and Prosecutor General appear unwilling to effectively enforce the rule of law, refusing to arrest mob leaders like Mkalavishvili and Paata Bluashvili and not attempting serious prosecutions. For example, the trial of Mkalavishvili has dragged on for more than a year, without a single piece of evidence considered yet. I would hope the provision of adequate and visible security, 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 Mkalavishvili's trial will not be repeated there. I also urge the Government of Georgia to arrest and detain Mkalavishvili, Bluashvili and other indicted persons who continue 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, it will only become more difficult to 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 government.

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 international commitments as a participating State in the Organization for Security and Cooperation in Europe.

I and other Members of Congress are acutely interested in seeing whether the Government of Georgia will actually arrest the perpetrators of violence and vigorously prosecute them.

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

My dear friends, Christians, dear Ambassadors: 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 occurrence. 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 granted 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 in the course of centuries.

We live presently in a world of stark contradictions. 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, representatives of every religion, confession and nation.

But prayers alone will not keep us together. We have also to struggle, in order that, through our benevolence, faith, love and respect to one another, we may put up resistence to the eradicating processes of which I already made a mention.

As was customary with my great ancestors, I go to an Orthodox church. But nor do I keep distance from synagogues, mosques or churches of different Christian confessions.

I feel respect for all who have confident belief in kindness and its victory.

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 of Georgia and a believer, I shall not restrict myself only to a mere expression of resentment. I do promise that the President and the Authorities of Georgia will do their utmost to grant every person freedom of expression of faith.

The state will exert its pressure on whoever 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 PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. STARK. Mr. Speaker, I rise today with my colleagues, Representatives MCDERMOTT, KLECZKA, DELAURO, FRANK, FROST, JACKSON-LEE, MCNULTY and ABERCROMBIE to introduce legislation to expedite the timeframe for reducing to 20 percent the coinsurance amounts that Medicare beneficiaries are required to pay 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 payment amount, and Medicare pays 80 percent. However, for hospital 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 legislative drafting many years ago. Based on earlier legislation I helped enact into law, Congress has already taken some partial steps to correct this wrong. Under current law, hospital outpatient co-payments will reduce to 40 percent 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 spend the money.

The Medicare Outpatient Co-payment Reduction Act of 2003 will speed up this reduction process by decreasing beneficiary coinsurance 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 Medicare beneficiaries, they are particularly devastating for the approximate 3.6 million beneficiaries 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 number 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 services and cancer chemotherapy services. Thus, high coinsurance greatly limits affordable access 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 outpatient 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-payment level to 20 percent by 2010. It's a small, but important step to improve health care access 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 unavoidably 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 Conservation Service for over 25 years, and I would like to recognize his accomplishments before this body of Congress and this nation.

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 agricultural producers to ensure good rangeland management and to develop and implement sound technology on grazing land resources. This year NRCS named Ben its rangeland

Conservationist of the Year, one of two national awards presented by the agency. Ben was nominated for the award by co-workers and still attributes much of his success to them and to the ranchers with whom he works.

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.

IN HONOR OF GEORGE E. LEDFORD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of George E. Ledford, United States Veteran, beloved husband to the late Marjorie Jean; dedicated father, grandfather, educator, community volunteer, and friend and mentor to many.

Mr. Ledford's life reflected a true example of an outstanding citizen—he lived each day with a consistent and deep commitment to his family, his community and to his country. He was an inspiring teacher for many years, and later, he was an effective and dedicated high school principal.

Mr. Ledford graduated from the Merchant Marines Academy in 1946. After serving in WWII, Mr. Ledford served for many years as a reservist in the United States Navy, and remained committed to the Marines throughout his life. Beginning in the nineteen seventies—and continuing after his retirement as an educator—Mr. Ledford volunteered his time and expertise in the role as admissions officer with the Merchant Marine Academy.

In that capacity, Mr. Ledford hosted informational ''College Nights'' for students considering a career in the military and also volunteered a significant amount of time that focused on outreach work for military families. And for many decades, Mr. Ledford represented the Merchant Marine Academy at the annual Military Academy Service Days, held at the Congressional District office. Mr. Ledford's kindness, honesty, openness, and willingness to share his personal experiences provided local students with a realistic glimpse of life in the military, and assisted them in making a sound decision regarding their future.

Mr. Speaker and colleagues, please join me in honor and remembrance of George E. Ledford, an outstanding American citizen whose integrity, warmth, wit and concern for others have served to uplift our entire Cleveland community. I extend my deepest condolences to Mr. Ledford's cherished daughters, Barbara and Cathy; cherished son, David; and also to his beloved grandchildren, and extended family members and friends. Although he will be deeply missed, George E. Ledford's spirit will live on in the hearts and memories of everyone he loved and inspired—especially his family, students, and closest friends—today, and for generations to come.

INTRODUCTION OF BILL DEALING WITH CLAIMS FOR RIGHTS-OF-WAY UNDER R.S. 2477

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. UDALL of Colorado. 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 uses. It was one of many 19th-century laws that assisted in the opening of the West for resource development and settlement.

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 by the deadline 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 be a subject for historians, not a headache for our land managers or a nightmare for private 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, but is somewhat broader because it would apply not just to States or their political subdivisions with R.S. 2477 claims, but also to those individuals now able to assert such claims. It follows the sound example of FLPMA by providing that any R.S. 2477 claim not filed with the government within 4 years will be considered abandoned.

I think this is more than reasonable, because those interested in claiming rights-of-way under R.S. 2477 already have had ample time to decide whether they want to file a claim.

The bill also recognizes that as things stand now, R.S. 2477 claims are a potential threat to the National Parks, National Wildlife Refuges, units of the National Trails and National Wild and Scenic Rivers Systems, designated wilderness areas, and wilderness study areas as well as to lands that the United States has sold or otherwise transferred to other owners. It specifically addresses this threat by providing that any claim for such lands will be considered to have been abandoned when the lands were designated for conservation-purpose management or when they were transferred out of federal ownership unless a claimant can establish by clear and convincing evidence that there was a well-established right-of-way whose use for highway purposes was intended to be allowed to continue.

The bill also spells out what information must be included in a claim, how claims are to be considered administratively, and the rules for judicial review of administrative decisions about the validity of R.S. 2477 claims.

Mr. Speaker, this is a fair, balanced bill. It gives claimants under R.S. 2477 ample opportunity to come forward and seek to have their claims upheld, with an opportunity to seek ultimate redress from the courts if necessary. At the same time, it gives the American people—the owners of the Federal lands—and private property owners assurance that the time will come when they will know what they own, without having to worry about new R.S. 2477 claims being made against their lands.

In my opinion, such legislation is long overdue, and deserves the support of every Member of Congress.

For the information of our colleagues, I am attaching a brief outline of the main provisions of the bill.

OUTLINE OF R.S. 2477 RIGHTS-OF-WAY ACT OF 2003

The bill is based on a legislative proposal sent to Congress 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.

Subsection (c) 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 process established by the bill.

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

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