

[From the Bellingham Herald, June 12, 2002]
 "MEDIFAIR" IS WORKABLE ANSWER

Our nation's Medicare system is so fraught with problems that there is no single cure for what ails it. Recovery will require multiple remedies over time. Still, U.S. Sen. Patty Murray, D-Wash., took a healthy step toward a solution in announcing her "Medifair" legislation last month.

Much lip service has been paid to addressing Medicare issues, but Murray's bill, still in draft form, advances the fight.

It's no secret that Washington state is at the low end of the scale for reimbursements. That's more than evident in Whatcom County, where the Family Care Network and Madrona Medical groups have had to stop taking new Medicare patients because they can't afford to treat them.

Despite the fact that everyone pays into the system at equal rates, the doctors who treat them are not reimbursed at the same rates. States like California and Florida receive far higher payments than Washington, which is being penalized for trying to contain medical costs. The current formula is unfair to both the patients who pay into it and to the health-care providers who treat them.

Murray's bill would require that every state receive at least the national average for per-patient spending, which was \$5,490 in 2000. Washington received about \$3,900 per beneficiary in 2000, making it 42nd among the states in per capita spending.

Under Murray's proposal, states that receive 105 percent of the average could see cuts.

In reality, the bill will face very strong opposition and will be difficult to pass. Big states will fight hard not to have their reimbursements cut, and the formula could require new revenue that won't be readily available.

The important thing is that Murray is getting the system on the table for examination.

While Washington ranks near the bottom in reimbursements, it ranks closer to the top in numbers of Medicare clients. The federal plan covers about 750,000 seniors and disabled people in this state, making it 18th in the nation in client base, according to 1999 figures.

U.S. Rep. Rick Larsen, D-Arlington, has already announced he's behind Murray's idea.

It's time for Washington's other members of Congress, on both sides of the aisle, to join this fight and help Washington be a leader in Medicare reform.

[From the Spokesman-Review, June 5, 2002]

MURRAY'S BILL RIGHTS MEDICARE INEQUITY (By John Webster)

Unveiling a Medicare-enhancement bill the other day, U.S. Sen. Patty Murray told an unsettling story: An elderly constituent wearing a cast on her arm came up to Murray and said that when the time came to get her cast removed, her physician refused to see her because he recently had stopped accepting Medicare patients.

Why would any member of the healing profession want to shun Medicare, a major source of patients? Because, in Washington state, Medicare's reimbursement rates are lousy and getting worse.

That's why Murray introduced S. 2568, the MediFair Act of 2002. The bill would compel Medicare officials to correct a reimbursement inequity.

The state medical association says this inequity has created such financial difficulty that a growing number of older physicians are throwing in the towel and retiring; young physicians are moving to states other than Washington; and, some Washington

state physicians are deciding to stop taking Medicare patients.

These are alarming trends for the residents of our state. The problem is particularly troubling for Spokane. Here, there is a sizable population of low-income and elderly people who depend on Medicare. In addition, Spokane is a regional center for advanced medical services—one of the strongest sectors in our economy. Medicare is a leading source of the health care industry's income; if it fails to cover costs, that's a serious problem.

The reimbursement inequity has existed for years, but it is getting progressively worse. When Medicare set its reimbursement rates years ago, it built them on the status quo, state by state. Medical care was more cost-efficient here than in some states, so reimbursement rates here were set at a lower level.

But as years went by, physicians have faced an accelerating need to invest in high-tech equipment, which costs the same everywhere. Medicare's rates left Washington's clinics with less money to buy that technology, than doctors had in other states.

On top of that, in 1997 Congress approved a series of cuts in Medicare, to balance the federal budget. Ever since, Medicare has been cutting physicians' reimbursement rates. Doctors in less-efficient states with higher reimbursement rates had leeway to adopt efficiencies and adjust. Not so, in Washington, where rates are lower. By 2005, that 1997 budget deal is scheduled to have cut reimbursement rates by 17 percent.

As of 2000, Sen. Murray says, Medicare spent an average of \$3,921 on each Medicare beneficiary in Washington state. In New York it spent \$6,924. The national average was \$5,490. Washington's rate ranked 42nd in the nation.

This makes it tough for Washington to keep or recruit physicians.

According to a survey by the Washington State Medical Association, 57 percent of physicians are limiting or dropping Medicare patients from their practice.

Murray's bill would require Social Security to correct the inequity; in states such as Washington, Medicare would have to raise reimbursement rates to the national average.

The proposal has the support of associations representing the state's doctors, hospitals and nurses. Good for Sen. Murray, for seeking a solution. The elderly depend on Medicare, and they are counting on Congress to fix Medicare's many ailments—including this one, which threatens the stability of medical clinics as well as access to the physicians that elderly people need.

Mrs. MURRAY. I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the remaining time shall be under the control of the Republican leader or his designee.

The Senator from Virginia

UNANIMOUS CONSENT AGREEMENT—S. 2600

Mr. ALLEN. Madam President, I ask unanimous consent that amendment 3838, which will be the second vote today, be referred to as the Harkin-Allen amendment in recognition of the tireless efforts and leadership of our colleague from Iowa on this important issue.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TERRORISM RISK INSURANCE

Mr. ALLEN. In support of the Harkin-Allen amendment No. 3838, I do want to say that our friend and colleague from Iowa, Senator HARKIN, and I, introduced the measure to allow victims of terrorist acts to seek judgments in our Federal courts with due process and, if accorded a judgment, be able to try to get that judgment satisfied from assets of those terrorist organizations or terrorist assets which have been seized or frozen by the Federal Government.

This measure allows those people from all across the country, including Iowa, Virginia, and other States, to get satisfaction for compensatory damages that they have been awarded. I want to again thank our colleague from Iowa, Senator HARKIN, for his great leadership and his great efforts in this regard.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

ENERGY POLICY

Mr. THOMAS. Madam President, I will make a few remarks this morning in our remaining time regarding one of the issues before us. We, of course, have spent a good deal of time on emergencies over the last number of months, and properly so. We have had emergencies. Obviously, the most compelling one has been terrorism and homeland defense.

In addition to that, we have talked about a number of other things. We have had fires; agriculture, which we felt is something of an emergency; as well as health care, which the Senator from Washington talked about. Indeed, most legislation that comes up is sort of deemed an emergency, at least in the view of the sponsor.

There is one thing which I think pretty clearly should be one of the most important, something that will affect us over time and one that we can avoid, which is the energy problem in our country. Probably nothing touches more Americans than energy, whether it be electric energy or gasoline for one's automobile.

Finally, after a considerable amount of effort in both Houses, we do have an energy bill that has passed both Houses. It is designed to give us an energy policy which we have not had for a very long time. Obviously, there are differences between the House-passed bill and the Senate-passed bill. Both of them have many of the components that were put forth by the President and the Vice President early last year in terms of an energy policy. Yesterday, we had the appointment of a conference committee named by the House, and I am pleased with that because we will be able now to go forward in putting together these two bills and coming out with an energy policy for the United States.

I want to emphasize how important that is. We have seen some problems

recently in California, of course, and problems can occur in other places. We will likely see some this summer if we continue to have the heat we have had, and the demand for electric power. There will be some problems, I suppose, relative to that.

We are seeking a policy that does several things. No. 1, it avoids having an energy crisis. There is no real need for that. We know what is needed. It is very simple to set forth what we have to have in the future. We are also seeking to try to do whatever we can. It is very possible to avoid overdependency on imported oil and fuel. We are now 60 percent dependent on overseas countries for our oil supplies. These are our challenges.

In addition, an energy policy that looks forward to cleaner air and protecting our environment is one everyone is committed to. There will be great debate over ANWR and whether or not a small footprint on 19 million acres of a wildlife refuge in Alaska would be detrimental. That is yet to be decided.

However that turns out, there are things we have to do. One opportunity we have is to continue to make coal a cleaner resource. Regarding electric generation, 50 percent is generated by coal. That will continue to grow, I suspect, and be a larger percentage over time. We need to make sure we can make the coal-generated electricity as clean as possible. Our bill will provide for additional help with respect to that. It is important we do that. Coal is probably the largest energy resource we have available in the United States.

Regarding gas and oil, again, we have become very dependent on imports. We have great opportunities in this area in the continental United States, in Alaska and the West. We need to do that and be balanced with the environment and production. We need access to public lands to do that. We will work on that.

We have an opportunity now to deal with one of the issues that impacts, probably more than anything else in this country, our policy on energy. We are ready to move with that. It needs to be balanced between renewables, production, environment, and usage. We can do that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

TERRORISM INSURANCE

Mr. DODD. Madam President, we are going to start voting at 9:35. We need a roadmap to follow as to what we are going to do in the next 45 minutes with a variety of votes on matters that are related in some degree, but mostly unrelated, to S. 2600, the terrorism insurance bill, the subject of debate all day yesterday. We will be continuing with matters that have to be dealt with before we get back to that bill. I take a minute or so to express my sincere hope we will get back to that bill. I re-

gret it is taking this long. We have been at this an awfully long time.

We only dealt with two amendments yesterday that were relevant to the bill despite all the talk about this. There are people from the AFL-CIO, to business groups, developers, commercial interests, who would like to see the bill adopted soon because of the inability of major projects to move forward due to the unavailability of terrorism insurance.

We have come a long way while waiting to get here. This is an important issue. The President indicated this, and the Secretary of the Treasury, and every organization I know of, with the exception of one or two, believe this is something we must do and should have done earlier. We will deal with some of the other matters, and I don't minimize the importance of them, but we are getting off track from the underlying bill. The leader feels strongly about this, as do many Members on both sides. We had some very fine speeches yesterday by Members on both sides of the aisle in support of this underlying legislation.

My hope is sooner, rather than later, we can adopt S. 2600. We will deal with some other matters, but I hope to get back to the bill and complete it. I am prepared to stay here as long as we have to and listen to Senators all day today and all day Monday. There will be no votes until Tuesday, but we can dispense with debate today and Monday and bring us to final closure on this bill on Tuesday. The leader has to make some decisions on proceeding, but he is determined the legislation move forward.

I yield the floor.

Mr. LEAHY. What is the parliamentary situation?

The ACTING PRESIDENT pro tempore. At 9:30, morning business is to be closed.

The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that I be allowed to speak for 4 minutes and delay the vote from 9:35 to 9:39.

Mr. LEAHY. Reserving the right to object, and I shall not, has there been reserved time already on this vote?

The ACTING PRESIDENT pro tempore. There is no time reserved for debate on matters.

Mr. LEAHY. Madam President, I understood the Senator from Vermont had time reserved on the Leahy-Hatch amendment. Am I incorrect on that?

The ACTING PRESIDENT pro tempore. There was an order for the Senator to be recognized to offer the amendment but no specific time for debate.

Mr. LEAHY. I thank the Chair.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Iowa will be recognized for 4 minutes.

HARKIN-ALLEN AMENDMENT ON TERRORISM VICTIM'S ACCESS TO COMPENSATION

Mr. HARKIN. Madam President, first, I thank the Senator from Virginia, Senator ALLEN, for bringing this matter to the floor. I was unavoidably detained yesterday. I had a lot of constituents from the Greater Des Moines Chamber of Commerce, about 140 Iowans, with whom I was meeting as we concluded a very busy day to cap off their annual work trip to Washington, D.C. Unfortunately, I was unable to be here in the Chamber to assist and help my good friend from Virginia in offering this amendment.

I personally thank the Senator from Virginia for filling in the gap yesterday and getting this amendment up on this bill. This is an issue that needs to be addressed and I could not ask for a more dedicated and steadfast ally than Senator ALLEN in helping pursue justice for all of the innocent American victims of state-sponsored terrorism. This is an issue that must be addressed by this Congress.

That is why the bipartisan legislation Senator ALLEN and I introduced in April—the Terrorism Victim's Access to Compensation Act (S. 2134) and the amendment that Senator ALLEN joins me in offering here take two very important steps. First, this amendment would require that compensation be paid first and foremost from the blocked and frozen assets of the state sponsors of terrorism and their agents, not U.S. taxpayers, in cases where American victims of terrorism secure a final judgment in our federal courts and are awarded compensation accordingly.

Second, this amendment provides a level playing field for all American victims of state-sponsored terrorism who are pursuing redress in our federal courts and compensation from the blocked assets of state sponsors of terrorism, including their agencies and instrumentalities.

Madam President, we are united as Americans to meet the threat of international terrorism. This fight is being waged on many fronts, from the mountains of Afghanistan to the borders and streets of America.

Even as we track down the terrorists and defend America, we must never forget that terrorist acts are ultimately stories of human tragedy. We must never forget the victims.

I am talking about American victims like the dedicated, professional woman from Waverly, IA, Kathryn Koob, who sought to build cross-cultural ties between the Iranian people and the American people only to be taken hostage in the U.S. Embassy in Tehran and held captive for 444 nightmarish days in Iran.

I am talking about American victims like Taleb Subh from LeClaire, IA, who, as a teenager, was visiting relatives in Kuwait and terrorized by Saddam Hussein and his troops at the outbreak of the Persian Gulf War.