

are unable to get straight answers from the government, frustration and inefficiency can result. The outcome is a health care program that is not serving beneficiaries or taxpayers as well as it could. So I am proud that this legislation takes steps to treat some of these bureaucratic ills afflicting Medicare.

Based on provisions in a bill introduced last year by myself and Senator BAUCUS, along with Senators MURKOWSKI and KERRY, the Beneficiary Access to Care and Medicare Equity Act offers additional appeal rights for providers, mandates enhanced provider education, and ensures that providers receive straight answers from the Centers for Medicare and Medicaid Services, CMS.

Importantly, our legislation reforms the way Medicare contracts with the private companies that process and pay claims. Today, CMS is stymied by outdated guidelines that fail to recognize efficiency and quality in contractor performance. Today's system is also not competitive. Our legislation brings competition into the program so that the best available contractors, in terms of quality and efficiency, will serve it. The bill provides incentives for contractors to give timely and accurate information to beneficiaries and providers.

For Medicare contractor reform to succeed, however, contractors need protection from unlimited civil liability in carrying out the payments, provider services, and beneficiary services functions expected of them.

The bill I have just introduced would therefore continue the past policy of limiting the liability of certifying and disbursing officers, and the Medicare administrative contractors for whom those officers serve, with respect to certain payments. In addition, the language contained in Section 621 clarifies that Medicare administrative contractors are not liable for inadvertent billing errors but, as in the past, are liable for all damages resulting from reckless disregard or intent to defraud the United States.

Importantly, the reckless disregard standard is the same as the standard under the False Claims Act, a 150-year-old Federal law that I updated in 1986 and that has had unmatched success in fighting fraud and abuse in Federal programs like Medicare. The False Claims Act, 31 U.S.C. Sections 3729-3733, applies to Medicare fiscal intermediaries and carriers under current law and has been used effectively by whistleblowers and the Department of Justice to uncover and penalize fraud against the program by some intermediaries and carriers.

This specially calibrated version of reckless disregard balances the practical need to shelter Medicare administrative contractors from frivolous civil litigation, with the Medicare program's interest in protecting itself from contractor fraud. This legislation makes it clear that the False Claims Act continues, as in the past, to remain available as a remedy for fraud against Medicare by certifying officers, dis-

bursing officers, and Medicare administrative contractors alike and that, among other things, the remedy subjects Medicare contractors to administrative as well as trust fund damages. I am pleased that the Department of Justice and the HHS Office of Inspector General believe this special liability standard serves taxpayers and the Medicare program extremely well.

In closing, let me again say how proud I am that on this issue and on the many other provider and beneficiary policies in this bill, Chairman BAUCUS and I were able to work together in a balanced, bipartisan fashion. Together, we carefully considered and came to agreement on payment, administration and benefit policies that make sense for Medicare. I urge the Senate Democrat leadership to call up our bill for full consideration in short order before we adjourn next week.

ADDITIONAL STATEMENTS

MAINE'S ANGEL IN ADOPTION, DAWN DEGENHARDT

• Ms. COLLINS. Mr. President, each year, members of the Congressional Coalition on Adoption nominate an individual or couple to receive the "Angels in Adoption" award. This year, it was my pleasure to nominate Dawn C. Degenhardt of Houlton, ME to receive the 2002 "Angels in Adoption" award for her efforts and dedication to this cause. Dawn's wonderful story is truly inspirational.

Born in Portland, ME, Dawn was a child advocate in Cleveland, OH, where she founded the State chapter of the Council on Adoptable Children. Dawn and another parent also founded Spaulding of Beechbrook in Ohio, which helps to place special needs children and is still in existence today.

When Dawn and her husband decided to start their own family, they began by adopting two infants. By the time their second child was a year old, Dawn and Ed pursued an older child adoption. Over the next two years, they worked to encourage more people to adopt older children. They adopted four more children, one from a Native American adoption program in South Dakota and three from Vietnam. They then moved to Maine and adopted three more older children, two through the Maine Department of Human Services and one from India. Dawn and Ed adopted nine children in total.

Though their own family was now complete, in 1977, Dawn's concern for the children still waiting in the foster care system prompted her to found the Maine Adoption Placement Service, MAPS, in Houlton, ME. Her original mission was to place special needs children and to educate and train their new adoptive families in a supportive environment. After ten years, the program expanded its services to include a housing component for pregnant teens and young women.

Today, there are MAPS offices and programs with housing for pregnant

and parenting teens in Portland, Bangor, and Houlton. The program also has licensed offices in Boston, Tampa, FL, and Silverthorne, CO. The Colorado office has also a therapeutic foster care program.

The agency dawn founded is also licensed in Vermont, and has recently received accreditation by the Council on Accreditation of Children and Family Services, COA. MAPS was the first adoption agency to propose placement of children living in orphanages in the former Soviet Union, and that work continues to this day.

The program is also functioning in Cambodia, where it offers a strong program of adoption services and humanitarian aid. MAPS also has developed programs in Kazakhstan, Romania, India, Guatemala, Sierra Leone, and Ecuador; offering families more international choices while never losing sight of its original mission of placing special needs children from the foster care system. Dawn continues to serve as CEO of the Maine Adoption Placement Service. This year she and her staff celebrate their twenty-fifth anniversary of bringing children and families together. Dawn and her team of dedicated professionals have helped to place over 3,500 children in loving homes.

Dawn and Ed Degenhardt have built a family not only for themselves but also for many others. Their home has been filled with love and happiness. I am proud to know that Maine is home to a couple so full of compassion and generosity, and who have inspired countless more families, to show the same compassion and caring for children in our state and around the globe.●

HISPANIC HERITAGE MONTH 2002

• Mr. DURBIN. Mr. President, I rise in honor of Hispanic Heritage Month. For the past 34 years we have formally celebrated the numerous contributions the Hispanic community has made to our country. From September 15 to October 15, 2002, Hispanic Heritage Month will be commemorated by millions of people across the United States.

Hispanic Americans make up 12.5 percent of the population and have had a profound effect on our Nation's economic strength and stability. They not only are the fastest growing population group in the Nation, they are the fastest growing group among small business owners. Hispanic Business Magazine estimates that by the year 2007, Hispanic buying power will rise to \$926.1 billion—due to a growth rate almost three times that of non-Hispanics.

There are more than 1.2 million Hispanic-owned businesses. These firms employed more than 1.4 million people and generated \$183.3 billion in revenues. These statistics are a testament

to those Hispanic Americans who have overcome a myriad of obstacles to establish themselves as a prominent force in our Nation's economy.

Hispanic Americans also have succeeded in the political arena. The number of Hispanic elected officials has increased, and many States across the Nation have fielded Hispanic candidates at local and national levels. For example, earlier this month Georgia voters elected their first Hispanic State senator, Sam Zamarripa, and New Mexico's next Governor will undoubtedly be Hispanic.

In addition to recognizing the significant contributions Hispanics have made in politics and to our economy, we honor those Hispanic Americans who sacrificed their lives on September 11, 2001. Hispanic Americans were among the very first to respond to the terror attacks against our Nation. Twelve Hispanic firefighters lost their lives trying to save others.

As America continues to remember those Hispanic Americans who gave their lives on that tragic day, others in the Hispanic community have helped bring our Nation together. For example, Daniel Rodriguez, a Brooklyn-born Latino policeman, captured America's hearts with his rendition of "God Bless America" at numerous September 11 memorial services. Contributions like this from our fellow Americans have helped many of us heal and have instilled a deeper, greater pride in our Nation.

Other Hispanic Americans may not have received as much media attention but have equally contributed to every aspect of our American life.

In my home State of Illinois, where over 1 million Hispanic Americans reside, numerous individuals have had a significant impact on the Hispanic American community. Consider Theresa Gutierrez, a reporter for ABC News in Chicago. She was one of the first Hispanic women to break into television journalism, and since she began her media career in 1971 she has been the recipient of numerous awards. In 1999, she was recognized by Chicago Woman Magazine as one of 100 "Women Making a Difference." She was also selected as one of the six outstanding broadcasters in the country by Hispanic USA Magazine.

Another similar example is Anna Zotigh, a 16-year-old girl working on a mural at the Instituto del Progresso Latino in Chicago. Anna, along with other teams of students across the country, works 8- to 9-hour days with local artists to help promote Latino culture, specifically the pivotal role played by women in Hispanic culture. These are just some of the extraordinary Hispanic American individuals who contribute to the vibrant life of our country.

The Hispanic American population has made significant strides in the last decade to help strengthen America's ideals of democracy, freedom, and opportunity. We have seen their contribu-

tions time and time again, from their impact on our economy to their service in law enforcement.

Hispanic Heritage Month is a time to celebrate, experience, and honor the Hispanic culture. I urge all Americans to actively participate in the many festivities across our Nation, as we deepen our appreciation for a community that has helped shape America today, and will continue to do so tomorrow.●

TRIBUTE TO CHARLIE MYRICK

• Mr. BOND. Mr. President, I rise to pay tribute to Mr. Charlie Myrick and his over 25 years of service to children across this country. Over the years, Charlie Myrick has performed magic tricks in schools across the nation and has spoken to over 6 million school children. Resisting drugs and gang pressures as well as the importance of leadership and studying diligently in school are a few of the points Charlie emphasizes in his program. He inspires and motivates children to pursue their dreams while challenging parents to support and encourage their children in this pursuit. Charlie has been beaten and held at knife point by disgruntled students but his dedication to children has not wavered. Many children claim Charlie's encouragement and motivation changed their life. One child stated, Charlie motivated him to persistently strive to achieve his dreams. I commend Charlie for his years of service to children in need.●

TRIBUTE TO LEE MACE'S OZARK OPRY

• Mr. BOND. Mr. President, I rise to celebrate the 50th anniversary of the Lee Mace's Ozark Opry. The Lee Mace's Ozark Opry has entertained audiences for years and is a tribute to Lee's dream to share country music with the public. Lee and his wife, Joyce Mace began the Opry in an effort to preserve the real flavor of the Ozarks through music and dance. Giving talented young people from nearby towns the opportunity to perform was a dream of Lees and many performers have stood on stage as a result. The format developed for the show has been emulated in Branson, Missouri and over the years has spread to opry houses across the country. Although, Lee Mace passed away several years ago, the sounds of the Ozarks can still be heard at Lee Mace's Ozark Opry. Today, we honor Lee Mace's dream of preserving the tradition of country music in the Ozarks.●

HONORING STATE REPRESENTATIVE CLAIRE LEUCK

• Mr. BAYH. Mr. President, I rise today to honor a fellow Hoosier, Indiana State Representative, retired farmer, teacher, mother and loving wife, Claire Leuck, who will be retiring from the Indiana legislature this year.

Representative Leuck, who was first elected to the Indiana House of Representatives in 1986, has worked tirelessly to improve the lives of Hoosiers from all walks of life. As a representative of District 25, Claire was a voice for rural communities and worked in a bipartisan manner. Prior to her service in the legislature, Claire served as the Benton County Clerk from 1974-1982.

As chair of the House Agriculture Committee, she advocated for the interests and needs of the agricultural community, giving farmers a voice and enabling family farms to retain a vital role in the Indiana economy. Claire has worked to increase funding for rural schools and improve the quality of rural life. She has devoted her energies to improve health care by authoring legislation that created the CHOICE home health care program for the elderly. Claire has continually worked to secure state funding for Lakes Shafer and Freeman, allowing these lakes to remain safe and friendly destinations for tourists. She has also worked on behalf of veteran's interests to ensure that local veterans had the necessary means and equipment to pay tribute to their fallen friends.

Claire's outstanding work in the Indiana House of Representatives was acknowledged by House leadership when she was appointed to the powerful House Ways and Means Committee. During my time as Governor, I had the privilege to work with Representative Leuck to balance Indiana's budget, cut taxes for Hoosier families, increase funding for Indiana's public schools and protect Indiana's natural resources.

Everyone that has ever encountered Representative Leuck knows she exemplifies her famous campaign slogan "everybody likes Claire."

Along with her husband Richard, Claire's strong dedication to the State of Indiana is evident in the work she accomplished during her tenure in the legislature. She is to be commended for her 16 years of service to her community, her district and her State.●

TRIBUTE TO THE WORLD WAR II MEN OF THE USS KIDD

• Mr. WARNER. Mr. President, I rise today to pay tribute to the World War II men of the USS *Kidd*, DD 661, a Fletcher-class destroyer which was named after Rear Admiral Isaac C. Kidd, Sr., who was killed aboard his flagship, the USS *Arizona*, at Pearl Harbor on December 7, 1941. *Kidd* was commissioned at the New York Navy Yard in Brooklyn, New York, on April 23, 1943. She was placed under the command of Lieutenant Commander, later Admiral, Allan B. Roby.

Kidd served with great distinction in the South Pacific during World War II, earning eight battle stars while participating in such historic engagements as the air raids on Wake Island, the strikes against Rabaul and Bougainville, the Gilbert Islands invasion