



CONGRESSMAN

# John J. Duncan, Jr.

## Washington Report



Second District—Tennessee

August 2017

## LEGISLATIVE UPDATE

### ✓ **Big Money**

Many people wonder why we keep sending so many soldiers and military contractors to Iraq and Afghanistan. Well, it has always been about money—increased appropriations for the Defense Department—and huge profits for the contractors which hire retired admirals and generals. There have been so many examples of waste, fraud, and abuse in the Middle-East wars that it is sickening. One very recent example was reported this way by Newsweek: “U.S.-based security firm Sallyport Global has been accused by two former internal investigators of smuggling alcohol, stealing, keeping two different account ledgers, and even human trafficking of prostitutes while executing an almost \$700 million contract to protect Balad Air Base in Iraq, *The Associated Press* reported Wednesday.” Military bases should be protected by military personnel, not highly paid contractors, but most members of Congress are afraid to criticize anything the Defense Department does for fear of someone saying they are not “supporting the troops.”

### ✓ **Non-existent Cybersecurity**

After the Northeast blackout of 2003, I expressed my concern on the floor of the House that our worship of technology had made us too dependent on and too controlled by computers, and too vulnerable to cyber-attacks. This was after a software bug in the alarm system in the control room of

First Energy Corporation in Ohio cut off the power to 45 million people in eight states in the northeast and 10 million in Canada, most for eight hours, but many for two days to a week. Now, columnist Robert Kuttner expressed my concerns better in the Huffington Post after the recent worldwide cyberattacks. “Last week’s cyber-attack could produce the wrong lessons. The immediate takeaway seems to be that large institutions need much better cybersecurity systems. But there’s a much simpler and better solution: vital systems that can’t withstand the catastrophic risk of malicious hacking should just go offline. Hackers will always be able to find ways of getting into network systems. The fantasy of ever-better cyber-security is delusional. We could spend half the GDP on network security, and someone will still find a way to breach it.” He added that the economy grew faster before the cyber-era and that most scientific breakthroughs were made without the internet. Most governmental agencies should wake up and realize that cyber-security is a megabillion hoax and very costly to the taxpayers.

### ✓ **Exodus**

The exodus from high tax states is continuing and even speeding up in some places. New York had 41 Members of the U.S. House in the 1970s. Now it has 27, and I heard a couple of weeks ago that it is probably going to 25 or possibly even 24 by the time of the next census. Ohio had 23 Congressmen in the 70s. It now has 16, and

one of its Members told me it will be 15 at the most when the 2020 population is counted. Both of my Iowa grandparents were from Illinois, so I certainly have nothing against that state. But it was already losing population, and then they made the mistake a few weeks ago of passing a 32% tax hike. Flint, Michigan had lost almost half its population since the 70s, so the City could not take care of its infrastructure and the people had serious water problems. We sent them \$250 million, but I said on the House floor that it is not fair to the taxpayers of fiscally-conservative states like Tennessee to have to bail out all the high-tax states in the northeast and Midwest who are running their people out. It is good for our future that so many people keep moving to Tennessee. We just have to hope that our legislators don’t cave in to demands for higher taxes here.

### ✓ **Amazing Story**

The Congress has now voted for billions to fight the opioid crisis. We really had no choice. This painkiller has killed almost 200,000 people since 1999, and it is causing terrible addiction problems for hundreds of thousands more. Charles Lane, a columnist for the *Washington Post*, wrote that one of the wealthiest families in the world, headed by Dr. Richard Sackler, is behind all this. It is an amazing story. The Sackler family, according to *Forbes Magazine*, has collective assets totaling \$13 billion, shared by 20 people. According to Mr.

LEGISLATIVE UPDATE continued from page 1

Lane, “the source of the Sackler’s fortune is their privately held firm, Purdue Pharma, maker of OxyContin.” He reported that the painkiller has earned an estimated \$35 billion since it came on the market. The company paid a fine of \$635 million in 2007. Also, three executives paid fines, but apparently the family was not touched. This drug has caused so much pain and suffering, surely there will be some very big lawsuits out of this. Also, some reports indicate that 80% of the opioid prescriptions have been prescribed in the U.S. Surely our doctors will be much more careful about this in the future.

### ✓ **Divided Country**

Several commentators have said or written that we are in a civil war over healthcare. Some have said the Country has never been so divided. However, historians are quick to mention the Civil War, and there is a book about the caning of Senator Charles Sumner almost to the point of death by Rep. Preston Brooks in the Senate Chamber in the U.S. Capitol. Of course, many on both sides in the Civil War fought because they were forced to, or out of state or regional pride, or to save the Union, and not because they actually hated someone from the north or south. And while in the old days, some of our leaders may have had duels or fights, government was so small that most people just went about their own business and did not expect much from state or federal agencies. Now people are demanding much more and become very angry if some benefit is not provided or especially if one is decreased or taken away. While the great majority of the people are still kind and decent, in my 29 years in Congress, our office has never received as many rude, angry, and even obscene phone calls as over the last few months. On Friday afternoon of July 1, I was in my Knoxville office and my staff told me an angry man had called and said he was sorry I had not

been at the Congressional baseball practice, that he wished I had been shot, and that he would personally take care of it this weekend. The FBI paid him a visit, circulated his photo to local law enforcement, and thankfully he did not shoot me at least over the July 4<sup>th</sup> holiday. I went ahead and attended public holiday events in both Farragut and Greenback as I always have.

### ✓ **Wrong Solution**

It has been said that there is a solution to every problem that is simple, easy and wrong. Ronald Reagan frequently said government is not the solution, government is the problem. Before the mid-1960s, medical care was cheap and almost everyone could afford it. Then the federal government decided to “help,” and now only multi-billionaires can afford it. Before colleges and universities started pushing the federal student loan program to tamp down opposition to fee increases, students could work part time and pay their tuition, and almost no one got out of school with debt. Now, thanks to “help” from the federal government, young people now owe one trillion, four hundred billion dollars at the start of their careers according to a May 18, 2017 article by Tom Anderson at CNBC. Every big government program benefits the very few at the expense of the very many. A small percentage always figure out how to game the system. It is no surprise that six of the ten wealthiest counties in the U.S. are suburbs to Washington D.C. When the News-Sentinel publishes lists of the highest-paid people in East Tennessee, most are employed at TVA or the University of Tennessee.

### ✓ **Single Payer**

A simple but wrong solution for healthcare is called a single payer plan, meaning the federal government. Some have said what we need is Medicare for everyone. This sounds so good, but with a \$20 trillion federal debt, we are having trouble paying the Medicare we have now which covers

only about 14% of the population. When Medicare was first passed, the official federal projection was that it would cost about \$9.1 billion after 25 years. Instead, according to the 1991 Medicare Trustees’ Report, it was 12 times that much, at about \$110 billion, and now it is six times more than that at \$676 billion, more than 74 times the original predicted cost. Costs just explode on anything the federal government subsidizes, because most of the pressures and incentives to hold costs down are removed. I was fascinated to read at the end of June that California, totally controlled by liberals, had stopped passage of a single payer, Medicare for everyone type of plan, because they discovered it was going to cost \$400 billion the first year. Now with California having a population of around 34 million people—slightly over 1/10 of the national population—one can multiply \$400 billion times ten and deduce that it would cost four trillion to cover the whole Country. That is equal to the entire federal budget, leaving nothing for national defense, education, roads, national parks, medical research, etc.

### ✓ **Waiting Lists**

On May 23<sup>rd</sup> Ireland’s largest newspaper, *The Irish Times*, reported there were over 600,000 people on waiting lists for medical care there. Ireland has a population of only 6.4 million. Multiply that times 50 and it comes out to more than 30 million potentially on waiting lists in the U.S. If federally run healthcare could possibly work, it would be in a very small country without a diverse population. With the geographic size, the diverse population, and the crime and immigration problems we have in this country, a single-payer, federally-run healthcare plan will very quickly lead to shortages, waiting periods, and a declining quality of care. Look how quickly Obamacare has disintegrated and led to insurance companies pulling out in many states even with huge increases in premiums. Obamacare may have helped several million,



LEGISLATIVE UPDATE continued from page 2

but many millions more were hurt by it and many people were forced to be on it because their premiums went so high or their carrier pulled out of their area. Medical costs are too high here because of federal policies, and some criticize our own spending so much more than other countries. But we also have much better care, and almost anyone with a very serious illness who can afford it comes to the U.S. for treatment.

### ✓ **Town Halls**

According to *USA Today*, groups have popped up all over the Country funded in part by left-wing billionaire liberals. One of the groups is in our District, and one of their goals is to disrupt town hall meetings held by conservative members of Congress and/or to write critical letters to the editor. This is a very small but very well-organized group, and its members are angry because I have refused to hold a town hall to help them get on television and get other publicity. It is ridiculous to say that our District needs a town hall to find out how people in the Second District feel. My office responds to at least 50,000 letters and e-mails every year, and thousands of phone calls. It has sent out millions of newsletters. We speak to several hundred groups every year, attend many other public events, and meet with several thousand people each year in both Washington and the District. At most of these meetings, I listen to my constituents and tell them my views and answer their questions. I try never to miss a vote, but also try to catch the first plane out so more of my time can be spent in Tennessee than in Washington. Every place I go-civic clubs, schools, churches, and public events of all types-people express opinions or ask for help or both. My office has met with several people who are opposed to the Republican health plan. But some are angry because this office will not help them get publicity and have declined my invitation for one on-one office meetings.

### ✓ **Anti-War President**

It is ironic that the only President in the last 70 or 80 years who has tried to rein-in defense spending is the only one who spent his career in the military. I spoke out in every way and voted against all the major initiatives of the Obama Administration. But it was false to say that the military has been depleted. We spend well over \$700 billion on defense and military construction. Last year we spent \$177.5 billion on new planes, tanks, weapons, and equipment and similar amounts for many years. Most of this equipment does not wear out after one year. In the book *Ike's Bluff*, when Eisenhower was told he could not cut defense spending, he replied that if he told every general who reduced his budget that he would get another star, you would have to get out of the way of the rush. He also said "Heaven help us if we ever have a President who doesn't know as much about the military as I do." Over 80% of those in Congress today have never served in our armed forces. Most are afraid to oppose or even question wasteful defense spending for fear of some demagogue calling them unpatriotic or saying they are not "supporting the troops."

### ✓ **Dean Stone**

I recently introduced a bill to name a bridge in the Smokies after Dean Stone, the longtime editor of the *Daily Times* in Blount County. The Park Service has indicated it will support this effort to honor a man who personally did more for the Park than any other person. Mr. Stone led the Tennessee Great Smoky Mountains Commission and was active in the Foothills Land Conservancy, the Great Smoky Mountains Heritage Center, the National Parks and Conservation Association, and the National Park Commission for the state of Tennessee. He also was involved with the Blount County Historical Society, the Sam Houston Schoolhouse Association, and numerous other organizations. He was a combat veteran of World War II, and he worked at the *Daily*

*Times* for an astounding 66 years.

### ✓ **V.A. Hospital**

The top V.A. medical official and three of his aides came to my Washington office in mid-July to give very positive news about the effort to turn the former St. Mary's Hospital into a V.A. Hospital. Bob Griffiths, my Chief of Staff, and I first met with V.A. officials in July of 2015 to hopefully begin this process. We worked for several years to get a new V.A. clinic for Athens, and this facility was finally opened just after we lost McMinn County in the last redistricting. But these things take time to work out all of the details. In our most recent meeting, we were told that the Knoxville hospital was now "not a question of if but when," and that work was already being done to determine what services will be provided there. We should expect significant progress will be made over the next few months on this and hopefully completed within the next couple of years. Then, our growing veteran population can be treated locally for things that they now have to go to Johnson City or Nashville for.

### ✓ **Remote Area Medical**

Remote Area Medical (RAM) is headquartered in Knoxville. I have introduced a bill called the HEALTHIER Act to allow out-of-state doctors to work at the free clinics that RAM conducts around the Country. Unfortunately, only 12 states allow these clinics now because of opposition from many state medical associations which are concerned about competition. RAM a few years ago was featured on *60 Minutes* and in late July had two major front-page stories in *The Washington Post* about its clinic in Wise, Virginia. Now the Federation of State Medical Boards, and the National Council of State Boards of Nursing, and the National Rural Health Association have all come out in favor of my bill, so hopefully we can overcome the opposition.

LEGISLATIVE UPDATE continued from page 3✓ **Fake News**

*The Christian Science Monitor* is a well-respected moderately liberal magazine that in its July 24<sup>th</sup> issue had an article entitled “Why fake news is gaining ground.” The magazine had a quote usually attributed (possibly falsely) to Mark Twain: “A lie can travel halfway around the world before the truth can get its boots on.” This article said, “With half of Americans now turning to social media for news, many are getting misinformation mixed in with the legitimate news articles in their feeds. And as the news cycle accelerates, it’s becoming harder to tell the difference.” It also quoted Canadian psychology professor Daniel Levitin as saying, constantly checking your phone for the latest news makes it “harder and harder to concentrate, and you get addicted to this constant stimulation.” He said you need to turn off the phone a couple of times each day. There was an article in *The Chicago Tribune* which said our so-called social media was isolating us like never before and really becoming anti-social. Also, many people wish our schools would go technology-free one day a week so young people would learn to think and study traditional subjects and not place so much reliance on Google. Some Committee in the Congress—possibly Science—should look into the problems being caused by our addiction to technology.

✓ **Hidden Costs**

William Dunkelberg wrote recently in *Forbes*: “Every one of us is probably a criminal, having violated some obscure regulation on the books of federal, state, and local municipalities at some point in our life. These regulations, once put in place, are rarely reviewed, even more rarely removed when outdated and often expanded with little notice. In 2015, the pages of the Federal Register grew by a record 81,611 pages covering 3,378 final rules and regulations, nearly 600 of which directly impact small businesses. Most of these costs are

‘hidden’, not showing up directly in a company’s books as a regulatory expense, but hidden in the cost of new and misallocated labor, materials purchased, legal costs, paperwork and the like. For some firms, these ‘hidden’ costs are estimated to be nine times the observed cost of compliance.” My entire time in the Congress, I have supported efforts to try and decrease laws, regulations, and red tape on the books. No computer can keep up with all of these regulations.

✓ **Committee Tax**

For many years in the House both parties have had a very bad system for picking committee chairmen or positions on key committees. Knowledge of a subject or experience or ability did not matter. What counted was money and willingness to always vote with leadership. One member once asked about my vote on a bill a few years ago. He knew I was not going to vote with the leadership on that bill. I told him if he wanted to be chairman of an important committee he would have to vote with the leadership, and have always admired his answer. He was a former Governor, and he said “I have already gotten enough merit badges,” and he cast an independent vote. Another time, a former member said within earshot that he would not have voted for a certain bill, but he had to because he was a chairman. I always thought this system would be criticized by the media, but since both parties did it, it did not get much attention. Now, however, both Casey Burgat, writing for the Brookings Institute on July 21, and Michael Beckel, writing in *Issue One*, have criticized basing Chairmanships more on money and willingness to vote the way leaders want rather than the way people in their District want.

✓ **False Information**

I have always felt very lucky to have my job and to be one of many millions who has qualified for a federal pension. However, there is false information on the internet

about Congressional pensions. Many have asked or written about this or called in to various programs, because apparently some reports say members of Congress qualify for a 100% pension after one term (or some say one year). Actually, the formula is the same for all federal employees who began work after Jan. 1, 1985—1.7% for each of the first 20 years and 1.0% for each year thereafter. I would have had a better pension if I had stayed on as a state Judge in Tennessee. All federal employees are fortunate to have a pension, because less than 20% in the private sector have a company plan. There also is false information about Members of Congress receiving free medical care. I was under my wife’s plan until she retired from LMU last year. Since then we have been under Medicare, and we pay extra for an advantage plan. It is not nearly as good as what we had when she worked for LMU.

✓ **Greedy Government**

It is impossible to ever satisfy any governments’ appetite for money and/or land. They always want more. When a department or agency knows that it is so popular that legislators cannot cut or reduce its funding, it will become especially greedy. They will always ask for more than they really need or should receive. Only in Washington is an increase usually called a cut when all it really is is a cut off of a requested increase. This is how we ended up \$20 trillion dollars in debt. However, people who hope to someday receive federal, military, or social security pensions that will buy very much (and not be robbed by inflation) should be demanding much more fiscal conservatism at the federal level.

✓ **Minimum Wage**

Restaurant workers in Maine recently led a campaign to lower the minimum wage for tipped workers. Maine voters had voted in favor of raising the minimum wage for servers from \$3.75 to \$12 an



LEGISLATIVE UPDATE continued from page 4

hour over the next several years. However, the restaurant workers actively campaigned against the increase, saying it would cause people to tip less and actually end up reducing their take home pay. The Maine House voted 110 to 37 to lower the wage back down. At about the same time, a study of Seattle's new \$15 minimum said the costs to low-wage workers outweighed the benefits by a ratio of 3 to 1. The study, by a group of University of Washington economists, and described as "very credible" by an MIT labor economist, found that the increase led to cuts in payroll and staff and cost the average worker \$125 a month. I voted for the last minimum wage increase several years ago. But this is an issue better solved at the local level by the free market. What is a very good wage in West Virginia or rural East Tennessee would be considered to be a very poor wage in many of our biggest cities. Cities and states clearly have the right to set wages at a higher rate than the federal minimum wage if they want to.

### ✓ *Bi-Partisanship*

An untold story is that most bills pass in Congress by very large majorities—many under suspension of the rules which requires a two-thirds majority. Most members, from both parties, get along very well with each other. Many years ago, I was on the Larry King Show with a liberal Congressman from Ohio. Mr. King laughed during one of the advertising breaks and said next time he was going to invite two other members because "you get along too well." Many in the Congress believe that early next year, we can come together in a bi-partisan way on a major infrastructure bill. These are jobs that have to be done in this Country and members on both sides seem to want this. I am hopeful, too, that we can come together on a tax reform bill that includes repatriation. Both sides realize we need to do something to give

companies the incentive to bring back the two or three trillion dollars (or possibly more) that they are keeping in other countries that have lower rates on businesses.

### ✓ *Russian Investigation*

Almost since the day after the last Presidential election, some have been trying to prove that Russia in some way influenced the outcome. Now, two congressional committees are wasting time and money investigating this possible interference. Former FBI Director James Comey, in his testimony before the Senate Intelligence Committee, was asked by Senator Richard Burr if he was "confident that no votes cast in the 2016 presidential election were altered." Mr. Comey replied: "I'm confident. When I left as director I had seen no indication of that whatsoever." Back in 2016, prominent government officials assured the country that systems were in place to make sure that could not happen. Governor Huckabee said on Fox News that our intelligence agencies regularly hack into the computer systems of other governments. Our CIA and military have attempted to assist or bring about regime change in many countries. The most famous example of this was in Iran in 1953 described in detail in a book titled All the Shah's Men.

### ✓ *Russian Obsession*

Many in the national media have almost been obsessed with Russia and any connections to the Trump Administration. However, a Democratic Congresswoman from Illinois was quoted on the front-page of one of the Capitol Hill newspapers saying none of her constituents talked about Russia at all. Then several weeks later a Democratic Congressman from Ohio said the same thing on MSNBC. People seem to care much more about jobs, the economy, healthcare, and other matters much closer to home. Also, a Carnegie-Mellon University professor on CNN said the U.S. had meddled in elections at least 81 times in 47 different countries. This is probably a very conserva-

tive estimate. We are involved in many ways in almost every country around the world through our State Department, Agency for International Development, the CIA, the Defense Department, and just about every federal department and agency. Some of this has been good, to promote freedom, and some has been wasteful and has increased hatred for the U.S. Most countries take an active interest and involvement in U.S. presidential elections through their citizens and former citizens who now live here.

### ✓ *Sanctions*

I recently voted against a bill to increase the sanctions already in place against Russia and Iran. I had voted to place the original sanctions against Iran, but did not think that they should have been expanded because our own State Department has certified twice in the last few months that Iran had complied with the terms of the nuclear agreement, and I just did not think we should slap them in the face when they are doing what we wanted them to do. The increased sanctions against Russia were based on alleged meddling in our presidential election. However, if they did, this has still not been proved, it was totally ineffective, and Russia has aided us recently in the fight against ISIS and reaching a cease fire in Syria. I voted twice to put tough sanctions on North Korea even though most of the time sanctions do not hurt the ruling elite in any country but usually really hurt the poor people. However, the nutty ruler of North Korea has already hurt his own poor people as much as possible by spending most of that government's money on bombs, weapons and other military equipment. Overall, though I think we should stop trying to rule the whole world. We are \$20 trillion in debt, and we have enough problems at home.

### ✓ *Political Courts*

Up until the mid-1930s or so, most federal courts seemed to try

**LEGISLATIVE UPDATE** continued from page 5

to stay out of politics and paid great deference to actions by federal and state legislative bodies as being expressions of the will of the people. For many years now, though, some federal judges seem to believe they should have been in Congress or the state legislatures. One of many examples involves the drawing of Congressional, legislative, and local government voting districts. The word gerrymandering came into use in 1812. But it really has only been in very recent years that the federal courts have become heavily involved in drawing specific lines in so many states. If a court has a very liberal judge, he or she will go to great lengths to throw out any lines that seem to benefit conservatives. I was at the U.S. Supreme Court recently to introduce some lawyers from Knoxville. That day the Court was hearing a challenge to some lines drawn by the Virginia Legislature. Also, opinions now are much longer than in the first 150 years or so as some judges seem to believe they know almost everything. We need judges at all levels who have a little more humility.

✓ **Bible Verse**

I think it was sad that a very intolerant group from Wisconsin got a Bible verse removed from the Knoxville Police Department. It seems that people who proclaim their tolerance the loudest are really some of the most intolerant people in this Country today and aimed only at Conservative Chris-

tians. In *Zorach vs. Clauson*, a 1952 U.S. Supreme Court case, Justice William O. Douglas wrote that the law should not prefer “those who believe in no religion over those who do believe” and that there is “no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.” Justice Douglas was one of the most liberal justices who ever served on the Supreme Court. It surprises many when I tell them we open every session of the House and Senate with prayer, that there is a prayer room in the center of the Capitol, and several Bible studies that go on in the Capitol each week.

✓ **Consent Decrees**

My Oversight and Government Reform Committee held a hearing in late July about the very costly problems being caused for states and communities throughout the Country because of so-called Consent Decrees. While they use the word “consent,” they are really orders forced on cities and states by blackmail legal actions. Radical groups that believe, for example, a public utility is not taking the strong action the group wants file lawsuits. Then the cities cave-in as to avoid mega-millions in legal fees. But all these costs are passed on to the consumer in the form of higher utility bills. Fort Smith, Arkansas with a population which 30% live under the poverty level (double the national average), was forced over the last three years to raise

water bills by a whopping 167%. Some larger cities have had to commit to work that has cost hundreds of millions or even a few billion. The Knoxville Utilities Board had to enter into a consent decree that will ultimately cost of \$120 million, if not more. Far-left environmentalists almost always come from wealthy or upper-income families who don't have trouble paying their utility bills. But many poor and lower-income people have been and are being hurt by these costly utility bills.

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