and Prosecutor General appear unwilling to effec-
tively enforce the rule of law, refusing to ar-
rest mob leaders like Mkalavishvili and Paata
Bluashvili and not attempting serious prosecu-
tions. For example, the trial of Mkalavishvili
has dragged on for more than a year, without
a single piece of evidence considered yet. I
would have expected adequate, visible, secu-
rity, which took months to organize, will
continue and that the prosecutor will begin
his case shortly. Also, the inauguration of trial
proceedings against Bluashvili in Rustavi is
positive; I trust the delays and shenanigans
seen in the course of trials will be re-
peate there. I also urge the Government of
Georgia to arrest and detain Mkalavishvili,
Bluashvili and other indicted persons who con-
tinue to perpetrate violent criminal acts against
religious minorities.

Undoubtedly, President Shevardnadze’s
presence at the March 14th service and his
statement illustrate his personal commitment
to religious tolerance and basic law and order.
Yet, while I appreciate his gesture, it is time
for real action. If the attacks are allowed to
continue, the recognition of these millions will
be rein in this mob violence. If presidential
orders are repeatedly ignored, it will only further
weaken the government’s ability to enforce the
rule of law. And, of course, we must not forget
the plight of minority religious communities
that continue to live in a state of siege, without
any real protection from their government.

Ironically, it appears that minorities religious
communities are freer to profess and practice
their faith in regions of Georgia not under the
control of President Shevardnadze’s govern-
ment.

In closing, I urge President Shevardnadze to
fulfill his most recent commitment to punish
the aggressors, thereby restoring Georgia’s
international reputation and upholding its inter-
national commitments as a participating State
in the Organization for Security and Coopera-
tion in Europe.

And other Members of Congress are
acutely interested in seeing whether the Gov-
ernment of Georgia will actually arrest the per-
petrators of violence and vigorously prosecute
them.

REPRESENTATIVES OF ALL RELIGIONS AND
NATIONS HAVE TO RAISE PRAYERS FOR PEACE
TOGETHER

My dear friends, Christians, dear Ambas-
sadors: I am here to give utterance to my
contentment and admiration, which derives
from seeing you, all Christians, or, to be
more precise, representatives of all Christian
folds, assembled here, under the same roof
of this temple, in the capital of Georgia famed as
the Virgin’s lot.

I am happy to be a witness to this occur-
rence. I am happy because you are together,
because we are together. But all of us have
our own faith.

I am an Orthodox believer, but we are all
Christians. It is what we should always bear
in mind and keep intact this wholeness and
unity.

Georgia is one of those countries on the
planet whose roots go back the farthest in
history. Tolerance has become particularly
entrenched in its history and nature since
the days we embraced Christianity.

Christ taught that we be together. And
more than this: Georgia is a multinational
country, where Muslims and followers of
other confessions have dwelt along with
Christians of centuries.

We live presently in a world of stark con-
tradictions. It remains anybody’s guess when
a bomb may blast. You probably understand
what I mean. Therefore, we should pray for
peace, and these prayers should be raised by
all of us: Christians, Muslims, representa-
tives of every religion, confession and na-
tion.

But prayers alone will not keep us to-
gether. We have also to struggle, in order
that Georgia may stand assured that the aggres-
ors will not have the opportunity to con-
duct any real protection from their government.

I am happy to see, along with Georgian
citizens, the attendance of the distinguished
ambassadors and diplomats accredited in
Georgia, who have come this evening to share
our happiness.

I cannot but express a deep sense of regret,
even resentment at the gross infringement of
our unity, mutual respect and freedom of
faith by some of the aggressors.

As the President and a believer, I shall not restrict myself only to a mere ex-
pression of resentment. I do promise that the
President and the Authorities of Georgia will
do their utmost to make every person free-
dom of expression of faith.

The state will exert its pressure on who-
ever comes in defiance of this principle. You
may stand assured that the aggressors will
be brought to justice.

I would like to greet you once more and
wish you happiness and advancement of
goals. So as with Georgia, a multinational
country of various religious confessions, my
wishes are for joy, happiness and prosperity.

MEDICARE OUTPATIENT CO-
PAYMENT REDUCTION ACT OF 2003

HON. FORTNEY P. STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 3, 2003

Mr.STARK. Mr. Speaker, I rise today with
my colleagues, Representatives McDERMOTT,
FRANK, FROST, JACKSON-LEE, MCNULTY and ABERCROMBIE to introduce legis-
lation to expedite the timeframe for reduc-
ting to 20 percent the coinsurance amounts
for hospital outpatient services. I'm honored
that this bill has the support of the National
Committee to Preserve Social Security and
Medicare and Families USA.

For most Medicare services, beneficiaries
are required to pay 20 percent of the allowed
amount, and Medicare pays 80 percent of
the amount. However, for outpatient services,
Medicare beneficiaries are required to pay
much higher co-payments—up to 55 percent
for some services.

This is an anomaly due to an error in legis-
slative drafting many years ago. Based on ear-
lier legislation I helped enact into law, Con-
gress has already taken some partial steps to
correct this wrong. Under current law, hospital
outpatient co-payments will reduce to 40 per-
cent by 2006, but they will not reduce to the
typical 20 percent level until 2029. We didn’t
solve the full problem because Congress didn’t
want to pay the cost.

The Medicare Outpatient Co-payment Re-
duction Act of 2003 will speed up this reduc-
tion process by decreasing beneficiary coin-

surance rates in increments of 5 percent each
year beginning in 2007 until the coinsurance
rate for all hospital outpatient services is 20
percent by 2010. This expedited reduction is
consistent with a recent recommendation
made by the Medicare Payment Advisory
Commission or MedPAC—the expert body that
advises Congress on Medicare.

While high coinsurance rates affect all Medi-
care beneficiaries, they are particularly dev-
astating for the approximate 3.6 million bene-
fi ciaries who have no supplemental insurance.
Most of these individuals are the “near-
poor”—with incomes too high to qualify for
Medicaid or the Qualified Medicare Beneficiary
or QMB program, but with incomes too low to
be able to afford supplemental insurance. This
group is made up of a disproportionate num-
ber of minorities and women.

Furthermore, coinsurance amounts are
much higher for certain services than others.
Those with the highest coinsurance are the
“high-tech” services, such as radiology serv-
ices and cancer chemotherapy services. Thus,
high coinsurance greatly limits affordable ac-
cess to these life saving services for many
Medicare beneficiaries.

Mr. Speaker, the Medicare Outpatient Co-
payment Reduction Act of 2003 is a simple
bill. We’ve charged seniors outrageous
amounts for too long already for hospital out-
patient services. Seniors shouldn’t have to
wait another 26 years before they are fairly
charged for outpatient services. This is an
incremental approach that lowers the co-pay-
ment level to 20 percent by 2010. It’s a small,
but important step to improve health care ac-
cess for seniors. I look forward to working
with my colleagues to enact it as soon as possible.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 3, 2003

Mr. BARRETT of South Carolina. Mr.
Speaker, on rollcall No. 100, I was unavoid-
bly detained. Had I been present, I would
have voted “no.”

HONORING BEN BERLINGER

HON. SCOTT MCINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 3, 2003

Mr. McINNIS. Mr. Speaker, I would like to
take this opportunity to recognize Ben
Berlinger of La Junta, Colorado. Ben has
worked with the Natural Resource Conserva-
tion Service for over 25 years, and I would
like to recognize his accomplishments before
this body—with incomes too high to qualify
for the program.

Ben started his job with Natural Resource
Conservation Service in 1975, becoming an
area rangeland management specialist in
1981 when he moved to Eastern Colorado. He
has served in La Junta for 14 years, working
with his agency and local ranchers and agri-
cultural producers to ensure good rangeland
management and to develop and implement
sound technology on grazing land resources.
This year NRCS named Ben its rangeland

Mr. Speaker, rangeland management is a significant challenge facing the West and Ben Berlinger has tackled that challenge head-on. He has done much to promote awareness of conservation issues and to promote good stewardship of Southeastern Colorado’s grazing land. His dedication is an inspiration to others and an immense benefit to his community. I thank him for his efforts.

Mr. Speaker, I am today introducing a bill to establish a process for orderly resolution of one of the most important problems associated with management of the Federal lands—claims for rights-of-way under a provision of the Mining Law of 1866. That provision was later embodied in section 2477 of the Revised Statutes, and so is usually called R.S. 2477. It granted rights-of-way for the construction of highways across Federal lands not reserved for public use. It was one of many 19th-century laws that assisted in the opening of the West for resource development.

More than a century after its enactment, R.S. 2477 was repealed by the Federal Land Policy and Management Act of 1976, often called “FLPMA,” and was replaced with a modern and comprehensive process for establishing rights-of-way on Federal lands. However, FLPMA did not revoke valid existing rights established under R.S. 2477—and, unfortunately, it also did not set a deadline for people claiming to have such rights to file their claims.

As a result, there is literally no way of knowing how many such claims might be filed or what Federal lands—or even lands that once were Federal but now belong to other owners—might be subject to such claims. But I have no doubt that potential claims under R.S. 2477 could involve thousands of square miles of Federal lands, not to mention lands that now are private property or belong to the states or other entities.

This is obviously a serious problem. It also is the way things used to be, with regard to another kind of claim on Federal lands—mining claims under the Mining Law of 1872. However, that problem was resolved by section 314 of FLPMA, which gave people 3 years to record those claims and provided that any claim not recorded would be deemed to have been abandoned.

The courts have upheld that approach. I think it should have been applied to R.S. 2477 claims as well. If it had been, R.S. 2477 would have been a subject for historians, not a headache for property owners.

I think that now, finally—more than a quarter of a century since it was repealed—the time has come to let R.S. 2477 sleep in peace. And that is the purpose of the bill I am introducing today.

My bill is based on legislation proposed by Secretary of the Interior Bruce Babbitt in 1997. Here is a section-by-section outline of its provisions:

Section 1 provides a short title, has findings about the bill’s background, and states its purpose of setting a deadline for filing claims and specifying how claims will be handled.

Section 2 defines key terms used in the bill.

Section 3 deals with the filing of claims for rights-of-way based on R.S. 2477.

Subsection (a) sets a deadline of 4 years after enactment for filing.

Subsection (b) specifies where claims must be filed: in the state or regional office of a federal agency responsible for management of claimed Federal lands, with the commanding officer of a military installation subject to a claim, or with the Bureau of Land Management if the claimed lands are no longer in Federal ownership.

Section 4 provides that claims not filed by the deadline shall be deemed abandoned—this parallels Section 314 of the Federal Land Policy and Management Act of 1976, which required recordation of unpatented mining claims. A claimant would have 3 years to file a lawsuit challenging the effect of this provision on a claim.

Subsection (d) provides for coordination among federal agencies.

Subsection (e) provides that R.S. 2477 claims by non-Federal parties can only be validated in accordance with the procedures established by the bill.

Section 4 provides procedures for handling R.S. 2477 claims.

Subsection (a) states that claims have the burden of proof and that claims for