

INTRODUCTION OF THE FREEDOM
FROM UNNECESSARY LITIGATION
ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2007

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

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

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

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

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

SUPPORT FOR JUAN AND ALEX
GOMEZ

HON. DEBBIE WASSERMAN-SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2007

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VIRGINIA NEEDS AMERICA'S HELP

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2007

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

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

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

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

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

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

Madam Speaker, this ought not to be.

And that's just the way it is.

HONORING MANUELITA GUAJARDO
JUAREZ 100TH BIRTHDAY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 2007

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