Senate to oppose efforts to block the implementation of these new standards. Members of the House of Representatives have already launched their attack on the standards by introducing legislation to block the President's decision and weaken these standards. It is important to Vermont and to the Nation that we set aside the acrimonious debate that occurred on these standards and work together to develop a cost-effective implementation plan.

The recommendations of the Ozone Transport Assessment Group that were approved by 32 States lay out several concrete steps to clean up our air in the Northeast. I challenge Administrator Browner and the administration to move quickly on these recommendations. In particular, I want Congress and the administration to look at what probably has become one of the largest loopholes in the Clean Air Act: Allowing the dirtiest power plants to continue to operate with vastly inadequate pollution controls. The need to go back and close this loophole now—in this session of Congress—assumes greater urgency because of the deregulation of the electric utility industry.

Tomorrow's United Nations conference on the environment reminds us that we share the air, the water and our planet. There can be no greater legacy that we leave behind for our children and grandchildren than a society secure in its commitment to a healthy and environmentally sound future.●

BLOOMINGTON-NORMAL'S ''NOT IN OUR TOWN'' PROGRAM

● Mr. DURBIN. Mr. President, I rise today to recognize the people of Bloomington-Normal, IL, for their efforts to stem the growth of hate crimes and racial intolerance. Their commitment to taking proactive measures to prevent division and promote understanding serves as a model for communities across the Nation.

Inspired by the film ''Not in Our Town,'' which tells the story of how Billings, MT, joined together in response to rampant hate crimes, the citizens of Bloomington-Normal created their own ''Not in Our Town'' program. They were not, however, responding to hate crimes or clear racial unrest. Instead, these Twin Cities chose to create a vehicle for awareness and prevention, to stop hate crimes before they started. This type of program is without a doubt ahead of its time.

Designed to increase public knowledge about the threat of racial violence, the program is carried out in a variety of ways. Adult and youth discussions and forums are regularly held. All city entrances are marked with ''no racism'' signs. Many city workers wear ''Not in Our Town'' buttons, and all city vehicles are marked with ''Not in Our Town'' bumper stickers. Clearly, it's difficult to be in Bloomington-Normal without knowing that prejudice and violence will not be accepted. In addition to these efforts, the city has also sponsored two anti-racism marches, which give citizens the opportunity to demonstrate their commitment to the program and its goals not only to each other, but to surrounding communities as well.

Perhaps most vital to the program's success are its youth discussion groups. As one teen noted, ''History is going to repeat itself if the youth aren't taught about the Holocaust and slavery * * * they won't know any better.'' ''Not in Our Town'' provides young people a way to learn how local events are part of national issues, and more importantly, how community action can really make a difference for people everywhere.

As President Clinton begins a new initiative to have a national conversation about race and diversity, Bloomington-Normal has truly taken the lead in providing a model that all Americans can follow when organizing their home towns to discuss and confront what is perhaps our most important issue.●

THE SLAUGHTER OF REFUGEES IN CONGO MUST CEASE

● Mr. BIDEN. Mr. President, the government of the Democratic Republic of Congo must bring to an immediate end the systematic search and slaughter of Rwandan refugees, or else face isolation from the international community. Recent media reports allege the methodical execution of Rwandan refugees still hiding in the former Zaire by the Congolese military. Unless these atrocities are halted, Mr. Kabila should not expect ready support in the United States for his efforts to rebuild his country.

News reports the last several weeks have alleged the existence of mass grave sites of Rwandan refugees. As of yet, we do not know for certain if these reports are accurate, and if so, by whose hands the refugees were slaughtered. A team of United Nations investigators arrived in Congo last week to initiate an investigation of these claims. Media reports of Congolese government directives to hinder this investigation, if accurate, are intolerable. The government of Congo must bring to an immediate end the persecution of the remaining Rwandan refugees, and actively assist the U.N. in its efforts to locate and repatriate these Rwandan nationals.

According to reports of the United Nations and various nongovernmental organizations, thousands of Rwandan refugees continue to hide in the Democratic Republic of Congo. The U.N. High Commissioner for Refugees estimates that between 200,000 and 250,000 refugees are still missing in Congo. While the actual number may be uncertain, what is clear is that a significant number of Rwandan refugees remain within Congolese borders.

These refugees consist mostly of Rwandan Hutus who fled their country after the 1994 genocide that took the lives of an estimated 800,000 Tutsis and moderate Hutus. Despite the large numbers of refugees who have already returned to their homes in Rwanda, a considerable number remain in Congo, many of them women and children. Many are exhausted and weak from almost three years of constant movement, malnutrition and illness.

Clearly there exists the very real likelihood that among the Rwandan refugees who remain in Congo are those responsible for the 1994 Rwandan genocide. If so, they should be returned to Rwanda and held accountable for their crimes before their own countrymen at the International War Crimes Tribunal. There is absolutely no justification for the execution of any Rwandan refugee in Congo.

Unfortunately, reports of persecution of Rwandan refugees in Kabila's Congo are not entirely new. Such claims have been associated with the Alliance of Democratic Forces for the Liberation of Congo since its early battlefield victories in eastern Zaire. However, Laurent Kabila earlier this month in a meeting with Ambassador Bill Richardson committed himself to assist international efforts to account for and repatriate Rwandan refugees in his country. The successful resolution of the refugee issue in Congo has serious consequences for the future of his country.

Failure to follow through on this commitment seriously calls into question the credibility of the Kabila government to deliver on its promises to the world and its own people. The U.N. team in Congo so far has not encountered any difficulties. If Mr. Kabila expects to receive the support of the international community, it is imperative that he fulfill his earlier pledge and secure the access the United Nations needs to locate and repatriate the refugees. If Mr. Kabila does not live up to his existing commitments on the issue of the Rwandan refugees, it's unclear what confidence there will be for his promises of democracy and peace for the Congolese people.●

SENIOR CITIZENS' MEDICARE FREEDOM TO CONTRACT ACT

● Mr. KYL. Mr. President, I rise as the sponsor of the Senior Citizens Medicare Freedom to Contract Act. The act would provide a technical correction in the Medicare Technical Corrections Act of 1994 (42 USCS section 1395, et. seq.), which was signed into law in November 1995.

The Medicare Technical Corrections Act of 1994 contained a subtle—and, based on the CONGRESSIONAL RECORD, clearly unintended—change in statutory language.

The Health Care Financing Administration [HCFA] interprets this change as expanding existing restrictions on private payments in Medicare cases in which claims are filed, to all cases involving Medicare enrolled individuals, regardless of whether a claim is filed.

If HCFA imposes this interpretation through regulations reportedly now being drafted, HCFA would have the authority to completely prohibit Medicare enrolled who do not submit reimbursement claims to HCFA, and who do not have claims submitted on their behalf, and who are willing to pay their own bills in full—from paying non-Medicare physicians out of pocket for needed Medicare-covered services.

Even without the regulations, the view of HCFA is clear.

HCFA Administrator Bruce Vladek states that the ''law requires that physicians submit claims on behalf of beneficiaries. Violations of these requirements are subject to sanctions such as civil monetary penalties and exclusion from Medicare.''

Tom Ault, HCFA Director of Policy Development, has said that ''for doctors to implement private contracts is illegal.''

HCFA's Director of the Bureau of Policy, Kathleen Buto, states that: A physician can choose not to treat Medicare beneficiaries. However, once a physician renders services to a Medicare beneficiary, he or she is subject to Medicare's requirements and regulations, regardless of the physician's participation as a Medicare provider. A physician's failure to comply with the claim filing requirement violates Medicare law and subjects him or her to possible monetary penalties.

Clearly, this change does not reflect the intent of the Congress.

If HCFA's interpretation is imposed by regulation, the result will be that seniors not have the right to choose treatments for which they can afford to pay in full to a non-Medicare participating physician.

This will occur due to the fact that many physicians and other providers are unwilling to participate in Medicare since Medicare reimbursement frequently covers only 70 to 75 percent of the actual cost of care.

Under HCFA's proposed regulations, physicians and other providers, who do not participate in Medicare, would be prohibited from accepting private payments for their services.

Congress clearly never intended this result.

Nor does this change reflect the will of the American people.

In a November 5, 1996, Wirthlin Worldwide Poll, 60 percent believe that Americans should be able to add their own money to Government payments in order to get unrationed health services.

Surely, a law that made it illegal to supplement with private funds the amount received from Social Security would be met with disbelief and derision.

But this is exactly what HCFA has threatened to do, thereby restricting health care choice for seniors.

HCFA's policy would also end the practice of cost shifting, whereby doctors have an incentive to treat more Medicare patients who can't afford to supplement Medicare's low-reimbursement rate with funds from those who choose to pay out of pocket.

To address this problem, senior citizens' medicare freedom to contract amendment simply states: ''[n]othing * * * shall prohibit a physician or other provider who does not provide items or services under the Medicare Program from entering into a private contract with a Medicare beneficiary for health services for which no claim for payment is submitted * * * section 1805(a)].''

Because the strategy for enactment has changed, the bill was not introduced in the 105th Congress.

However, in the 104th Congress, this legislation was cosponsored by Senators LOTT, CRAIG, GREGG, COCHRAN, NUNN, HELMS, FAIRCLOTH, BENNETT, KEMPTHORNE, MACK, MURKOWSKI, and INHOFE.

This legislation is strongly supported by the American Medical Association, the Seniors Coalition, the National Right to Life Committee, and several other national health care organizations.

Although this legislation has not yet been scored by the CBO, allowing seniors to pay for services rather than submitting claims to HCFA would plausibly be viewed by the CBO as a budgetary savings for purposes of the Byrd rule.

Furthermore, this legislation calls for HCFA to report to Congress in 2002 regarding the impact of this legislation on Medicare.

Mr. President, I urge my colleagues to support this technical clarification to the Medicare statute.●

THE NEW HAVEN LIGHT

● Mr. LIEBERMAN. Mr. President, I rise today to commemorate the 150th anniversary of New Haven Light, also known as the Five Mile Point Lighthouse in New Haven, CT. One of New England's most recognizable landmarks, New Haven Light has weathered countless storms yet still stands its silent watch over the waters of Long Island Sound and one of the region's busiest ports.

This year's annual SNET New Haven Harborfest is made all the more special by the anniversary of this beloved landmark and local treasure. I commend those who have worked so hard to preserve New Haven Light and maintain the vitality of New Haven's harbor and Long Wharf district.

This Nation's proud history is forever linked with the important waterways of New England. From the battles in the War for Independence to the economic prosperity of the late 20th century, ports like New Haven Harbor have always played a critical role in the development of the United States. I am proud to stand today and recognize the importance of New Haven Harbor as well as celebrate the milestone anniversary of New Haven Light.●

SOCIAL SECURITY PROPOSAL FROM FORMER SENATORS

● Mr. DURBIN. Mr. President, our friend and former colleague in this body, Paul Simon, has always been outspoken in his leadership on national issues. He continues to contribute to the national debate as the director of the Public Policy Institute at Southern Illinois University in Carbondale.

Paul recently gathered together a number of former Senators to consider the issue of Social Security. The group developed a Social Security proposal which they believe will provide a solvent Social Security system for the next 75 years.

I ask that the letter I received from this group be printed in the RECORD.

The letter follows:

PUBLIC POLICY INSTITUTE, SOUTHERN ILLINOIS UNIVERSITY AT CARBONDALE,

Carbondale, IL, May 28, 1997.

Hon. RICHARD J. DURBIN,
U.S. Senate,
Washington, DC.

DEAR FRIEND: Four of us—your former colleagues, two Republicans and two Democrats—who will not be seeking office again recently met to discuss an issue of great importance to the nation: the future of Social Security's retirement trust fund.

If this problem is not addressed immediately, the difficulties will mount and the long-run picture for both the fund and the confidence in our system of government is grim. The sooner you address this problem, the easier it will be to resolve. Postponing responsible action may be temporarily politically attractive, but history will be harsh on those who ducked when action was needed.

We believe that salvaging Social Security requires these two fundamental changes:

1. Congress should act to correct the Consumer Price Index to reflect reality.

2. Congress should remove the cap on the taxable amount of income covered by Social Security.

The fundamental decisions on the future of Social Security should not be in the hands of technicians, but in the hands of those who are elected by the people to reflect the values of this nation and to make fundamental decisions.

If you accept the recommendations we make, you will provide the nation with a solvent Social Security retirement system, along with a much healthier fiscal base.

If the sacrifices that we call upon people to make are accepted, the trust fund should be secure for the lifetime of our children and grandchildren. That is no small gift to the future of our nation. You are in a position to make that contribution.

This is a time that calls for your leadership. We respectfully ask you to meet this challenge.

JOHN DANFORTH.
PAUL SIMON.
DAVID PRYOR.
ALAN SIMPSON.●

TOM HARTMANN

● Mr. TORRICELLI. Mr. President, I rise today in recognition of Tom Hartmann as he celebrates seventy-five wonderful years. Tom has been a cornerstone of academic life at Rutgers University, and he has made equally significant contributions to political