

Whereas, the cost of developing data to quantify real-world risk is prohibitive and minor use data may not be financed by pesticide registrants and the State and pesticide users may fund studies to support minor users; now, therefore, be it

*Resolved* by the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the House of Representatives concurring, that the Legislature of the State of Hawaii does hereby respectfully request that the U.S. Congress direct the Administrator of the U.S. Environmental Protection Agency to:

(1) Initiate rulemaking to ensure that the policies and standards it intends to apply in evaluating pesticide tolerances and making realistic risk determinations are based on accurate information, real-world data available through the data call-in process, and sound science, and are subject to adequate public notice and comment before it issues final pesticide tolerance determinations;

(2) Provide interested persons the opportunity to produce data needed to evaluate pesticide tolerances so that USEPA can avoid making faulty final pesticide tolerance determinations based upon unrealistic default assumptions;

(3) Implement the FQPA in a manner that will not adversely disrupt agricultural production nor adversely affect the availability, diversity of the food supply, nor jeopardize the public health or environmental quality through the needless reassessment of pesticide tolerances for non-agricultural activities; and

(4) Delay the August 1999, deadline until 2001 or until the USEPA, USDA, industry leaders and manufacturers can provide science-based data as to use, application, and residue of the pesticides under review; and be it further

*Resolved*, That the Legislature of the State of Hawaii respectfully requests that pesticide registrants and the U.S. Environmental Protection Agency support minor use registrations by reserving a meaningful portion of the risks projected from the use of a pesticide or a class of pesticides for minor uses; and be it further

*Resolved*, That certified copies of this Concurrent Resolution be transmitted to the Speaker of the U.S. House of Representatives, President of the U.S. Senate, members of Hawaii's congressional delegation, the Administrator of the USEPA, the Secretary of the U.S. Department of Agriculture, the Governor of Hawaii, the American Crop Protection Association, the American Farm Bureau Federation, and Responsible Industry for a Sound Environment.

POM-205. A resolution adopted by the House of the Legislature of the State of Hawaii relative to The United Nations Children's Fund; to the Committee on Foreign Relations.

#### HOUSE RESOLUTION NO. 219

Whereas, a forum is needed to follow up on the recommendations of the Millennium Young People's Congress to be held in October 1999; and

Whereas, children and youth are the key to world peace, sustainability, and productivity in the next millennium; and

Whereas, the health, welfare, and rights of children are the basic foundations that must be established for all children and youth; and

Whereas, Hawaii's location in the middle of the Pacific Rim provides an excellent and strategic location for the meeting place to follow up on the recommendations of the Millennium Young People's Congress, to dis-

cuss the health, welfare, and rights of children as basic foundations for all children and youth, and to research pertinent issues and alternatives concerning children and youth and propose viable models for societal application; now, therefore, be it

*Resolved*, by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, that the United Nations Children's Fund (UNICEF) is respectfully requested to establish a center for the health, welfare, and rights of children and youth in Hawaii and support for the center is respectfully requested from the President of the United States and Congress; and be it further

*Resolved*, That certified copies of this Resolution be transmitted to the Secretary General of the United Nations Children's Fund, the President of the UNICEF Executive Board, the President of the United States, the President of the United States Senate, and the Speaker of the United States House of Representatives.

POM-206. A concurrent resolution of the Legislature of the State of Hawaii relative to the nomination of the Chief of Staff, U.S. Army; to the Committee on Armed Services.

#### HOUSE CONCURRENT RESOLUTION NO. 56

Whereas, on April 21, 1999, General Shinseki was nominated by President Clinton to become Chief of Staff of the United States Army; and

Whereas, General Eric Shinseki was born in Lihue, Hawaii, graduated from Kauai High School in 1961, and is a graduate of the U.S. Military Academy at West Point and Duke University; and

Whereas, General Shinseki currently serves as the Vice-Chief of Staff of the United States Army and is also the first Asian-American four-star general having received his fourth star in August of 1997 when he became commanding general of all U.S. Army forces in Europe and was head of the stabilization force in Bosnia-Herzegovina; and

Whereas, General Shinseki's awards and decorations include the Distinguished Service Medal, Legion of Merit, Bronze Star, Purple Heart, and Meritorious Service Medal; now, therefore, be it

*Resolved* by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the Senate concurring, that the United States Senate is urged to confirm the nomination of General Eric Shinseki as Chief of Staff of the United States Army; and be it further

*Resolved*, That a certified copy of this Concurrent Resolution be transmitted to the President of the United States Senate, to Senator Daniel K. Inouye, and to Senator Daniel K. Akaka.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000" (Rept. No. 106-79).

By Mr. COCHRAN, from the Committee on Appropriations, without amendment:

S. 1233: An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106-80).

By Mr. MCCONNELL, from the Committee on Appropriations, without amendment:

S. 1234: An original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106-81).

By Mr. JEFFORDS, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 326: A bill to improve the access and choice of patients to quality, affordable health care (Rept. No. 106-82).

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 692: A bill to prohibit Internet gambling, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself, Mr. DURBIN, and Mr. GRASSLEY):

S. 1231. A bill to amend title XVIII of the Social Security Act to establish additional provisions to combat waste, fraud, and abuse within the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. COCHRAN (for himself and Mr. AKAKA):

S. 1232. A bill to provide for the correction of retirement coverage errors under chapters 83 and 84 of title 5, United States Code; to the Committee on Governmental Affairs.

By Mr. COCHRAN:

S. 1233. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MCCONNELL:

S. 1234. An original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. BIDEN, Mr. DEWINE, and Mr. SCHUMER):

S. 1235. A bill to amend part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to allow railroad police officers to attend the Federal Bureau of Investigation National Academy for law enforcement training; to the Committee on the Judiciary.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 1236. A bill to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho; to the Committee on Energy and Natural Resources.

By Mr. HUTCHINSON:

S. 1237. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation; to the Committee on Armed Services.

By Mr. HUTCHINSON (for himself and Mr. WELLSTONE):

S. 1238. A bill to amend title 38, United States Code, to authorize the payment of dependency and indemnity compensation to

the surviving spouses of certain former prisoners of war dying with a service-connected disability related totally disabling at the time of death; to the Committee on Veterans Affairs.

By Mr. GRAHAM (for himself, Mr. MACK, Mr. BINGAMAN, Mr. INOUE, Mr. INHOPE, Mr. BURNS, Mr. BAUCUS, Mr. CRAPO, Mr. CRAIG, and Mrs. FEINSTEIN):

S. 1239. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Finance.

By Mr. MURKOWSKI (for himself, Mr. BREAU, Mr. GORTON, Mr. COCHRAN, Mr. HUTCHINSON, Ms. COLLINS, Mrs. LINCOLN, Mr. SHELBY, Ms. SNOWE, Mrs. MURRAY, Mr. SESSIONS, Mr. SMITH of Oregon, Mrs. HUTCHINSON, Mr. GRAMS, and Ms. LANDRIEU):

S. 1240. A bill to amend the Internal Revenue Code of 1986 to provide a partial inflation adjustment for capital gains from the sale or exchange of timber; to the Committee on Finance.

By Mr. ASHCROFT (for himself, Mrs. HUTCHINSON, Mr. ABRAHAM, Mr. ALLARD, Mr. BOND, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CHAFEE, Mr. COCHRAN, Ms. COLLINS, Mr. COVERDELL, Mr. CRAIG, Mr. DEWINE, Mr. DOMENICI, Mr. ENZI, Mr. FRIST, Mr. GRAMM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mr. JEFFORDS, Mr. KYL, Mr. LOTT, Mr. MCCAIN, Mr. MCCONNELL, Mr. NICKLES, Mr. ROBERTS, Mr. SESSIONS, Mr. SMITH of Oregon, Mr. SMITH of New Hampshire, Mr. THOMAS, Mr. THURMOND, and Mr. SHELBY):

S. 1241. A bill to amend the Fair Labor Standards Act of 1938 to provide private sector employees the same opportunities for time-and-a-half compensatory time off and biweekly work programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. LOTT, Mr. ALLARD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG):

S. Res. 124. A resolution to establish a special committee of the Senate to address the cultural crisis facing America; to the Committee on Rules and Administration.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. NICKLES, Mr. REID, Mr. AKAKA, Mr. BROWNBACK, Mr. BAUCUS, Mr. COVERDELL, Mr. BAYH, Mr. DOMENICI, Mr. BIDEN, Mr. GRASSLEY, Mr. BINGAMAN, Mr. HUTCHINSON, Mrs. BOXER, Mr. JEFFORDS, Mr. BREAU, Ms. SNOWE, Mr. BRYAN, Mr. SPECTER, Mr. BYRD, Mr. STEVENS, Mr. CLELAND, Mr. CONRAD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. HOLLINGS,

Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. REED, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN):

S. Con. Res. 40. A concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. DURBIN, and Mr. GRASSLEY):

S. 1231. A bill to amend title XVIII of the Social Security Act to establish additional provisions to combat waste, fraud, and abuse within the Medicare Program, and for other purposes; to the Committee on Finance.

##### MEDICARE FRAUD PREVENTION AND ENFORCEMENT ACT OF 1999

Ms. COLLINS. Mr. President, on behalf of myself and my distinguished colleagues Senator DURBIN and Senator GRASSLEY, I rise today to introduce the Medicare Fraud Prevention and Enforcement Act of 1999. Both of these Senators have been leaders in the fight against Medicare fraud.

This bill will help solve an almost \$13 billion problem. According to the HHS Inspector General, waste, fraud, abuse, and other improper payments drained about that much from the Medicare Trust Fund in fiscal year 1998. Fraud and abuse not only compromise the solvency of the Medicare program but also, in some cases, directly affect the quality of care delivered to the 38 million older and disabled Americans who depend upon this program. Although this legislation will not prevent all of the waste, fraud, and abuse that now plagues Medicare, it represents an important step toward a solution to a problem that threatens the financial integrity of this vital social program.

Unfortunately, there is no line item in the budget called "Medicare Waste, Fraud and Abuse" that we can simply cut to eliminate this insidious problem. It is a complicated, difficult challenge to plug the holes that make Medicare at high risk for fraud and abuse.

In May 1997, the Permanent Subcommittee on Investigations, which I chair, started an extensive investigation of the Medicare program. So far, my Subcommittee has held three hearings in an effort to expose fraud and abuse within Medicare.

As the Subcommittee's hearings revealed, we are now seeing a dangerous and growing problem with Medicare fraud. Career criminals and bogus providers with no background in health care are increasingly entering the sys-

tem with the sole purpose of stealing hard-earned taxpayer dollars from the Medicare Trust Fund. Only tough deterrents can prevent these unscrupulous providers from entering the Medicare system. At the same time, however, we must be careful not to make entry into the Medicare program so difficult that the process deters legitimate health care providers. We owe it to the American public to strike this crucial balance.

During a Subcommittee hearing earlier last year, we heard testimony describing egregious examples of fraud committed by unscrupulous health care providers. For example, two physicians who submitted in excess of \$690,000 in fraudulent Medicare claims listed nothing more than a Brooklyn laundromat as their office location. We were also told that over \$6 million in Medicare funds were sent to durable medical equipment companies that provided no services; one of these companies even listed a fictitious address that would have placed the firm in the middle of a runway at the Miami International Airport.

While the number of unscrupulous providers in the Medicare program is very small relative to the number of honest providers, these criminals nevertheless are able to steal millions of dollars from Medicare, wreaking financial havoc on the program. This fraud contributes to the tremendous increase in health care expenditures and adversely affects the quality of health care given to our nation's elderly and disabled.

In response to the serious problems identified through my Subcommittee's investigation, Senator DURBIN, Senator GRASSLEY, and I are introducing legislation designed to prevent waste, fraud, and abuse by strengthening the Medicare enrollment process, expanding certain standards of participation, and reducing erroneous payments. Among other things, this legislation gives additional enforcement tools to the federal law enforcement agencies pursuing health care criminals.

One of the most important steps this bill takes is to prevent scam artists and criminals from securing the provider numbers that permit them to gain access to the Medicare system. Specifically, this bill requires background investigations to be conducted on all new providers to prevent career criminals from getting involved with Medicare in the first place. In addition, this bill requires site inspections of new durable medical equipment suppliers and community mental health centers prior to their being given a provider number. This will help close the system to those who apply for a provider number from a bogus or non-existent location. Together, these provisions are designed to make it more difficult for unscrupulous individuals to obtain a Medicare provider number