

and the U.S.). Therefore, at the very least, the increase to \$200.00 tends to give community banks a better chance to maintain their deposit base against a too-big-to-fail competitor.

The increase will reduce the risk that smaller banks and the communities they serve will stagnate due to the banks' inability to obtain funding at a reasonable cost—It could also reduce future FDIC insurance payments if these weak banks fail in the next recession. (Incidentally, an FDIC study shows that if the insurance level had been at \$200,000 during the problems of the '80s and '90s, it would not have materially increased FDIC insurance costs.)

The increase will help to maintain a banking system that is decentralized and diverse—This type of system helps the economy, boosts productively, and promotes entrepreneurship—important factors in our present prosperity.

It provides a savings incentive—As more baby boomers retire with savings in excess of \$100,000, the increased FDIC insurance coverage will provide a convenient and conservative savings option and will encourage savings, which all economists agree would be good for the U.S. economy.

You may have guessed by now that I'm rooting for the corner with little David (Chairman Tanoue) in this important policy showdown—and the battle is far from over. Why? I'll simply use the litmus test that applies to all other proposed reforms: It's good for the country.

#### RECOGNITION OF SERVICE TO THE STATE OF MICHIGAN

Mr. ABRAHAM. Mr. President, as I leave the service of the Senate, I would like to take a moment and recognize the service of my dedicated staff over these last six years. Pay in a Congressional office is not great, Mr. President, the hours are incredibly long, and often times the work they do goes unheralded. But still these staffers dedicate their time and effort to helping the people of Michigan and advancing their interests.

I would like to take this opportunity, on behalf of the people of the State of Michigan, to thank them all for their dedicated and tireless service.

Mr. President, at this point I would like to enter into the RECORD a list of those people that have served on my staff, both here in Washington and back in Michigan, as a way of thanking them.

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

STAFF OF SENATOR SPENCER ABRAHAM, 1994–2000

Mohammed Abouharb, Staff Assistant; Stuart Anderson, Director of Immigration Policy and Research; Gregory Andrews, Regional Director; Anthony Antone, Deputy Chief of Staff; Sandra Baxter, Assistant to the State Chief of Staff; Beverly Betel, Staff Assistant; Rachael Bohlander, Legislative Assistant.

David Borough, Computer Specialist; Michell Brown, Staff Assistant; Katja Bullock, Office Manager; Carrie Cabelka, Staff Assistant; Cheryl Campbell, Regional Director; Robert H. Carey, Jr., Legislative Director; David Carney, Mail Room Manager.

Joseph Cella, Regional Director; Cesar V. Conda, Administrative Assistant/Legislative

Director; Adam Condo, Systems Administrator; Jon Cool, Staff Assistant; Ann H. Coulter, Judiciary Counsel; Majida Dandy, Executive Assistant; Anthony Daunt, Staff Assistant.

Joe Davis, Director of Communications; Nina De Lorenzo, Press Secretary; Larry D. Dickerson, Chief of Staff/Michigan Operations; Joanne Dickow, Legal Advisor; Hope Durant, Executive Assistant to the Chief of Staff; Sharon Eineman, Senior Caseworker.

Paul Erhardt, Special Assistant; Tom Frazier, Regional Director; Bruce Frohnen, Speech Writer; Renee Gauthier, Caseworker; Jessica Gavora, Special Advisor; David Glancy, Staff Assistant; Thomas Glegola, Special Assistant.

Todd Gustafson, Regional Director; Alex Hageli, Staff Assistant; Mary Harden, Staff Assistant; Phil Hendges, Regional Director; Paul Henry, Staff Assistant; Joanna Herman, Special Assistant; Melissa Hess, Staff Assistant.

Stephen Hessler, Deputy Press Secretary; Kate Hinton, Deputy Chief of Staff; David Hoard, Special Assistant; Kevin Holmes, Special Assistant; Kelly Hoskin, Caseworker; Michael J. Hudome, Special Assistant; Randa Fahmy Hudome, Counselor.

F. Chase Hutto, Judiciary Counsel; Michael Ivahnenko, Staff Assistant; Eunice Jeffries, Regional Director; Kaveri Kalia, Press Assistant; Raymond M. Kethledge, Judiciary Counsel; Elizabeth Kessler, General Counsel; Kevin Kolevar, Senior Legislative Assistant.

Jack Koller, Systems Administrator; Kerry Kraklauer, Systems Administrator; Peter Kulick, Caseworker; Kristin La Mendola, Staff Assistant; Patricia LaBelle, Regional Director; Brandon L. LaPerriere, Legislative Assistant; Stuart Larkins, Staff Assistant.

Matthew Latimer, Special Assistant; Joseph P. McMonigle, Administrative Assistant/General Counsel; Eileen McNulty, West Michigan Director; Meg Mehan, Special Assistant; Rene Myers, Regional Director; Jennifer Millerwise, Staff Assistant; Denise Mills, Staff Assistant.

Maureen Mitchell, Staff Assistant; Sara Moleski, Regional Director; Jessica Morris, Deputy Press Secretary; Margaret Murphy, Press Secretary; Tom Nank, Southeast Michigan Assistant; James Patrick Neill, Director of Scheduling; Shawn Neville, Northern West Michigan Regional Director.

Na-Rae Ohm, Special Assistant; Lee Liberman Otis, Chief Judiciary Counsel; Kathryn Packer, Director of External Affairs; Chris Pavelich, Regional Director; John Petz, Southeast Michigan Director; James L. Pitts, Chief of Staff; Conley Poole, Staff Assistant.

John Potbury, Regional Director; Tosha Pruden, Caseworker; Laurine Bink Purpuro, Deputy Chief of Staff; Lawrence J. Purpuro, Chief of Staff; Brian Reardon, Legislative Assistant; Elroy Sailor, Special Assistant; David Seitz, Mail Room Manager.

Dan Senor, Director of Communications; Mary Shiner, Regional Director; Anthony Shumsky, Regional Director; Alicia Sikkenga, Special Assistant; Lillian Simon, Staff Assistant; Lillian Smith, Director of Scheduling; Anthony Spearman-Leach, Regional Director.

Robert Steiner, Mail Room Manager; Anne Stevens, Special Assistant; Matthew Suhr, Special Assistant; Julie Teer, Press Secretary; Amanda Trivax, Staff Assistant; Meagan Vargas, Special Assistant; Shawn Vasell, Staff Assistant.

Olivia Joyce Visperas, Staff Assistant; Sue Wadel, Legal Advisor; Seth Waxman, Caseworker; Jeffrey Weekly, Special Assistant; Jennifer Wells, Caseworker; La Tonya Wesley, Special Assistant; Tyler White, Special

Assistant; Patricia Wierzicki, Regional Director; Gregg Willhauck, Legislative Counsel; Billie Kops Wimmer, State Director.

Mr. ABRAHAM. Mr. President, I thank my colleagues for this opportunity, and I yield the floor.

#### BENEFITS IMPROVEMENT AND PROTECTION ACT

Mr. BAUCUS. Among the most pressing issues facing American senior citizens and persons with disabilities is the need for coverage of prescription drugs under Medicare. While we in Congress continue to work to reach consensus on a Medicare prescription drug benefit, I applaud the bipartisan efforts of my colleagues to restore and preserve Medicare coverage for certain injectable drugs and biologicals that are crucial to seniors and persons with debilitating chronic illnesses. To this end the Act contains a tremendously important provision which amends Section 1861(s)(2) of the Social Security Act relating to coverage under Medicare Part B of certain drugs and biologicals administered incident to a physician's professional service. Because it is expected that the Act will be passed without any accompanying Committee Report language, and due to its importance to thousands of citizens, I rise to explain this statutory language.

The Medicare Carrier Manual specifies that a drug or biological is covered under this provision if it is "usually" not self-administered. Under this standard, Medicare for many years covered drugs and biological products administered by physicians in their offices and in other outpatient settings. In August 1997, however, the Health Care Financing Administration issued a memorandum that had the effect of eliminating coverage for certain products that could be self-administered. This changed policy interpretation resulted in thousands of patients who until that time had had coverage for drugs or biologicals for their illnesses, including intramuscular treatments for multiple sclerosis, being denied coverage for these same drugs and biologicals. At a time when the Congress and the Administration are seeking to expand Medicare prescription drug coverage, this HCFA policy has led to a reduction in coverage of many treatments.

The Act's language clarifies the Medicare reimbursement policy to ensure that HCFA and its contractors will reimburse physicians and hospitals for injectable drugs and biologicals for illnesses such as multiple sclerosis and various types of cancer as they had been reimbursed prior to the 1997 memorandum. The new statutory language contained in the Act requires coverage of "drugs and biologicals which are not usually self-administered by the patient," thus restoring the coverage policy that was in effect prior to the August 1997 HCFA memorandum. In carrying out this provision, HCFA

should not narrowly define the word "usually." Nor should HCFA make unsupported determinations that a drug or biological is usually self-administered. In addition, HCFA should assume, as it did for many years, that Medicare patients do not usually administer injections or infusions to themselves, while oral medications usually are self-administered. HCFA should also continue to take into account the circumstances under which the drug or biological is being administered. For example, products that are administered in emergencies should be covered even though self-administration is the usual method of administration, in a non-emergency situation.

I believe that to implement Congressional intent on this provision, HCFA must promptly issue a memorandum to inform its contractors (e.g. carriers and intermediaries) of the change in the law.

I commend the efforts of the bipartisan sponsors of this provision for correctly clarifying the intent of the Medicare reimbursement coverage policy for injectable drugs and biologicals. This issue is of vital importance to thousands of our citizens that are afflicted with debilitating illness such as multiple sclerosis. As Congress and the nation continue to engage in a discussion on expanding prescription drug coverage under Medicare, this is an important step to provide our seniors and persons with disabilities with the life-saving prescription drugs and biologicals that they deserve. I look forward to continue working with the Administration and HCFA to ensure that our seniors and persons with disabilities receive coverage for injectable drugs and biologicals.

#### FAREWELL TO MANUS COONEY

Mr. HATCH. Mr. President, I would like to take just a moment to offer my public thanks and appreciation to the Judiciary Committee's chief counsel and staff director, Manus Cooney, for all his dedicated work over the last 7 years he has served on my staff, and for his exemplary 12-year career in the Senate.

Manus has been my right hand. I want to state that for the RECORD so that 10 years from now his daughters—Caitlin, Claire, and Tara—will know why their father was hardly ever home for dinner. Let me say to them that, without his tremendous efforts, we could not have accomplished half as much for our country.

Let me also say to my colleagues that I know Manus was tenacious. Senators and staff alike always took it seriously when Manus was on a mission. Believe me, I got as many orders and assignments as you did.

Seriously, though, it was amazing to me how Manus always kept the faith—he believed in what we were doing and never gave up.

I am going to miss him. He will be leaving my office at the end of the year

for a new, exciting opportunity to develop corporate strategy and to head Napster's new Washington office. He is the right guy for this job. He has the energy and the know-how to help Congress understand and connect with the complex and rapidly changing high-tech world. Manus is the kind of person who does not face the challenges of an unknown future with dread, but rather with enthusiasm.

So, as we close out this extraordinary 106th Congress, I hope my colleagues will join me in expressing appreciation to Manus for his loyalty and his tremendous contribution to the Senate and to public service. I wish him all the best in the future.

#### THE INTERNATIONAL CRIMINAL COURT

Mr. LEAHY. Mr. President, I rise today to voice my strong support for the International Criminal Court, ICC. Like all Senators, indeed like all Americans, I understand the need to safeguard innocent human life in wartime, at the same time that we ensure that the rights of our military personnel are protected. The Rome Treaty establishing the International Criminal Court will achieve both those goals, and I urge President Clinton to sign the Treaty before the December 31 deadline.

The Treaty was approved overwhelmingly two years ago by a vote of 120 to 7. Since then, 117 nations have signed the Treaty—including every one of our NATO allies except Turkey, all of the European Union members, and Russia. Regrettably, the U.S. joined a handful of human rights violators like Libya and Iraq in voting against it. Only one of our democratic allies voted with us, and it is quite possible that we will end up as the only democratic country that is not a party to the Court.

During the last century, an estimated 170 million civilians were the victims of war crimes, crimes against humanity, and genocide. Despite this appalling carnage, the response from the international community has been, at best, sporadic, and at worst, nonexistent.

While there was progress immediately following World War II at Nuremberg and Tokyo, the Cold War saw the international community largely abdicate its responsibility and fail to bring to justice those responsible for unspeakable crimes, from Cambodia to Uganda to El Salvador.

In the 1990s, there was renewed progress. The U.N. Security Council established a tribunal at The Hague to prosecute genocide and other atrocities committed in the Former Yugoslavia. A second tribunal was formed in response to the horrific massacre of more than 800,000 people in Rwanda.

In addition, individual nations have increasingly taken action against those who have committed these crimes.

Spain pursued General Pinochet, and he may yet be prosecuted in Chile. The

Spanish Government has requested Mexico to extradite Richardo Miguel Cavallo, a former Argentine naval officer who served under the military junta, on charges that include the torture of Spanish citizens.

A number of human rights cases have also been heard in U.S. civil courts. In August, 2000, \$745 million was awarded to a group of refugees from the Balkans who accused Radovan Karadzic of conducting a campaign of genocide, rape, and torture in the early 1990s. Also that month, an organization representing Chinese students who are suing the Chinese Government for its brutality during the 1989 Tiananmen Square protests, successfully served papers on Li Peng, the former Chinese Premier, as part of an ongoing lawsuit.

They are important steps towards holding individuals accountable, deterring future atrocities, and strengthening peace. But the ICC would fill significant gaps in the existing patchwork of ad hoc tribunals and national courts. For example:

A permanent international court sends a clear signal that those who commit war crimes, crimes against humanity, and genocide will be brought to justice.

By eliminating the uncertainty and protracted negotiations that surround the creation of ad hoc tribunals, the Court will be more quickly available for investigations and justice will be achieved sooner.

International crimes tried in national courts can result in conflicting decisions and varying penalties. Moreover, sometimes governments take unilateral actions, even including kidnapping, to enforce prosecutorial and judicial decisions. The Court will help to avoid these problems.

The Court will act in accordance with fundamental standards of due process, allowing the accused to receive fairer trials than in many national courts.

In the past, when the international community established war crimes tribunals, the United States was at the forefront of those efforts. The performance of the U.S. delegation at Rome was no different. The U.S. ensured that the Court will serve our national interests by being a strong, effective institution and one that will not be prone to frivolous prosecutions.

Why then did the United States oppose the Treaty, despite getting almost everything it wanted in the negotiations? Many observers feel that it was because the Administration could not get iron-clad guarantees that no American servicemen and women would ever, under any circumstances, come before the Court. A related concern was that the Treaty empowers the Court to indict and prosecute the nationals of any country, even countries that are not party to the Treaty.

The legitimate concern about prosecutions of American soldiers by the Court, while not trivial, arises from a misunderstanding of the Court's role.