

areas. These penalties range from \$10,000 to \$100,000 depending on the violation. Suspension of continued enrollment or payments can also be used as sanctions;

Establishes a national health care fraud and abuse data collection program for reporting final adverse actions against health care providers, suppliers, or practitioners. The information in the data base is required to be available to Federal and State government agencies and health plans according to procedures that the Secretary will set by regulation;

Increases civil monetary penalties from \$2,000 to \$10,000 for a number of current fraud and abuse violations;

Adds new prohibited practices to the current law for which civil monetary penalties can be assessed such as: incorrect coding; medically unnecessary services; and persons offering remuneration—including waiving coinsurance and deductible amounts—to induce the individual to order from a particular provider or supplier receiving Medicare or Medicaid;

Allows the HHS Secretary to impose civil monetary penalties of up to \$10,000 per violation for criminal anti-kickback violations;

Establishes enhanced fraud and abuse guidelines to enable the provider community to better comprehend anti-kickback requirements;

Amends the criminal code to include: A new health care fraud statute;

Forfeiture of property that is obtained from the proceeds traceable to health care fraud;

Injunctive relief on activities related to health care fraud;

Grand jury disclosure for health care fraud proceedings;

Criminal penalties for false statements;

Criminal penalties for obstruction of a criminal investigation;

Criminal penalties for theft or embezzlement;

Criminal penalties for laundering of money used in health care fraud offenses; and

Subpoena authority to the Attorney General for health care fraud cases.

Extends the authority of the State Medicaid fraud units by allowing the units to investigate other Federal fraud abuses at the approval of the relevant Federal agency; and allowing investigation and prosecution in the case of patient abuse in non-Medicaid board and care facilities.

This legislation has received the enthusiastic endorsement of law enforcement and prosecution agencies. At a hearing of the Senate Special Committee on Aging that I chaired this past March, FBI Director Louis Freeh testified:

The legislation . . . addresses for the first time in a comprehensive way not only the problem, but some of the important solutions which we in law enforcement look to . . . Aspects of the bill—the establishment of a fraud and abuse database, the coordination that would be required in antifraud efforts between the Department of Justice and HHS,

the establishment of an antifraud account—are tremendously innovative and helpful tools . . . A straightforward health care fraud statute would simplify prosecution of these cases and greatly enhance the ability of law enforcement to attack this problem.

At that same hearing that I convened on health care fraud and abuse, the HHS Inspector General June Gibbs Brown testified:

We strongly support the bill . . . which proposes a number of innovative ways to address health care fraud and abuse . . . strengthening existing legal remedies for addressing fraud and abuse, amending current criminal laws, as well as enhancing administrative sanction authorities available to the Department such as civil monetary penalties and program exclusions which would aid in the fight against health care fraud and abuse.

The health care fraud provisions contained in the Senate bill have received endorsements and support from the National Association of Attorneys General and the Medicaid fraud control units. In addition, we worked very closely with the Department of Justice to create a fair, workable proposal that cracks down on fraud while not penalizing honest health care providers.

Once more, the Senate provisions save billions of taxpayers dollars without cutting services or raising taxes. Specifically the antifraud provisions yield over \$4 billion in savings.

In addition, many of my colleagues both Republican and Democratic have supported and encouraged this bill for a long time including the majority leader, the chairmen of the Budget Committee, the Banking Committee, the Veterans' Committee, and the Appropriations Committee. I am also pleased to point out that several of my colleagues from the other side of the aisle have cosponsored this antifraud legislation, including Senators PRYOR, NUNN, BRADLEY, GRAHAM, and MOSELEY-BRAUN.

Mr. President, that is why I stand before the Senate today to respond to this onslaught directed at the House provisions. We in the Senate have worked too hard and too long to come up with a strong health care antifraud and abuse bill, that not even the most partisan among us could attack. We must not, Mr. President, let ourselves get wrapped up in the criticism that is being directed at the House provisions.

It is my understanding that the House has made some changes to its earlier proposals in order to toughen its response to health care fraud. Specifically, provisions have been added to toughen criminal sanctions against fraudulent health care providers. While I am very pleased that the House leadership took this step, I still have strong concerns regarding some remaining provisions in the House bill that could severely weaken our efforts to combat health care fraud.

I thank my colleagues for all their longstanding support on this issue and for letting me have the opportunity to set the record straight. ●

LUNCH OF STONES

● Mr. LEAHY. Mr. President, today on Capitol Hill a number of religious organizations concerned with hunger in the United States are gathering to highlight what I believe is one of the great injustices being perpetrated in the name of welfare reform in this Congress.

Most of my colleagues, I believe, had the best of intentions when they voted for H.R. 4, the welfare reform package. But I am very concerned with the impact of the final welfare reform package on the nutritional safety net for children, families, and senior citizens. Quite simply, under either the House or Senate versions of this bill, more children will go hungry.

The majority of the savings in the Senate version of welfare reform have come out of nutrition programs, whose main beneficiaries are children. H.R. 4 contains a little bit of reform. But even the Senate version contains a whole lot of cuts—more than \$30 billion in total cuts, including more than \$20 billion in reduced nutrition benefits to children alone. Less than one-half of 1 percent of the bill's savings come from anti-fraud provisions, according to CBO estimates. Over half of the savings come from across-the-board cuts, and another 12 percent of the savings come from households with high utility costs.

Under the Senate bill, by 2002, a working-poor family of four supported by a full-time minimum wage worker would lose \$324 a year in food stamp benefits from the across-the-board benefit reductions, according to the Center on Budget and Policy Priorities. An elderly SSI recipient, typically a poor woman living alone, would lose \$228 a year—that's a 32-percent reduction.

The Senate bill also contains an optional block grant that will allow States to cancel the national nutritional safety net, divert funds away from food, and slash benefits during a recession.

Wrongheaded as it is, however, the Senate version is actually preferable in many ways to the House version of H.R. 4. The House bill repeals school lunches, school breakfasts, WIC, the Child and Adult Care Food Program, and other programs for children. These are among the great success stories of public policy in the 20th century. Conservative House Republicans seem to say, "If it works—but it does not fit our ideology—break it." I am pleased that many moderates of both parties are rebelling against this position.

The House bill would replace real food with junk food in school cafeterias. It would reduce food stamp benefits so they no longer pay for a decent diet. It would end scientifically based nutritional supplements for pregnant women. It would cancel the guarantee of free meals for poor schoolchildren.

This is bad public policy, and it is immoral. If we are going to turn school lunches into junk-food bonanzas and

shriveled food stamps down to a meaningless few pennies per meal, we might as well feed our children stones.

Today, the Christian citizens' group Bread for the World and other religious and antihunger groups are gathering on Capitol Hill to ponder Jesus' question in the New Testament (Matthew 7:9): "Is there anyone among you who, if your child asks for bread, will give a stone?" To symbolize this concern, they are holding a "lunch of stones." Members of these groups, which include the Salvation Army, the Second Harvest National Network of Food Banks, Lutheran Social Services, the NETWORK Catholic social justice lobby, and other national religious and charitable leaders, will be visiting offices on Capitol Hill. These groups represent tens of thousands of concerned citizens who donate their time and effort to improving the diet and health of children, families, and senior citizens.

These dedicated citizens and I urge Members of this Congress to protect the national nutritional safety net that Republicans and Democrats together have constructed over the last 25 years. The safety net ensures that, even during recessions and natural disasters, children in need receive food assistance so they do not go hungry. I urge my colleagues to listen carefully to the concerns voiced in the "lunch of stones."

I also want to caution my colleagues against some of the phony arguments being bandied about on this topic. None of these gigantic cuts will reform welfare. And these cuts are not necessary to balance the budget—the President has put forward a plan to balance the budget without such gigantic cuts in nutrition programs. I believe these cuts are, quite simply, mistakes and errors in judgment. Right now there is still time to correct these errors, before more children must go hungry.●

TRIBUTE TO THE HOCKING BROTHERS

● Mr. CRAIG. Mr. President, I rise today to pay tribute to the Hocking brothers from Idaho who served together courageously during World War II.

They were a family of 10 children, 4 girls and 6 boys, and lived in Moore, ID in 1929. In 1935 they moved to Mackay, ID. Mackay was considered home for all of them. Presently, one brother lives in each of the following Idaho cities or towns: Mackay, Arco, Blackfoot, Lewiston, and Deary. All of the brothers who are able are active fishermen and hunters. Two sisters and the oldest are now deceased. The oldest brother Pat Hocking, was not in the service as he had five children and worked at the Naval Gun Rellning Plant in Arco, ID. The remaining five brothers served in one branch or another of the military service.

Jean Hocking was drafted before the war and was stationed for 38 months of continuous service in Kodiak, AK in

the U.S. Army Coast Guard Artillery and the U.S. Army Ski Troopers from 1941 to 1945. He was one of the very first men drafted from Custer County. Jean's camp was located on a mountain and everything had to be hauled up the mountain by hand. Jean's commanding officer was so disciplined that Jean did not have even 1 day off while he was there. He was always on alert or patrol. One day they were on patrol skiing down the mountain when Jean's ski tip got stuck in the snow toward the bottom of the mountain that he suffered a broken leg. He was so afraid of his commanding officer that he did not seek treatment and hobbled around on his broken leg. Jean was given a military disability and was in Walter Reed Hospital for 6 months after his discharge.

Clayton Hocking served in the U.S. Army Air Corps 9th Engineering Squadron S.A.C. from 1942 to 1967. He served all over the Pacific and retired as a well-decorated staff sergeant. Clayton received a Phillipine Liberation Medal with one Bronze Service Star, a Good Conduct Medal, a World War II Victory Medal, and an Asiatic Pacific Medal. He is currently in a rest home in Arco, ID.

Frank Hocking served in the U.S. Navy and the U.S. Marines from 1942 to 1945. Frank served both the Navy and the Marines as the Marines had no medical corps. So the Navy furnished the Marines with a Medical Corps. The first place Frank was shipped to overseas was to New Caledonia. While there Frank went to town one day. As he was walking down the street, he literally ran into his brother Clayton. Frank had not seen Clayton since joining, and had no idea where Clayton was stationed. Frank and Clayton were able to visit each others camps while there. After leaving New Caledonia, Frank went to New Zealand where he joined the Second Marine Division and trained before the battle of Tarawa. He was on the first wave who landed on Tarawa in the Gilbert Islands of the South Pacific. The Marines were told they had to take the well-fortified Japanese defenses of the island in 6 hours or they wouldn't be able to take it. It took them 4 days to take the island. The battle cost 1,000 Marines lives and 2,300 men were wounded. Japanese losses totaled about 8,500. The taking of the island of Saipan of the Marianas Islands was another major battle. Frank was one of the original two Marine divisions that tried to take the island from the 30,000 Japanese defenders. Frank was on the island from June 15 to July 7 when the remaining Japanese resistance tried the largest suicidal counterattack in the war. The loss of Saipan was so devastating to the Japanese that Prime Minister Tojo Hideki and his entire cabinet resigned after word of the defeat reached them.

Bill Hocking served in the 20th Air Force Division on Guam of the South Pacific from 1944 to 1946. He was the first aerial gunner on a B-17. Later, he became a belly gunner on the B-29's.

The most memorable event in Bill's military career happened when three B-29 planes were flying in formation when Bill's B-29 caught on fire. He and the whole crew were forced to bail out into the ocean between Guam and Tokyo. When he bailed out, he just about drowned when he got so tangled in his parachute shroud that he couldn't even upright his one-man life raft. He had to lay there holding on to his upside down raft. When he finally got into the raft, he couldn't see any of the rest of the crew as they were all scattered. One guy in the crew happened to have a whistle and he kept blowing it. They all paddled toward the sound and that is how they all got back together. They were always concerned about sharks so they used shark repellent. The crew was adrift for 3 days before being picked up by the ship. That episode made Bill a member of the Caterpillar Club. A patch was given as special recognition for surviving a bail out.

Glen Hocking served in the 90th Naval Construction Battalion Combat Fleet Action from 1945 to 1946. Glen was 17 years old when he enlisted to follow in his older brothers' footsteps. He was told that his outfit was training to invade Japan. They were on their way to Japan when the bomb dropped on Hiroshima. He saw all the devastation over there. He was there for 9 months occupation duty. Glen came away from service with the Asiatic Pacific Area Campaign Medal and World War II Victory Medal.

These five brothers all came home alive, but still felt the sacrifices of war. Two of their cousins did not make it home. There were killed in the line of duty. This is one of the many family stories that make up the heroism and valor that led the United States and our allies to victory in World War II. The five Hocking brothers fell very blessed and lucky to have all come home. We are very blessed that they and many others were there to serve their country and to fight for democracy and the freedom all Americans hold dearly.●

PUBLIC FORUM IN GREENLEAF, WI, WITH SECRETARY OF AGRICULTURE, DAN GLICKMAN

● Mr. FEINGOLD. Mr. President, on July 31 of this year, in an extraordinary gathering on a 200-acre dairy farm in Greenleaf, WI, 300 farmers, rural business people, and others in the agricultural sector came together to convey to Secretary of Agriculture Dan Glickman the importance of reforming an archaic agricultural program, known as the Federal Milk Marketing Order System. This program, created in the late 1930's has discriminated against the Wisconsin dairy industry for years.

Those who attended this forum represent different segments of our dairy industry which have divergent political views and affiliations, but they all