

a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred December 1, 1991 in Staten Island, New York. An attacker called 53-year-old Frank Kovarik "fag" before striking him repeatedly with a baseball bat, breaking his right ankle, fracturing his right leg, breaking a kneecap and wrist, and causing a concussion. The attacker and an accomplice also stole \$400 and the keys to Kovarik's car.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

DEPUTY UNITED STATES MARSHAL PETER P. HILLMAN

Mr. WYDEN. Madam President, I rise today to pay tribute to a fallen American hero: Deputy United States Marshal Peter P. Hillman.

Deputy Hillman was tragically killed in the line of duty 1 year ago when the van he was driving was hit by a truck, killing Deputy Hillman and the three prisoners he was transporting. Deputy Hillman's defensive driving actions during that terrible incident helped save the life of a U.S. Marshals Service guard traveling with him that afternoon.

The U.S. Marshals Service and Oregon experienced a great loss with the death of Deputy Hillman. His 14-year U.S. Marshals Service career began in 1986 in San Jose, California. He later transferred to the Eastern District of California in Fresno. It was there that he was given the nickname "The Hillmanator" for his relentless efforts in apprehending narcotics fugitives.

Whether his duties entailed lending support to members of the community in the U.S. Virgin Islands after Hurricane Marilyn, apprehending fugitives during "Operation Sunrise," providing security at a high-threat trial in Montana or at the Olympic Games in Atlanta, Georgia, he gave his all in everything he did. Deputy Hillman was a dedicated and courageous man with an enthusiasm for life. His name is now engraved on the Marshals Service's "Roll Call of Honor," along with nearly 200 other dedicated and brave individuals who have set a standard of excellence for all United States Marshals and Deputy Marshals.

Today is the anniversary of Deputy Hillman's death, so I would like to take this opportunity to express my sorrow to the family of Deputy Marshal Hillman. I know they miss him dearly, and I want them to know he has not been forgotten.

I ask my colleagues to join me today in expressing gratitude to the family of

Deputy U.S. Marshal Peter Hillman for his service to our country. Displaying valor in both his life and his work, Deputy Marshal Hillman is a tribute to this great nation.

ADDITIONAL STATEMENTS

TRIBUTE TO CAPTAIN RICHARD F. WALSH, UNITED STATES NAVY

• Mr. WARNER. Mr. President, I rise today to recognize and pay tribute to Captain Richard F. Walsh, Judge Advocate General's Corp, United States Navy. Captain Walsh will retire from the Navy on July 1, 2001, having completed a distinguished 30 year career of service to our Nation.

Captain Walsh was born in New York City, and is a graduate of the United States Naval Academy and the University of Virginia School of Law. He also earned a Master of Laws degree from the Judge Advocate General's School of the Army.

During his military career, Captain Walsh excelled at all facets of his chosen professions of law and naval service. As a line officer, he served as Combat Information Center Officer onboard USS LUCE (DLG-7), completing two U.S. Sixth Fleet deployments, and qualifying as a Surface Warfare Officer.

As a judge advocate, Captain Walsh has served in a variety of challenging assignments. As the senior litigator at Naval Legal Service Office, Subic Bay, Republic of the Philippines, Captain Walsh faithfully preserved the fairness of the military justice system. Later in his career, he returned to the courtroom as a member of the General Litigation Division, Office of Judge Advocate General, and argued many important cases in numerous Federal Circuits. As a staff judge advocate, he provided legal counsel to SEABEE Commanding Officers stationed in Gulfport, Mississippi, and was later selected to serve as Counsel to the Chief of Naval Personnel. A superb manager of people and mission, Captain Walsh headed the JAG Corps' accession program and later assumed command of Naval Legal Service Office, National Capital Region, where he continued to lead and inspire young judge advocates.

I am sure that many of my colleagues remember and appreciate Captain Walsh's service as Director of Legislation in the Navy's Office of Legislative Affairs, followed by his tour of duty as Executive Director for Senate Affairs under the Assistant Secretary of Defense for Legislative Affairs. During these assignments, he directly contributed to clear and concise communication between Congress and the Departments of the Navy and Defense on a broad range of legislative matters. So noteworthy are his talents, knowledge, and integrity, that Captain Walsh has been chosen to serve on the staff of the

Senate Armed Services Committee. The Navy's loss is certainly the Senate's gain, and we look forward to working with Dick Walsh for many years to come.

The Nation, the United States Navy, and the Judge Advocate General's Corps have been made better through the talent and dedication of Captain Richard F. Walsh. I know all of my colleagues join me in congratulating Dick on the completion of his outstanding military career, and we welcome him to the Senate staff. •

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. THOMPSON:

S. 1095. A bill to amend title 38, United States Code, to restore promised GI Bill educational benefits to Vietnam era veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself and Ms. LANDRIEU):

S. 1096. A bill to eliminate the requirement that certain covered beneficiaries under chapter 55 of title 10, United States Code, obtain a nonavailability-of-health-care statement with respect to obstetrics and gynecological care related to a pregnancy; to the Committee on Armed Services.

By Mr. THOMPSON (for himself and Mr. FRIST):

S. 1097. A bill to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. VOINOVICH (for himself, Mr. BIDEN, Mr. DEWINE, and Mr. HARKIN):

S. Res. 116. A resolution congratulating the Republic of Slovenia on its tenth anniversary of independence; considered and agreed to.

ADDITIONAL COSPONSORS

S. 258

At the request of Mrs. LINCOLN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of annual screening pap smear and screening pelvic exams.

S. 277

At the request of Mr. KENNEDY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 277, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 345

At the request of Mr. ALLARD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to strike the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 392

At the request of Mr. SARBANES, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 392, a bill to grant a Federal Charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 497

At the request of Mr. LEAHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 497, a bill to express the sense of Congress that the Department of Defense should field currently available weapons, other technologies, tactics and operational concepts that provide suitable alternatives to anti-personnel mines and mixed anti-tank mine systems and that the United States should end its use of such mines and join the Convention on the Prohibition of Anti-Personnel Mines as soon as possible, to expand support for mine action programs including mine victim assistance, and for other purposes.

S. 662

At the request of Mr. DODD, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 662, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones or markers for marked graves of, or to otherwise commemorate, certain individuals.

S. 672

At the request of Mrs. FEINSTEIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 672, a bill to amend the Immigration and Nationality Act to provide for the continued classification of certain aliens as children for purposes of that Act in cases where the aliens "age-out" while awaiting immigration processing, and for other purposes.

S. 756

At the request of Mr. GRASSLEY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 756, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for electricity produced from biomass, and for other purposes.

S. 838

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 838, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

S. 887

At the request of Mr. WELLSTONE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 887, a bill to amend the Torture Victims Relief Act of 1986 to authorize appropriations to provide assistance for domestic centers and programs for the treatment of victims of torture.

S. 913

At the request of Ms. SNOWE, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of all oral anticancer drugs.

S. 917

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 940

At the request of Mr. DODD, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 940, a bill to leave no child behind.

S. 964

At the request of Mr. KENNEDY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 964, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1019

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1019, a bill to provide for monitoring of aircraft air quality, to require air carriers to produce certain mechanical and maintenance records, and for other purposes.

S. 1037

At the request of Mrs. HUTCHISON, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1037, a bill to amend title 10, United States Code, to authorize disability retirement to be granted posthumously for members of the Armed Forces who die in the line of duty while on active duty, and for other purposes.

S. 1066

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to establish procedures for determining payment amounts for new clinical diagnostic laboratory tests for which payment is made under the Medicare program.

S. 1083

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1083, a bill to amend title XVIII of the Social Security Act to exclude clinical social worker services from coverage under the medicare skilled nursing facility prospective payment system.

S. 1084

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1084, a bill to prohibit the importation into the United States of diamonds unless the countries exporting the diamonds have in place a system of controls on rough diamonds, and for other purposes.

S. RES. 71

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

S. RES. 72

At the request of Mr. SPECTER, the name of the Senator from Texas (Mr. GRAMM) was withdrawn as a cosponsor of S. Res. 72, a resolution designating the month of April as "National Sexual Assault Awareness Month."

S. CON. RES. 37

At the request of Mr. LIEBERMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 37, a concurrent resolution expressing the sense of Congress on the importance of promoting electronic commerce, and for other purposes.

S. CON. RES. 43

At the request of Mr. VOINOVICH, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. Con. Res. 43, a concurrent resolution expressing the sense of the Senate regarding the Republic of Korea's ongoing practice of limiting United States motor vehicles access to its domestic market.

S. CON. RES. 53

At the request of Mr. HAGEL, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Con. Res. 53, concurrent resolution encouraging the development of strategies to reduce hunger

and poverty, and to promote free market economies and democratic institutions, in sub-Saharan Africa.

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Con. Res. 53, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Ms. LANDRIEU):

S. 1096. A bill to eliminate the requirement that certain covered beneficiaries under chapter 55 of title 10, United States Code, obtain a nonavailability-of-health-care statement with respect to obstetrics and gynecological care related to a pregnancy; to the Committee on Armed Services.

Ms. COLLINS. Mr. President, I rise today to introduce the Military Spouse Physician Choice Act of 2001. This legislation amends the Civilian Health and Medical Program of the Uniformed Services, CHAMPUS, to eliminate the requirement that a military dependent obtain a nonavailability statement, NAS, or a waiver from a commanding officer of a military treatment facility, in order to receive maternity care from a civilian doctor. I am pleased that my colleague Senator LANDRIEU is joining me in introducing this legislation.

This legislation, which is a companion to H.R. 1511, introduced in the House by Representatives JIM RYUN and SUSAN DAVIS, will eliminate the requirement for TRICARE Standard maternity patients to obtain military nonavailability statements before seeing other doctors. Under current policy, Standard patients who live within 40 miles of a military medical facility must obtain a NAS from the facility commander before receiving pregnancy care from a civilian physician.

Over 53 percent of our Nation's active service personnel today are married. Maintaining a high quality of life for these men and women in uniform must include the best possible health care for their spouses. While the services may recruit men and women to serve in our military forces, the reality is that we retain families to protect our Nation. It is therefore critical that all military spouses receive the health care services they signed up for.

Currently, a military dependent has two options under the military's health care system. All military personnel and 84 percent of military dependents enroll in TRICARE Prime, which is the military's version of an HMO. Prime provides quality care, usually at a military treatment facility on the post or base. However, some dependents choose to enroll in the military's fee-for-service plans, called TRICARE Standard and Extra. These dependents voluntarily accept higher copayments and deductibles in return for the promise of freedom to choose their own doctor.

Unfortunately, the promises in the enrollment brochure do not apply in all circumstances. Currently, a woman who chooses a civilian doctor through TRICARE Standard or Extra is forced to change doctors and return to the military treatment facility when she becomes pregnant. The only way for her to continue using her own doctor is to receive special permission from the commanding officer of that military treatment facility. The result is a bureaucratic nightmare.

This situation is a concern for military dependents across the country. It represents a break in continuity of care that compromises the invaluable relationship between a woman and her doctor. A woman who has a trusted relationship with her civilian ob/gyn is required to change to a doctor at the military treatment facility due to an unnecessary regulation that can, and should, be fixed.

Military families deserve better treatment. Many of them consistently pay higher premiums and accept higher out-of-pocket costs in exchange for an active role in controlling their health care decisions. It should not take a military order to allow a woman to stay with her regular doctor for prenatal, delivery and postnatal care. This is why Senator LANDRIEU and I are introducing legislation to cut through this burdensome red tape. The Military Spouse Physician Choice Act would eliminate the need for women to get special permission to receive the continuity of care they were promised.

Over the past few years, Congress has made several positive changes to military health care services. We have given our military personnel the ability to choose the health care option that is right for each of their families. We have enabled our military treatment facilities to maintain a high level of excellence, making them the choice of most military dependents. It only follows that a pregnant spouse should be able to choose to utilize that treatment facility but not be mandated to do so.

If we want to continue to recruit and retain quality people for our armed services, we need to show them that they and their families will be treated fairly when making health care decisions.

I am very pleased that the Military Coalition, a consortium of nationally prominent uniformed services and veterans organizations representing more than 5.5 million members plus their families, has endorsed this legislation. The Retired Officers Association, TROA, has as well because the current policy denies TRICARE Standard beneficiaries one of the most important principles of quality health care, continuity of care by a provider of their choice.

I urge all Members of the Senate to join me and Senator LANDRIEU in sup-

port of the Military Spouse Physician Choice Act.

I ask consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1096

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Spouse Physician Choice Act".

SEC. 2. ELIMINATION OF REQUIREMENT TO OBTAIN NONAVAILABILITY-OF-HEALTH-CARE STATEMENT IN CASES OF PREGNANCY.

(a) ELIMINATION OF REQUIREMENT.—Section 1080(b) of title 10, United States Code, is amended by striking the second sentence.

(b) EXPANSION OF NONAVAILABILITY STATEMENT WAIVER AUTHORITY.—Section 721 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106-398; 114 Stat. 1654A-446) is amended—

(1) in subsection (a), by inserting "or with respect to obstetrics and gynecological care related to the pregnancy of such a beneficiary who is enrolled in TRICARE Extra," after "TRICARE Standard"; and

(2) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(B) by inserting "(1)" after "(c) EXCEPTIONS.—"; and

(C) by adding at the end the following new paragraph:

"(2) Paragraph (1) shall not apply in the case of obstetrics and gynecological care related to the pregnancy of a covered beneficiary."

Ms. LANDRIEU. Mr. President, I rise today to introduce the Military Spouse Physician Choice Act of 2001 with my distinguished colleague, the junior Senator from Maine. This legislation amends the Civilian Health and Medical Program of the Uniformed Services, CHAMPUS, to restore equity to the families of our servicemembers. Simply put, this bill would delete the requirement for a servicemember's spouse to obtain a non-availability statement from the commanding officer of the nearest military treatment facility in order to receive maternity care from a civilian doctor.

Under current legislation, military dependents choosing to enroll and pay for TRICARE Standard, the program in which enrollees accept higher co-payments in exchange for the option of choosing their own doctors, are still required to obtain a military non-availability statement before seeing their choice of civilian physician. This practice continues despite the fact they are already paying for just that option. Our bill eliminates the requirement for maternity patients enrolled in TRICARE Standard to get that non-availability statement before being seen by the civilian physician of their choice for all maternity care throughout the pregnancy.