

The Hospital has been faced with a health professional shortage requiring the payment for caregiver services through overtime and use of temporary agencies at a level much greater than anticipated. (Even when staff becomes available, we have been forced to pay higher hourly rates to attract health professionals to the Carbondale area.)

This past spring, the Hospital's provider of professional and general liability insurance (PHICO) become insolvent requiring the use

of expensive alternatives and financial resources that were not planned until a solution could be formulated with other Pennsylvania hospitals in a like situation.

Capital expenditures and replacement of medical equipment in the current fiscal year will need to be reprioritized until relief from unreimbursed costs can be resolved.

Thank you again for your interest in our Hospital and in the Northeast region of Pennsylvania. We are prepared to participate

in any way in hearings with your Committee to resolve this crises.

Respectfully yours,

THOMAS L. HERON,  
Chief Financial Officer.

TYLER MEMORIAL HOSPITAL,  
Tunkhannock, PA, July 8, 2002.

Below please find a history of our hospital's reimbursement rate under Medicare's prospective payment system:

	Labor component	Wage index	Adjusted labor	Non-labor component	Actual base rate	Increase (percent)	Consumer price index (percent)
1998	\$2,732.26	0.8539	\$2,333.08	\$1,110.58	\$3,443.66		
1999	2,739.36	0.8683	2,378.59	1,113.47	3,492.06	1.41	1.70
2000	2,764.70	0.8524	2,356.63	1,123.76	3,480.39	-0.33	1.60
2001	2,818.85	0.8578	2,418.01	1,145.78	3,563.79	2.40	2.70
2002	2,908.65	0.8683	2,525.58	1,182.27	3,707.85	4.04	3.40

As you can see, in three of the last four years, our increase in payment has fallen short of the increase in the consumer price index. In 2000, our base payment rate actually decreased because of a reduction in the wage index.

With increases in our payments that do not surpass the rising cost of healthcare, the hospital is put in a position where, in order to staff the lone hospital within a 45-mile radius, it must tap into its own cash reserves that were earmarked for improved capital equipment.

It's imperative that the wage index be increased to allow the patients that we serve get the equipment and the care that they deserve. Without that increase, it's only a matter of time before the hospital's own cash reserves are depleted.

In negotiating with an HMO, the hospital can bargain to receive higher payments; with federal or state insurance, the hospital has to take what is offered. Congress should do its best to make sure that the payment it offers is a fair one.

#### TRIBUTE TO WILLIAM B. RUGER, SR.

Mr. GREGG. Mr. President, one of New Hampshire's leading citizens, William B. Ruger, Sr., Chairman Emeritus of Sturm, Ruger & Company died peacefully at home on Saturday, July 6, 2002.

I have had the pleasure of knowing Bill Ruger for several decades. He was one of America's great gun designers and a true American entrepreneur.

Not only was Bill a giant in the firearm industry, his other interests were noted nationally as well. His philanthropy was especially evident through charities in communities throughout New Hampshire, as well as the Buffalo Bill Historical Center in Cody, WY where he served as a member of the Board of Trustees for over 15 years. Also, his Western Art Collection is thought to be one of the finest in the country.

In 1999 he was honored by the Camp Fire Club of America, one of the most prestigious hunting and conservation organizations in the country. In awarding Bill their Medal of Honor, they appropriately said, "he embodies a natural sense of justice and a passion for exploration, not only in the traditional sense, but in a business sense as well. Through the various and substantial endowments he has created, he has established a way to train and educate

the youth of our country in the importance of personal responsibility, conservation, and truth."

New Hampshire, and especially the community of Croydon, has lost a great citizen, and he will be sorely missed.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO NANCY LÓPEZ

• Mr. DOMENICI. Madam, President, I rise today to pay tribute to one of New Mexico's favorite daughters, Nancy López, who over the Fourth of July holiday concluded her full-time career on the Ladies Professional Golf Association tour.

Nancy has a remarkable history not only as a player, but as an inspirational role model, who overcame hardships like racial and gender bias, to reach remarkable heights as a golfer. She did so with an inner strength, natural talent and the sustaining guidance of her loving parents, Marina and Domingo. They scrimped and saved to help Nancy reach her potential, which culminated at the pinnacle of the professional golfing world.

Her father's love for golf helped Nancy tap her natural talent for the sport at the young age of 8. She soon excelled, winning the New Mexico Women's Amateur title at 12, followed by twice winning the USGA Junior Girls Championship.

Nancy successfully petitioned the New Mexico Activities Association to be allowed to play on the boy's team at the Robert H. Goddard High School in Roswell. She honed her talents as a player at Tulsa University and turned pro in 1977.

From the little girl who first swung a club with her father on Roswell's public course, Nancy embarked on a 25-year career that brought greater public attention to the LPGA. In her first full year as a professional, she won nine tournaments and grabbed another eight titles in 1979. In all, Nancy has won 48 titles on the LPGA Tour and has rightfully been identified as the key figure who helped popularize women's golf.

In 1987, she was inducted into the LPGA Hall of Fame, and in 1992, I was privileged to personally congratulate

her as she received the prestigious Flo Hyman Award from the Women's Sports Foundation for "exemplifying dignity, spirit and commitment to excellence."

I think it is only fitting that a school in her old stomping grounds has been renamed, through the efforts of the Roswell Hispano Chamber of Commerce, the Nancy López Elementary School. This tribute serves as one reminder of the enduring pride the people of Roswell and New Mexico have for Nancy. As she makes the transition from the LPGA tour to devote more time to her family and charitable endeavors, I believe it is proper to honor and congratulate Nancy López.

I fully expect Nancy will continue to serve as a model for Hispanic youth, female athletes, and parents striving to provide a nurturing and loving environment for their children.●

#### U.C. DAVIS CANCER CENTER NATIONAL CANCER INSTITUTE DESIGNATION

• Mrs. BOXER. Madam President, I am pleased to note that the University of California, Davis Cancer Center has achieved National Cancer Institute, NCI, designation. With this designation, the UC Davis Cancer Center becomes one of only nine centers in California.

The NCI designation is most prestigious, awarded to cancer institutions that have significantly contributed innovative cancer research to the scientific community. Furthermore, this notable distinction provides ongoing Federal support for research in the fight against this disease.

The center is a collaboration of over 200 scientists, working at the UC Davis Medical Center in Sacramento, the main UC campus in Davis, and the Lawrence Livermore National Laboratory.

The partnership with Lawrence Livermore, the first of its kind in the Nation, was a major factor in winning the NCI designation. Physicians and scientists work together to use technology developed for the defense industry and other non-medical uses to advance cancer diagnosis and treatment.

In addition to hundreds of cancer studies underway at the cancer center,

joint research collaborations with Lawrence Livermore include such innovative projects as photonic probes testing, which is used to instantly detect cancer and save patients from unnecessary biopsies.

The center serves a population of five million people throughout Northern and Central California, Nevada, Arizona and Oregon and cares for about 3,000 newly diagnosed cancer patients each year.

I commend the UC Davis Cancer Center on this impressive achievement, and I extend my confidence that the center will make meaningful contributions to our search for a cure for this devastating disease.●

#### PEACHES FROM SOUTH CAROLINA FARMERS

● Mr. HOLLINGS. Madam President, today, peaches from my home State have been delivered to offices throughout the Senate and the U.S. Capitol. Those of us here in Washington can cool off from the summer heat with fresh, juicy peaches, thanks to South Carolina's peach farmers.

For a tiny State, South Carolina is second, only to California, in peach production. This year we planted 16,000 acres, and expect to harvest 160 to 180 million pounds—twice what we harvested last year when cold weather devastated the crop. Because of hot, dry weather this past month, the peaches are slightly smaller, but the small size usually results in a sweeter peach for the consumer. So with all due respect to my colleagues from Georgia, South Carolina is known as the "Tastier Peach State" for good reason.

Earlier this spring, in a bipartisan fashion, this Congress passed a generous farm bill that when times are tough, will help the people who feed us. I voted for it. I did so because farmers are dedicated people who need support they can depend on. I hope as Senators and their staffs feast on these peaches, they think about the farmers who get up early every morning and labor all summer in the heat and humidity to bring us this delicious, nutritious, and satisfying harvest. We are so fortunate to have in this country safe, plentiful, and affordable fresh fruit and vegetables—but this Congress can never take that for granted.

I thank the South Carolina Peach Council, and especially David Winkles and the South Carolina Farm Bureau, for giving the U.S. Senate a taste of South Carolina. And I remind the rest of America to ask for South Carolina peaches at their groceries.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 3:34 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2594. An act to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins.

The enrolled bill was signed subsequently by the President pro tempore (Mr. BYRD).

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4954. An act to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize and reform payments and the regulatory structure of the Medicare Program, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7718. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Hedging Transactions" (RIN1545-AY02) received on June 26, 2002; to the Committee on Finance.

EC-7719. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Rev. Proc. 97-27 and Rev. Proc. 2002-9" (Rev. Proc. 2002-19) received on June 26, 2002; to the Committee on Finance.

EC-7720. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rockpile Viticultural Area" (2000R-436P) received on June 26, 2002; to the Committee on Finance.

EC-7721. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Delegation of Authority" (RIN1512-AC59) received on June 26, 2002; to the Committee on Finance.

EC-7722. A communication from the President of the United States, transmitting, pursuant to law, a report concerning emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan; to the Committee on Finance.

EC-7723. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Waiver of 60-Month Bar on Reconsolidation After Disaffiliation" (Rev. Proc. 2002-32, 2002-20) received on July 3, 2002; to the Committee on Finance.

EC-7724. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—February 2002" (Rev. Rul. 2002-29) received on July 3, 2002; to the Committee on Finance.

EC-7725. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice" (Notice 2002-32) received on July 3, 2002; to the Committee on Finance.

EC-7726. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting for Payments of Interest on Qualified Education Loans; Magnetic Media Filing Requirements for Information Returns" (RIN1545-AW67; TD8992) received on July 3, 2002; to the Committee on Finance.

EC-7727. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Equity Options with Flexible Terms" (RIN1545-AX66; TD8990) received on June 3, 2002; to the Committee on Finance.

EC-7728. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Necessary to Facilitate Electronic Tax Administration" (RIN1545-AY04; REG-107184-00) received on June 3, 2002; to the Committee on Finance.

EC-7729. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tax and Revenue Anticipation Notes" (Rev. Proc. 2002-31) received on June 3, 2002; to the Committee on Finance.

EC-7730. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Proc. 2002-33; Additional First Year Depreciation" (RP-114523-02) received on June 3, 2002; to the Committee on Finance.

EC-7731. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Gaming—Class Life of Floating Gaming Facilities" (UIL 168.20-07) received on June 3, 2002; to the Committee on Finance.

EC-7732. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Designation by Common Parent of a New Agent for the Consolidated Group" (Rev. Proc. 2002-43, 2002-28) received on June 3, 2002; to the Committee on Finance.

EC-7733. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling on Accelerated Deductions" (Rev. Rul. 2002-46) received on June 3, 2002; to the Committee on Finance.

EC-7734. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule