, and support for, the Greek-American community in Staten Island and Brooklyn.

Greek Independence Day is an opportunity for all Americans to reflect on our nation's own freedom. We must not forget that when the United States was first conceived, many of its ideals and laws were based on those of the Greeks. Just seeing the artwork right here in the United States Capitol or reading through our constitution exemplifies the profound impact the people of Greece have made on our modern society.

It is with great pride that I rise today to honor the independence of a nation that, for centuries, has protected the fundamental rights of liberty and participation in the democratic process. I have seen the positive cultural heritage Greek-Americans bring to local communities firsthand in Staten Island and Brooklyn, and I am sure that the shared bond between our two great nations will remain rock solid for many years to come.

ON THE INTRODUCTION OF THE  
MEDICARE ADVANTAGE PROGRAM  
INTEGRITY ACT

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Advantage Program Integrity Act. My legislation will make commonsense payment reforms to the Medicare Advantage (MA) program to ensure that taxpayers get the best bang for their buck. The Medicare Advantage Program Integrity Act requires that Medicare Advantage payments more accurately reflect the health status of their enrollees. In addition, the bill ends the ability for Medicare Advantage plans to game the system by retaining investment income from pre-payments. Taken together, these policies will save over \$20 billion over ten years, protecting both taxpayers and beneficiaries.

The MA program has grown substantially in recent years, increasing from \$65.2 billion in plan payments in 2006 to \$116.1 billion in 2010. Today, 25 percent of Medicare beneficiaries are enrolled in a private health insurance plan through MA. Congress took action through the Affordable Care Act (ACA) in 2010 to substantially reduce historical excessive base payment rates in MA. However, these plans continue to be overpaid relative to traditional Medicare, both in terms of base rates that exceed the cost of traditional Medicare in many geographic areas and because payments do not accurately reflect the health status of enrolled beneficiaries.

Because plan payments are adjusted for health status such that plan payments are increased as anticipated service use increases, plans have an incentive to "up code" and report less healthy patients. In fact, documented

independent evidence shows that Medicare Advantage plans do tend to report higher patient severity than is supported by medical records. The data also show that reported patient severity in MA plans increased faster than for comparable patients in traditional fee-for-service Medicare (FFS) over the same time period.

In an attempt to address this issue, CMS reduced MA beneficiary risk scores (which are used to adjust base payments) by 3.41 percent when calculating payment rates in 2010 and 2011. However, a Government Accountability Office (GAO) report, Medicare Advantage: CMS Should Improve the Accuracy of Risk Score Adjustments for Diagnostic Coding Practices (January 12, 2012) found the Medicare program continues to overpay MA plans despite the Centers for Medicare and Medicaid Services' (CMS) effort to adjust payments to more accurately reflect the health status of plan enrollees. GAO estimated that in 2010, MA beneficiary risk scores were at least 4.8 percent, and perhaps as much as 7.1 percent higher than they would have been if the same beneficiaries had been continuously enrolled in traditional Medicare. GAO recommended that CMS take additional steps to improve the accuracy of these scores and estimated that the recommended methodological improvements would have saved the Medicare program \$1.2 to \$3.1 billion in MA plan payments in 2010 alone.

My legislation implements the GAO recommendations by codifying and phasing in the higher coding intensity adjustment over several years to prevent disruption in the market. The policy in this legislation would culminate in a 7.1 percent downward adjustment by 2019. GAO's findings indicate that a coding adjustment of up to 7.1 percent is warranted now and would yield billions of dollars in federal savings.

Under current law, CMS makes advanced capitated payments to Medicare Advantage plans at the beginning of every month for each beneficiary enrolled in their plan. MA plans often then invest these Medicare funds in interest-bearing accounts until the money is needed to pay for services. Current law does not prohibit Medicare Advantage plans from retaining the investment income on the pre-payments. However, the HHS Office of Inspector General (OIG) points to the Federal Employees Health Benefits Program (FEHBP) as a model, noting that in contrast to Medicare Advantage, insurance companies' ability to earn investment income is limited under FEHBP. The HHS OIG conducted audits in 2000 and 2011 and concluded that if Medicare delayed pre-payments to Medicare Advantage plans by 46 days (similar to FEHBP), the Medicare Part A and B trust funds would have earned \$450 million in interest income in Calendar Year 2007—rather than allowing that interest income to go to private health insurance plans. The Inspector General recommended that the Medicare program follow the FEHBP policy of delaying pre-payments to Medicare Advantage plans.

My legislation implements the Inspector General's recommendations by phasing-in a delay in the payments to Medicare Advantage plans. Taken together, these two policies will save federal taxpayers more than \$20 billion while protecting beneficiary access to Medicare Advantage plans.

The Medicare Advantage Program Integrity Act has been endorsed by the Medicare

Rights Center, the Center for Medicare Advocacy, AFL-CIO, Families USA, the National Committee to Preserve Social Security and Medicare and the Alliance for Retired Americans. This is a commonsense piece of legislation that attacks waste at its source and improves the program without hurting real people. I urge all of my colleagues to support the bill.

HONORING THE LIFE AND SERVICE  
OF MARINE CORPS CAPTAIN  
MICHAEL QUIN

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. WOLF. Mr. Speaker, today I rise to honor the life and service of Marine Corps Captain Michael Quin, who tragically lost his life, along with others, during the final training mission before his unit's scheduled deployment to Afghanistan. Captain Quin is a native of Purcellville, Virginia where his parents, Brad and Betsy still reside.

Captain Quin graduated from Loudoun Valley High School and received an appointment to the United States Naval Academy, where he graduated in 2006. Michael went on to successfully complete flight school and receive his wings in 2008, graduating at the top of his flight school class. Michael rose quickly as a pilot from 2nd Lieutenant to Captain and was in command of a helicopter.

On February 22, Captain Quin was conducting a training mission at the Yuma Training Range Complex in Arizona when his helicopter collided with another, killing six out of the seven pilots in his squadron. Captain Quin was remembered by the commanding officer and gunnery sergeant of the 3rd Marine Aircraft Wing as "one of those rare young captains" who inspired admiration from all those with whom he served.

Captain Quin's service has been reported on by the Leesburg Today, which I submit for the record, as well as the Loudoun Times Mirror, Purcellville Gazette, and the Blue Ridge Leader. Captain Quin was honored by residents of Purcellville when his body made the return trip from Arizona to Reagan National Airport and finally back home to his family. Marines old and young, police, firefighters, and Boy and Girl Scouts turned out to show their respects for Captain Quin and to show support for his parents, siblings and fiancée.

Captain Quin was an example of leadership and patriotism of which we all can be proud. He chose to serve his country during extremely difficult times and was prepared to wear the uniform of the United States Marine Corps into battle to protect his family and his country. That he lost his life in service to his country is a testament to his bravery.

Mr. Speaker, I ask that the thoughts and prayers of the full House of Representatives go out to the Quin family as they honor the exceptional life of their son, Marine Corps Captain Michael Quin.

CAPT. QUIN REMEMBERED: "HE WAS THE BEST"

The tragic impacts of the nation's war effort again are being felt in Loudoun, with the death of U.S. Marine Corps Capt. Michael Quin. The Purcellville resident and 2002 Loudoun Valley High School graduate was

killed last week when two helicopters collided while training in Arizona in advance of a deployment to Afghanistan.

Mourned by his parents, sisters and fiancée, the death of the 28-year-old naval aviator also has hit the Purcellville community, one that just two years ago paid tribute to another fallen serviceman, Army Specialist Stephan Lee Mace, who was killed in Afghanistan in a fierce firefight with the Taliban. Flags in town will fly at half staff until Quin's burial service at Arlington Cemetery. As of Tuesday, plans for services in Purcellville and at Arlington had not yet been finalized.

Michael lost his life, along with six others, in a remote area of the 1.2 million-acre Yuma Training Range Complex in Arizona during the two-week "Scorpion Fire" training mission that was to have been his last before being deployed to Afghanistan in April.

After graduating Loudoun Valley High School, he graduated from the U.S. Naval Academy in 2006 and joined the Marine Corps.

The tragedy of Quin's death was compounded in that he was in the last stages of his training before his deployment to Afghanistan. It was the last qualification that he needed to emerge with "top gun" status for helicopters.

Quin had recently become engaged, and had planned to spend a week away with his fiancée before coming home for four or five days with his family before leaving in early April for Afghanistan.

His parents Brad and Betsy Quin had seen the report of the fatal crash and when they didn't get a reassuring phone call from their son that all was well, they began to worry.

When the Marine officers were sent to deliver the news, both parents were at work, his father in Reston, and his mother in Leesburg.

Brad Quin was at lunch, so the officers waited. When he was told there were officers waiting to see him: "I knew," he said.

The town has rallied around the Quins and their daughters, Phoebe and Sarah. Brad Quin is a former president of the Locust Grove Homeowners Association and Betsy Quin serves on the board of the HOA's Architectural Review Board. He has been in the college and university world all his life and in admissions and worked for the College Board. Betsy Quin was in the reference department at Rust Library in Leesburg.

Mayor Bob Lazaro and his wife Carolyn are friends and neighbors of the Quins, whom Lazaro called "pillars of the community." He credited Brad Quin with being "the horse power" behind the Purcellville Volunteer Fire Department's recruitment effort that has led to a doubling of the size of the company.

This week, the support of the 100-strong company, the town and area residents are helping the Quins deal with the loss of their first-born child.

Capt. Quin's squadron will have a memorial service for him Friday, which his parents will attend before returning to Purcellville. Brad Quin said he hopes the Corps will release his son's body soon. He will return home with a Marine Corps escort, flying into Reagan National Airport where the Washington detachment of the Marine Corps will hold an arrival ceremony before the long trip back to Purcellville to Hall Funeral Home.

Looking back on his son's life, "He was the kind of kid who didn't really require much correction from us," his father said, noting Michael Quin seemed to have the ability to naturally make good choices in life. Before 9/11 patriotism welled up in the country, Michael was like other kids of his generation—

dedicated to his family, sisters, studies and his soccer team.

Brad Quin has been in the college world all his career, but was somewhat surprised by his son's choice of the Naval Academy, not the most obvious fun and typical fraternity college opportunity. "But he wanted to express what he wanted to be as a person," he said.

Michael Quin seemed to have this sense of looking at "something else down the road," to his decision to join the Marine Corps, his father said. When Brad Quin asked him why he had applied to join the Corps, his son seemed to appreciate the support system the force represented, the way its members gave each other total support no matter their function or level within the Corps.

At the Naval Academy, it was tough going at first. The curriculum is heavy on science, and students graduate with bachelors of science degrees, even if you're studying history and Spanish, as Michael Quin did. But he sucked it up, did what he was supposed to be as a plebe—invisible.

"I could see he was growing, and he had this sense of something else coming down the road," his father said, noting that perception has been borne out by statements posted on the website set up to collect memories and tributes, [www.michaelquin.com](http://www.michaelquin.com).

As a 2nd lieutenant, Michael Quin chose to be a naval aviator. He learned to fly planes first at the naval base at Pensacola, FL, before moving on to helicopters.

Intermittently, during training, he hooked up with a squadron in Atlanta, GA, and there was a mutual adoption. When after two years the young 2nd Lieutenant was "winged" Dec. 2, 2008, they all supported him. His parents' pride in those naval aviator's wings of gold "is more than you can imagine," Brad Quin said.

From there, Capt. Quin immediately went to the West Coast where the Marine Corps were forming new squadrons. He rose through the ranks to 1st Lieutenant in command of his first ship, then to captain. He was No. 1 in the Marine Corps' flight school, where he chose to fly Hueys.

His closeness to and support of others was noticeable during a tough time in which additional training and certifications were needed to join a helicopter "fraternity of very capable guys," his father said.

His commanding officer was a "tough, square-jawed Marine, with a call sign of 'Beast,'" Brad Quin said. When the CO called him last Friday, after introducing himself, he revealed he had lost six of seven pilots from his squadron.

There were 100 Marines working on the aircraft. When the lieutenant colonel said he had asked the crews to tell him about Capt. Quin, the officer himself became choked with emotion. There was enormous support and liking for Michael Quin, whom the crews thought one of "those rare young captains," who didn't denigrate them but lived out the tradition that everyone supports those who do the dirty work.

For Brad and Betsy Quin, it is comforting to know that a wizened gunnery sergeant told his CO that in all his life in the force, "he was the best."

For now, it is the support of the Purcellville community that is a huge comfort. Brad Quin is a volunteer certified firefighter, vice president and chairman of membership for the company.

"How supportive everyone has been, the fire department and the town, just like a big family."

The loss has hit home in Purcellville and in the fire company. To lose your life when you're "training to do what you do is horrific," Purcellville Volunteer Fire Company

Chief Bob Dryden said. To be one of the top students in flight school, as Michael Quin was, and "this is the way you go out after spending all that time—it's not fair."

Dryden has been in constant touch with the Quins. "Once we know the final date [for burial in Arlington], the company will begin its planning in earnest," something along the lines of the plans and ceremony for Mace two years ago.

"We'll welcome him home in the proper way," Dryden said.

Mace was killed Oct. 3, 2009, along with seven other U.S. soldiers, defending the Camp Keating outpost in the Nuristan province of Afghanistan against more than 300 Taliban and other insurgents. Mace was a 2005 Loudoun Valley graduate.

## PERSONAL EXPLANATION

### HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2012

Mr. HEINRICH. Mr. Speaker, on March 19, 2012, I unfortunately missed rollcall vote No. 111. If I had been present, I would have voted in favor of rollcall vote No. 111, Representative BERMAN's (CA-28) bill, H.R. 3992.

## PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

### HON. BILL PASCHELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system;

Mr. PASCHELL. Mr. Chair, I rise today in reluctant, but strong, opposition to this bill. I say reluctant, because I support repealing the Independent Payment Advisory Board, as do many Democrats.

Now, make no mistake, I strongly support the Affordable Care Act. This bill will lower costs, strengthen Medicare, and provide 33 million uninsured Americans with health insurance. This is a tremendous accomplishment. But I have concerns with IPAB, including how it will operate and that it gives up important Congressional authority over pricing. Abdicating our responsibility is not the right thing to do for our seniors. I was elected by my constituents to protect Medicare.

I supported this bill in the Ways and Means Committee, and I would love to support it on the floor. That's why it's so disappointing that the majority would abandon any semblance of compromise by attaching this sharply partisan medical malpractice proposal. Capping malpractice settlements limits patient protection. There's no question that we need to protect health care providers from frivolous litigation, and I am willing to work in a bipartisan way to develop those protections. But not at the expense of the vast majority of Americans who have, for too long, lived without access to affordable quality health care, and who should

also be afforded the fullest protection of our legal system.

I urge a no vote and I hope that the Majority comes to its sense, embraces bipartisanship, and comes back with a bill I can support.

CELEBRATING STEVE TOTH, THE EXECUTIVE DIRECTOR OF THE BOYS AND GIRLS CLUB OF TROY, MI

### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to recognize Steve Toth, the Executive Director of the Boys and Girls Club of Troy, on the occasion of his retirement, after 16 years of service.

Steve's service to the Troy community has extended well beyond the walls of the Boys and Girls Club. He has been a leader—taking action and bringing elements of Troy's diverse groups together to build a stronger, more connected community. For the last 15 years, he has been a member of the Troy Kiwanis Club and served terms as its Treasurer and President. Furthermore, he has volunteered his time mentoring youth in sports and spent the last eleven years as a soccer referee and trainer for middle school students. Steve has also been active in his church and has taken time each of the last three years to deliver food containers to seniors living in Troy.

Steve's passion and dedication for helping others have not only earned him the respect and praise of other community leaders, but a number of awards and recognitions. Among those honors is a 2004 Rev. Dr. Martin Luther King, Jr., "Keep the Dream Alive Award" from the Archdiocese of Detroit for his support of the South Oakland Shelter project and his Parish's Giving Tree Programs. Steve has also been recognized by Leadership Troy as Troy's Outstanding Citizen of the Year in 2009 for his volunteer work in the community.

However, among all of his endeavors in the last 16 years, there is nowhere Steve's passion, vision and service have been more profoundly felt than at the Boys and Girls Club of Troy. When Steve arrived at the Club, he brought with him his 18 years of prior experience as an Executive Director for two of the YMCA's centers in Michigan. In 2006, after a decade of work at the Boys and Girls Club, Steve used his knowledge and experience to engage its board and the broader community in a campaign to construct a new 18,000 square foot, state-of-the-art, facility. This facility had allowed the Club to offer an innovative and comprehensive set of programs that help its 30,000 annual attendees build their leadership skills and take an active role in shaping their futures for the better.

Mr. Speaker, I ask my colleagues to join me in celebrating Steve's impact not only on the Troy community, but on the youth whose futures he has helped to build. I know he will surely be missed by all who have benefitted from his wisdom, his passion and his determination to engage our youth. I wish Steve many years of happiness in retirement, with his wife Ann and their family and I know he will continue to heed the call to serve the Troy community.

CELEBRATING THE 200TH ANNIVERSARY OF BOYER LODGE NO. 1 FREE AND ACCEPTED MASONS PRINCE HALL AFFILIATION OF NEW YORK CITY

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. RANGEL. Mr. Speaker, I rise today in recognition of National Black History Month to celebrate the 200th Anniversary of Boyer Lodge No. 1 of the Free and Accepted Masons Prince Hall Affiliation of New York City. February 16, 1812, marked the birth and beginning of Prince Hall Freemasonry in the State of New York. The Charter was issued by Peter Lew, Grand Master of the Prince Hall Grand Lodge of Massachusetts.

History notes that Boyer Lodge No. 1 was named after Jean Pierre Boyer, a native of Saint-Domingue, who was born around February 15, 1776. He was a courageous soldier and leader of the Haitian Revolution, who served as a General under Toussaint L' Ouverture in the Haitian War of Independence against the French Government. Jean Pierre Boyer served as the fourth President of Haiti from 1818 to 1843, and managed to rule for the longest period of time of any of the revolutionary leaders of his generation. He reunited the north and south of Haiti in 1820 and also invaded and took control of Santo Domingo, which brought all of Hispaniola under one government by 1822. Under President Boyer's leadership, Haiti declared independence from France in 1825, becoming the only free Black nation, then in existence.

As stated by Worshipful Master Carlo Smith-Ramsay, "The daring price that our ancestors paid to boldly and audaciously decide to become Freemasons at a time in history when men of color were not entirely free men and the laws of the land provided them very little protection is the reason why we should humbly and reverently celebrate our Bi-centennial Anniversary of Boyer Lodge No. 1."

President Jean Pierre Boyer recruited freed American blacks to immigrate to the Republic of Haiti, using advertisement opportunities in newspapers, promising free land and political opportunity to black settlers. He sent agents to black communities in the United States to convince them that Haiti was a sovereign state and open to immigration only for blacks. In September of 1824, nearly 6,000 Americans, mostly free people of color, migrated to Haiti within a year, with ships departing from New York, Baltimore and Philadelphia. Unfortunately, due to the poverty of the island and the inability of President Boyer's administration to help support the new immigrants in the transition most returned to the United States. Boyer ruled the island of Hispaniola until 1843, when he lost the support of the ruling elite and was ousted. He was later exiled to France where he died in 1850.

Since its founding, Boyer Lodge #1 has met continuously for One Hundred and Ninety Four years. In 1826, The Prince Hall Grand Lodge of Massachusetts helped further expand Black Freemasonry in New York State by the Chartering of Celestial Lodge, Rising Sun Lodge and Hiram Lodge. On March 14, 1845, further progress was achieved when Boyer Lodge #1, Celestial Lodge #2, Rising Sun Lodge #3 and

Hiram Lodge #4 convened and erected Boyer Grand Lodge of New York. Thus becoming, "The Most Worshipful Prince Hall Grand Lodge of the State of New York."

Prince Hall Freemasonry derives from historical events which led to a tradition of separate predominantly African-American Freemasonry in North America. It consists of independent Grand Lodges, which are considered regular by the United Grand Lodge of England. Prince Hall was born in 1735 and was a tireless abolitionist and a leader of the free black community in Boston. Hall tried to gain New England's enslaved and free blacks a place in some of the most crucial spheres of society, Freemasonry, education and the military. He is considered the founder of "Black Freemasonry" in the United States, known today as Prince Hall Freemasonry. Prince Hall formed the African Grand Lodge of North America.

On March 6, 1775, Prince Hall was made a Master Mason in Irish Constitution Military Lodge No. 441, along with fourteen other African Americans: Cyrus Johnston, Bueston Slinger, Prince Rees, John Canton, Peter Freeman, Benjamin Tiler, Duff Ruform, Thomas Santerson, Prince Rayden, Cato Spain, Boston Smith, Peter Best, Forten Horward, and Richard Titley, all of whom apparently were free by birth. Prince Hall was unanimously elected its Grand Master and served until his death in 1807. Most Worshipful Grand Master Prince Hall is considered the first black community activist of his time, who made many appearances before the Boston City Council and Massachusetts Colony Legislature. Prince Hall had a passion for learning and education and operated a school in the basement of his home. He also lobbied tirelessly for education rights for black children and a back-to-Africa movement. Many historians regard Prince Hall as one of the more prominent African American leaders throughout the early national-period of the United States.

The Prince Hall Lodge, formerly known as the African Lodge is the oldest fraternal organization in the country and has been a leading influence in the lives of black men in America. During the abolitionist movement, African American churches and the Prince Hall Lodges emerged at the forefront of the struggle. As stated by Most Worshipful Grand Master Reverend Dr. Gregory R. Smith, "In essence, and more often than not, members and church members were one and the same. This was the case with both Lattion, who was the First Worshipful Master of Boyer Lodge and a member of Mother African Methodist Episcopal Zion Church, and James Varrick, the first Bishop of the African Methodist Episcopal Zion Church and charter member of the Boyer Lodge."

Both the church, particularly the Mother AME Zion Church, formerly known as the "Freedom Church" and the Masons played prominent roles in the Underground Railroad. Many Masons were captains and conductors on the Railroad and Mother Zion earned its "Freedom Church" name by being one of the major stops on this complex network, which contributed to the freedom of more than 100,000 slaves. Today, the Mother AME Zion Church is the oldest existing African American institution in New York—and Boyer Lodge is the oldest lodge in the Prince Hall fraternity and the third oldest African American institution in New York State.

Mr. Speaker, let me join my fellow brethren and a very grateful nation as we celebrate during National Black History Month, the 200th Anniversary of Boyer Lodge No. 1, the first established Lodge of the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons. Let me congratulate and recognize Worshipful Master Carlo Smith-Ramsay, leader of Boyer Lodge No. 1 and our 55th Grand Master of the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of the State of New York, Most Worshipful Reverend Dr. Gregory Robeson Smith, 33°, EdD, DMin, MBA, MDiv.

CELEBRATING THE GRAND OPENING OF MAXIM INTEGRATED PRODUCTS' FARMERS BRANCH CAMPUS

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. MARCHANT. Mr. Speaker, it is with great pride that I celebrate the grand opening of Maxim Integrated Products Inc.'s new campus in Farmers Branch, Texas on March 23, 2012.

As a semiconductor company headquartered in Silicon Valley, California, Maxim's presence in North Texas began in 2001 when it acquired Dallas Semiconductor. Maxim is an impressive Fortune 1000 business with annual revenues of \$2.5 billion and approximately 9,300 employees worldwide, of which nearly 1,400 operate in Texas. The Farmers Branch campus will employ 800 people and is Maxim's second-largest site in the United States. It is the centerpiece for the design of integrated circuits and engineering as well as business management functions such as finance, marketing and customer service.

The 18.5-acre campus will be home to the 138,000 square-foot, employee-named Lone Star Building. The Lone Star Building will house 528 employees with the potential to accommodate a total of 650 people. The building is unique and features state-of-the-art, energy-efficient technology that includes automated lighting and control systems to reduce energy consumption by 37 percent. It also enjoys double-paned insulated windows with low e-coating, a chilled water air conditioning system and a roof that reflects heat.

Maxim has been active in the community by sponsoring the October 2011 Dallas Susan G. Komen "Race for the Cure," with 80 employees participating. Through proactive environmental efforts, the site also recycled more than 90 tons of materials in 2010, including glass, cardboard, paper, metal, plastic and batteries.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Maxim Integrated Products on the grand opening of its Farmers Branch campus. I am proud to represent Farmers Branch, and I am grateful for the hundreds of jobs the company provides to the North Texas community.

PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. POE of Texas. Mr. Chair, ObamaCare is unconstitutional and must be repealed in its entirety. That is why I voted for the full repeal of the President's nationalized healthcare bill, including the Independent Payment Advisory Board (IPAB). I have also introduced legislation to defund the individual mandate provision of ObamaCare. Although I fully support the repeal of IPAB and have cosponsored legislation to repeal it (H.R. 452), I cannot support final passage of H.R. 5 because the bill includes provisions that I believe violate States' rights and the 10th Amendment. As a strict constitutionalist and a fierce defender of States' rights, I cannot accept replacing one unconstitutional law with another.

H.R. 5 imposes a Federal medical liability cap on the States. In effect, this allows the Federal Government to overrule the State governments that have decided to prohibit liability caps. Five States already have constitutional prohibitions on liability caps. I believe that H.R. 5 will supersede these State constitutions and override the will of those legislatures. I myself believe in medical liability caps, like we have in Texas; however, if another State's voters do not want such reform, that is their decision to make. And, their doctors are welcome to keep coming to Texas.

HONORING THE CAREER OF SERGEANT TOM BERGREN OF THE SAINT PAUL POLICE DEPARTMENT

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Ms. McCOLLUM. Mr. Speaker, today I rise to honor Sergeant Tom Bergren of the Saint Paul Police Department, and his retirement after 32 dedicated years of service.

Sergeant Bergren represents the finest example of a dedicated community law enforcement professional. His interest in public safety began early. As a child, he would visit his grandparents' home in Saint Paul to pick up local calls on the police scanners, longing to be the responder on the other end. His career formally began in Circle Pines, Minnesota, when in 1976 at 19 years old, he became a reserve officer. After 3 years of service to the residents of Circle Pines as a reserve officer, and later as a full time community-service officer, he entered the Saint Paul Police Academy.

After graduation, Sergeant Bergren served a number of different roles in the Saint Paul Police Department, including time as an officer in

the K-9 unit and as an investigator in auto theft. Bergie, as he became known by those close to him, became a homicide investigator in 2004, ultimately this would be the role that would shape his career. This job demands the utmost dedication, and he not only exceeded these expectations, but inspired those he worked with to do so as well. It was this unremitting dedication that would help him solve the biggest case of his career.

In 2007, a triple homicide took place in the North End Neighborhood of Saint Paul. Over 4 long years and hundreds of interviews, Sergeant Bergren tirelessly sought to bring closure to the families and bring the assailants to justice. It was this dedication that not only saw the conviction of the two perpetrators, but created a bond between Bergren and families of the victims.

Sergeant Tom Bergren's unparalleled commitment to serving the public has earned him many awards through the years. In 2007, he earned the Detective of the Year award from the Saint Paul Police Department, and just recently, he received a fourth Medal of Commendation from the city.

On his desk sits a sign from the mother of one of the victims of the 2007 homicide, which states "never, never, never give up." On behalf of myself and all of the residents of Saint Paul, I want to thank Sergeant Tom Bergren for never giving up in his efforts to protect and serve the public.

Mr. Speaker, in honor of Sergeant Tom Bergren's 32 years of valiant and dedicated service, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

H.R. 5 PROTECTING ACCESS TO HEALTHCARE ACT

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. RAHALL. Mr. Speaker, I rise today to voice the concerns raised by my constituents regarding the Independent Payment Advisory Board (IPAB).

Though I voted against H.R. 5, the Protecting Access to Healthcare Act, I, too, have concerns about an unelected, unaccountable board tasked with creating cost-cutting plans if Medicare spending exceeds certain levels. Though the Board is prohibited by law from cutting beneficiary policies, and the Congressional Budget Office predicts that a cost-cutting plan will not be triggered during this budget cycle, I urge my House colleagues to revisit this issue. We, as elected representatives of the people, have a Constitutional responsibility to ensure the voices of our constituencies are heard when it comes to the future of Medicare. Walling off those decisions, in order to expedite cost cutting efforts that lack sufficient popular support, is the surest way to a budgetary debacle.

We must preserve access to quality care, while containing costs, but we also must ensure an opportunity for the voice of the people to be heard and their needs to be taken into consideration.

CELEBRATING PASTOR EDWARD L. BRANCH AND THE CONGREGATION OF THIRD NEW HOPE BAPTIST CHURCH IN DETROIT, MICHIGAN

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to recognize Pastor Edward L. Branch and the congregation of Third New Hope Baptist Church in Detroit, Michigan on the occasion of its 56th anniversary.

Over 50 years ago, Deacon John Cunningham and residents of Detroit came together in the fellowship of Christ to carry out the work of the Lord. Under its first leader, Pastor John L. Davis, the congregation found its first home on Carpenter Street in Detroit. As a testament to Pastor Davis' focus on missionary and outreach programs which guided lost souls, the congregation prospered and grew so extensively that Third New Hope had to move to a bigger space on Russell Street.

Following the departure of Pastor Davis in 1961, Third New Hope came under the ministry of Reverend G.P. Chapman. Reverend Chapman led the congregation with great passion, kindness and a strong conviction of faith. As a true servant to the Lord and his community, he was known as a compassionate man that, "would give you the shirt off his back." Under his guide, Third New Hope created a youth choir, usher board, nurses guild, and more social outreach programs. Again, in recognition of the strong spiritual bond of the congregation to its community, Third New Hope saw its congregation expand and had to find a new, larger home on Linwood Street.

In 1977, after 16 years of service, Reverend Chapman retired and the call to lead Third New Hope was heeded by Pastor Edward L. Branch. A young, energetic and spiritually inspired leader, Pastor Branch placed renewed emphasis on the fellowship of the congregation and serving the needs of the community. Under his tenure, the congregation expanded its outreach with the Heritage Center for African American Religious Studies, Men's and Women's Ministry, Marriage Ministry and Pastoral Care. In addition to moving to its current site on Plymouth Road in Detroit, Pastor Branch led a campaign to raise money for a community center, paved three parking lots near the church, established The Watchmen (a ministry of men who are aimed at protecting the community from harm) and expanded the church to a second location, the Third New Hope West Campus.

Mr. Speaker, I ask my colleagues to join me today in recognizing the accomplishments of the congregation of Third New Hope Baptist Church in Detroit. Today, Third New Hope's two locations provide Metro-Detroit residents with spiritual guidance and vital social services. Over its 56-year history, the Church and its congregation's profound impact have been felt across our communities. I know that Third New Hope will continue to prosper under the leadership of Pastor Branch and I wish him and the congregation many more years of vibrant spiritual fellowship in Christ and service to the community.

PROTECTING ACCESS TO HEALTHCARE ACT

SPEECH OF

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. SENSENBRENNER. Mr. Chair, I rise today to recuse myself from consideration of H.R. 5, the Protecting Access to Healthcare, PATH, Act.

I have long supported medical liability reform as a way to control rising health care costs and save taxpayer money. I also have deep concerns regarding the establishment of the Independent Payment Advisory Board and the potential it has to restrict access to health care services. However, because of my holdings in at least two corporations that would benefit directly if H.R. 5 is enacted into law, I have concerns that my involvement could present a conflict with my private economic affairs. While my participation in legislative consideration of H.R. 5 would not appear to violate current House Rules and established precedent, I want to dispel any appearance of conflict. I therefore recuse myself from consideration of this legislation.

SUPPORT OF H. RES. 568

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. COURTNEY. Mr. Speaker, I rise today in support of H. Res. 568, a bipartisan resolution reaffirming U.S. resolve to prevent Iran from acquiring nuclear weapons capability. I co-sponsored this resolution because of the critical importance to U.S. national security and regional stability to deny Iranian nuclear weapon capability through every diplomatic tool and pressure to avoid resorting to military force.

Reports of progress in Iran's nuclear program have been disconcerting. The November 2011 International Atomic Energy Agency report presented "serious concerns regarding possible military dimensions to Iran's nuclear programme" and asserted that "Iran has carried out activities relevant to the development of a nuclear device."

There would be devastating consequences for a nation that has threatened Israel's existence and poses significant security threats to its neighbors to acquire nuclear weapons. As President Obama said during his January 24, 2012 State of the Union Address, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon."

Since I entered Congress in 2007, I have stood firmly against nuclear proliferation to Iran. In 2010, I co-sponsored and supported through passage the Comprehensive Iran Sanctions, Accountability, and Divestment Act, which enacted sanctions against companies

investing in Iran's energy sector. In addition, I am a cosponsor of legislation to expand sanctions against Iran, the Iran Threat Reduction Act (H.R. 1905).

It has been under President Obama's leadership and reinvigorated cooperation with allies and other nations that has ramped up the pressure to deny Iran weapons capability. President Obama entered office with the international effort to challenge Iran divided and in shambles. Immediately, the President rallied the international community to apply pressure in conjunction with the United States as a diplomatic force multiplier. Russia and China joined in a 2010 the U.N. Security Council comprehensive sanctions effort. These sanctions slowed the Iranian nuclear program and have levied damaging effects on the Iranian economy. The coalition held as we expanded a sanctions offensive against Iran's Central Bank and their oil exports.

These efforts make it clear that Iran must change its recent behavior and instead fulfill its obligations under the Nuclear Nonproliferation Treaty. The longer it takes Iran to change its course, the further cut-off it will grow diplomatically and the more strangled its economy will become. Now we must expand these efforts to increase sanctions, further isolate Iran, and explore every outlet to undermine the Iranian regime politically and seek real change in that country's leadership and political direction.

This resolution communicates Congressional unity with the Administration and determination to the international community to maximize every diplomatic and economic tool available to pressure and deny Iran nuclear weapon capability. To be clear, other options—such as the use of United States military force against Iran—require the deliberate and thoughtful consideration of this Congress, a power which I believe this resolution clearly preserves. I am co-sponsoring this resolution to continue our nation's effective, ratcheting pressure to force Iran on a new path and to avoid a subsequent request from the Administration some day to authorize the use of military force against Iran.

HONORING LONG-TIME LOS ANGELES RESIDENT AND DEDICATED COMMUNITY SERVANT: MS. IRENE PORTILLO

**HON. JUDY CHU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Ms. CHU. Mr. Speaker, I rise today to recognize a great loss to our community, Ms. Irene Portillo, who passed away on March 13, 2012, after a valiant battle with cancer. My heart goes out to her two children, Desiree Portillo Rabinov and Darren Rae Portillo; her son-in-law, Paul Rabinov; her grandchildren Paloma Irene and David Darren Rabinov; her brothers Henry Jr., Armando, Mario and Arturo Esparza; her nieces and nephews; and all of her family and friends.

Irene was an extraordinary citizen of the city and county of Los Angeles. Born and raised in East Los Angeles and Boyle Heights, she led a life dedicated to community service and improving the lives of her fellow Angelinos.



Ms. Portillo's most lasting legacy was her service as founding member and Executive Director of Project Amiga, a non-profit, community based organization that provides education and computer training, support services, job placement and other assistance to at-risk youth and adults in Los Angeles County. Irene personally oversaw Project Amiga's training programs, and mentored many Welfare to Work participants and at-risk youth to help improve their lives and become self-sufficient.

Irene truly loved her community. Not only did she create a whole new organization in Project Amiga to provide badly needed support services for our most economically disadvantaged and vulnerable populations, but she also dedicated much of her life to educating and molding our youth. She did this through many different avenues, as a tenured instructor at Rio Hondo College and as a Presidential Appointee on the National Advisory Councils on Vocational Education and Women's Educational Programs.

Irene also worked hard to give folks a second chance at life, as the first Hispanic woman to manage one of the largest California State Employment Development Department offices. Through the EDD, she worked with felons recently released from the penal system and transitioning back into the community. Irene received many awards for her work, from L.A. Mayor Antonio Villaraigosa, Secretary of Labor Hilda Solis and many others.

I urge my House colleagues to join me in honoring Ms. Irene Portillo for her record of community service, her indomitable spirit and her remarkable service and contributions to her community and to our nation.

RECOGNIZING GILBERT HOLMES,  
EXECUTIVE DIRECTOR OF THE  
ACLU OF INDIANA, FOR A LIFE  
OF PUBLIC SERVICE

**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. CARSON of Indiana. Mr. Speaker, on the occasion of his retirement, I would like to congratulate Gilbert Holmes for a lifetime of trailblazing leadership and devoted public service.

From humble roots growing up in Sparta, Illinois, Gil ascended to the rank of Lieutenant Colonel in the U.S. Army, where he served valiantly for twenty years, including in Vietnam and as aide-de-camp to Major General Frederic Davison.

Upon leaving the service, Gil applied his organizational acumen with venerable Hoosier organizations, including the Indianapolis Museum of Art, Methodist Hospital, and Lincoln National Corporation.

From 1989 to 1996, Gil rendered distinguished public service as Commissioner of the Indiana Bureau of Motor Vehicles, and later, as President and CEO of IndyGo.

Gil's career culminated in his selection as executive director of the American Civil Liberties Union of Indiana, where he has served ably for the past three years as both steward and advocate.

Gil has spent his life combating prejudice, proving skeptics wrong, and empowering those with whom he works to achieve great

things. On March 31, 2012, Gil will retire, leaving behind a legacy of lives bettered by his mentorship and leadership. On behalf of the 7th Congressional District of Indiana, I wish him well in his retirement and extend to him our gratitude for his commitment to his fellow Hoosiers and to the advancement of civil rights for all.

PROTECTING ACCESS TO  
HEALTHCARE ACT

SPEECH OF

**HON. LEE TERRY**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. TERRY. Mr. Chair, I support full repeal of the Independent Payment Advisory Board. The health reform law takes away power that has traditionally been left to Congress, and places health care decisions in the hands of an unelected, board of bureaucrats.

Unfortunately, the House has decided to attach a bipartisan bill to repeal the IPAB, with legislation that is unconstitutional and I believe a federalization of our tort reform system. This is a blatant violation of Article 1, Section 8 and a violation of the 10th Amendment.

Tort law is an area of law traditionally left completely to states discretion. In fact, it's one of the few rights left to the states. Most states have implemented some form of medical liability laws. It is not the federal government's role to say that one state's laws are better than another's or even mandate one state's beliefs on another.

Many of us believe the health reform law is a government takeover of our health care system. If one considers themselves to be a true state's rights person, why do we give states the latitude and ability to do it, and then take it away with a one-size-fits all mandate from the federal government.

TRIBUTE TO PETE P. PETERS

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. COSTA. Mr. Speaker, I rise to pay tribute to the life of one of our Nation's most principled and generous business leaders, Mr. Pete P. Peters. Sadly, Mr. Peters passed away on March 13, 2012 at the age of 94. His remarkable impact on California's San Joaquin Valley will ensure that his legacy lives on for years to come.

The son of Armenian immigrants, Pete was truly a shining example of the American Dream. With hard work and perseverance, he and his family were able to become business leaders and generous community benefactors.

Mr. Peters, and his brother Leon, were both notable entrepreneurs; he was a self-trained engineer who pioneered a design for a stain-

less steel circular tanks that have been used for decades by winemakers worldwide. His innovative spirit and passion allowed the brothers to run Valley Foundry and Machine Works as a family operation.

Upon his retirement in 1989, Mr. Peters immersed himself in our community and was active in a number of organizations. He oversaw the Leon S. Peters Foundation and served as chairman of the Pete P. Peters Foundation. While he did not have the opportunity to go to college, Mr. Peters was an ardent advocate for higher education and felt it was necessary for young Americans have the opportunity to go to college, regardless of their financial circumstances. As a result, he was an enthusiastic supporter of colleges and universities in the San Joaquin Valley, including: California State University, Fresno (CSU Fresno), Fresno City College, and Reedley College.

Mr. Peters was also a supporter of Community Regional Medical Center, Valley Public Television, the San Joaquin River Parkway and Conservation Trust, and the San Joaquin Valley Winemaking Association. His numerous gifts to our Valley enhanced thousands of lives.

Recognizing his immense contributions to the San Joaquin Valley, California, and our Nation, CSU Fresno conferred on him an honorary doctoral degree—the CSU's highest honor.

Mr. Speaker, I ask my colleagues to join me in celebrating the life of Mr. Pete P. Peters. His humility and unwavering commitment to the improvement of our community not only made him an asset to the San Joaquin Valley, but a role model for our entire Nation.

PERSONAL EXPLANATION

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. KINZINGER of Illinois. Mr. Speaker, unfortunately, I was unable to cast my vote on H.R. 886, which would request Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the United States Marshal Service. Had I been able to, I would have cast an "aye" vote in favor of the legislation.

OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,574,428,564,198.34. We've added \$4,947,551,515,285.26 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO RICHARD  
MILANOVICH

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a community leader and friend of mine, Richard Milanovich. Richard was the longtime chairman of Riverside County's Agua Caliente Band of Cahuilla Indians. On Sunday, March 11, 2012, Richard passed away at the age of 69 with his family at his bedside at Eisenhower Medical Center in Rancho Mirage. He will be deeply missed.

In 1942, Richard was born on the Soboba Reservation in the San Jacinto area and grew up in subsidized housing in Palm Springs. At that time, the tribe was almost entirely dependent on government help, eating out of government-issued cans. As a boy, he attended Cahuilla Elementary School and Palm Springs High School. After high school, he served honorably in the United States Army and in 1972 he returned to the Palm Springs area. He unsuccessfully ran for Tribal Council three times between 1972 and 1978. Finally, in 1978 he was elected to the Tribal Council and in 1984 he was elected Chairman. From 1984 to 1989, Chairman Milanovich helped craft groundbreaking land-use agreements with city of Cathedral City, city of Rancho Mirage, and Riverside County, modeled on an agreement struck with city of Palm Springs in the late 1970s, while he was a member of the Tribal Council. The intergovernmental deals were among the first of their kind and served as a model for Tribes throughout the rest of the country.

Richard Milanovich was an early proponent of allowing California tribes to have gambling on tribal lands. After the successful negotiation of the land-use agreements with local cities, Richard moved forward and in 1998 the Agua Caliente tribe, along with other tribes, pushed and passed Proposition 5 which allowed for gambling on tribal lands. Although the proposition was ruled unconstitutional, the tribes were able to later negotiate pacts with then-Governor Gray Davis and a subsequent proposition passed which put the pacts in place. Richard would later win another battle in 2008 when the voters approved a casino-expansion deal.

Richard never lost sight of the poor conditions that he grew up in and early on decided to become a champion for his people. He led the Agua Caliente tribe for nearly three decades and helped California tribes become self-sufficient moving many out of poverty through the success of the Indian casinos. Richard successfully negotiated on the local, state and federal level to advance the priorities of the Agua Caliente tribe and throughout his career he remained humble, compassionate, and engaging.

Richard Milanovich changed the course of history for California and, most importantly, for the Indian community in California. He saw circumstances that disadvantaged the Indian people and set about to change them. Milanovich never wavered in his commitment, and despite all obstacles persevered for the betterment of his tribe and the entire Indian community in California. His leadership, vision and uncompromising compassion were truly

an inspiration to his people and testimony to his character.

On Wednesday, March 21, 2012, a memorial service celebrating Richard Milanovich's extraordinary life was held at the Palm Springs Convention Center. Milanovich will always be remembered for his incredible work ethic, generosity, contributions to the Indian Community and love of family. His dedication to his work, family, and tribe are a testament to a life lived well and a legacy that will continue. I extend my condolences to his family and friends; although Richard may be gone, the light and goodness he brought to the world remain and will never be forgotten.

PROTECTING ACCESS TO  
HEALTHCARE ACT

SPEECH OF

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 21, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. TOWNS. Mr. Chair. I rise today to express my objections to the inclusion of H.R. 5, the HEALTH Act into H.R. 452, Medicare Decisions Accountability Act of 2011. Medical malpractice tort reform does not belong as a part of the repeal of the Independent Payment Advisory Board, or IPAB.

The HEALTH Act is an inherently flawed bill that should not be considered by the House and should not be included with H.R. 452. It does not fix the problem of medical malpractice or the supposed insurance "crisis". Instead, it takes control away from the states, where it belongs. This legislation was originally conceived over 20 years ago and has yet to pass both houses. There is a reason for that.

The cap imposed by H.R. 5 is both unjust and unfair. It does not take into account the severity of a patient's injury or whether negligence is at issue.

The real problem we are facing is patient safety. If we fix that, then there will be no need to try and take away from the states their right to legislate this issue. In a Wall Street Journal article, it was found that by focusing on patient safety, anesthesiologists went from being one of the most risky specialties to insure to having one of the lowest malpractice insurance premiums. In fact, their premiums are lower now than they were 20 years ago. We should not focus on medical malpractice tort reform, but rather education and training for medical professionals.

I am a strong proponent of repealing the IPAB, but cannot in good conscience vote for this bill because it is not a clean repeal.

The IPAB takes away from Congress the ability to determine Medicare payments to doctors and hospitals. It consists of 15 members who are unelected by the People, but rather are appointed by the President. The members of the IPAB are not accountable to anyone once appointed and therefore Congress loses much of the power it has to shape

Medicare payment policies. By repealing the IPAB, the ACA will be strengthened, not weakened.

If this bill was as it was passed in both the Energy & Commerce and Ways & Means committees, there would be no controversy from many of my colleagues on the Democratic side. While I supported a clean repeal of IPAB in Energy & Commerce, I cannot support a bill that will have such a profoundly negative impact on the 74,000 Medicare eligible constituents in my district. I advise my colleagues on both sides of the aisle to vote "no" on this bill as currently written.

SALUTE TO BISHOP JOHN HENRY  
SHEARD ON THE CELEBRATION  
OF HIS EXCEPTIONAL LEADERSHIP  
IN THE CHURCH OF GOD IN  
CHRIST

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 22, 2012*

Mr. PETERS. Mr. Speaker, I rise today to salute Bishop John Henry Sheard, Pastor of Greater Mitchell Church of God in Christ of Detroit, for his exceptional leadership in the great state of Michigan.

From humble beginnings in a rural town in Mississippi to a leadership position in the International Church of God In Christ (COGIC), Bishop John Henry Sheard has been a great spiritual leader and true pioneer.

Bishop Sheard moved to Detroit at a very early age. Under the tutelage of the Bishop John Seth Bailey, he moved up through the ranks of the Church. After being ordained, Bishop Sheard was installed as pastor of Mitchell Street COGIC in January, 1982. Displaying great leadership skills, he moved his growing congregation to a larger location in the city of Detroit. It is current known as Greater Mitchell Church on God in Christ.

Bishop Sheard was later elevated to District Superintendent, Jurisdictional President of the Youth Department, and to the Jurisdiction's prestigious Executive Board. Ultimately, he was consecrated Bishop of the First Ecclesiastical Jurisdiction of Michigan Southwest by the General Board of the Church of God In Christ, with Bishop L.H. Ford as Presiding Bishop. For more than nearly 20 years, Bishop Sheard has presided over the First Ecclesiastical Jurisdiction of Michigan Southwest and during this time the Jurisdiction has made tremendous strides.

Known as a man of impeccable integrity and great leadership, Bishop Sheard has traveled throughout the country. His peers have twice elected him overwhelmingly as the Chairman of the Board of Bishops for the Church of God In Christ, Inc. He humbly chairs this prestigious Board, which is comprised of about 200 Bishops worldwide. He has earned many awards and accolades, including being honored by the Ohio Southern Christian Leadership Conference as "Bishop of the Year for 2009."

Mr. Speaker, I ask my colleagues to join me today in recognizing and paying tribute to Bishop John H. Sheard, Pastor of Greater Mitchell Church of God In Christ, on the celebration of his exceptional leadership in the great state of Michigan.