

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DESIGNATING JAMES R. KETCHUM AS CURATOR EMERITUS OF THE U.S. SENATE

Mr. DOLE. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 122) designating James R. Ketchum as Curator Emeritus of the United States Senate.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 122) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

H.S. RES. 122

Whereas James R. Ketchum will retire from the United States Senate after 25 years as Senate Curator, and 35 years of Government service;

Whereas he has dedicated his Senate service to preserving the works of art, history, and traditions of the Senate;

Whereas he has contributed immeasurably to the restoration of the Old Senate Chamber, the Old Supreme Court Chamber, the President's Room, and other historic rooms in the Capitol;

Whereas he has developed exhibitions and educational programs detailing the rich heritage of the Senate for all to enjoy;

Whereas he has upheld the high standards and traditions of the Senate with abiding devotion; and

Whereas he has earned the respect, affection, and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That, effective July 1, 1995, as a token of the appreciation of the Senate for his long and faithful service, James R. Ketchum is hereby designated as Curator Emeritus of the United States Senate.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RETIREMENT OF GERALD A. HACKETT

Mr. DOLE. Mr. President, I send a resolution to the desk relating to the retirement of Gerald Hackett and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 123) relating to the retirement of Gerald A. Hackett.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 123) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 123

Whereas Gerald A. Hackett will retire from the United States Senate after 33 years of service, the last 29 years as Executive Clerk;

Whereas his dedication to the United States resulted in the computerization of the nomination and treaty processes, and the on-line publishing of the Executive Journal;

Whereas he has performed the duties of his office with remarkable diligence, perseverance, efficiency, and intelligence;

Whereas he has faithfully performed his duties serving all Members of the Senate with great professional integrity and dedication; and

Whereas Gerald A. Hackett has earned the respect, admiration and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That the United States Senate commends Gerald A. Hackett for his long, faithful, and exemplary service to his country and to the Senate.

SEC. 2. The Secretary shall transmit a copy of this resolution to Gerald A. Hackett.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RETIREMENT OF FREDERICK R. BROOMFIELD, SR.

Mr. DOLE. Mr. President, I send a resolution to the desk relating to the retirement of Frederick R. Broomfield and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 124) relating to the retirement of Frederick R. Broomfield, Sr.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 124) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 124

Whereas on June 30, 1995, Frederick R. Broomfield, Sr. will retire from service as a member of the Department of Office Services staff within the Office of the Secretary of the Senate after almost 20 years;

Whereas he has upheld the high standards and traditions of the Office of the Secretary of the Senate with abiding devotion; and

Whereas he has gained the trust, confidence, and respect of his associates and the Members of the United States Senate: Now, therefore, be it

*Resolved*, That the United States Senate expresses its deep appreciation and gratitude to Frederick R. Broomfield, Sr., for his years of faithful and exemplary service to his country and to the United States Senate.

SEC. 2. The Secretary shall transmit a copy of this resolution to Frederick R. Broomfield, Sr.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 1116

(Purpose: To express the sense of the Senate regarding losses of trust funds due to fraud and abuse in the Medicare program)

Mr. COHEN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Mr. COHEN] proposes an amendment numbered 1116.

Mr. COHEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 94, after line 21, add the following new section:

SEC. . SENSE OF THE SENATE REGARDING LOSSES OF TRUST FUNDS DUE TO FRAUD AND ABUSE IN THE MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) the General Accounting Office estimates that as much as \$100,000,000,000 are wasted each year in the health care system due to fraud and abuse;

(2) outlays for the Medicare program under title XVIII of the Social Security Act during fiscal year 1994 were \$161,100,000,000, and the General Accounting Office estimates that up to 10 percent of those outlays were wasted because of fraud and abuse;

(3) Medicare beneficiaries incur higher out-of-pocket costs and copayments due to inflated billings resulting from fraudulent and abusive practices perpetrated against the Medicare program; and

(4) funds lost because of fraud and abuse are contributing to financial crises of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as identified by the Boards of Trustees of such trust funds in their 1995 annual reports.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that as the Committee on Finance of the Senate and, if established, the Bipartisan Commission on the Solvency of

Medicare recommended under section 307, address the long-term solvency of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), high priority should be given to proposals which identify, eliminate, and recover funds expended from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund due to, fraud and abuse in such program.

Mr. EXON. Will the Senator yield for a question?

Mr. COHEN. Yes, I yield for a question.

Mr. EXON. The Senator from North Dakota has a bill that he would like to proceed to introduce, as in morning business, and take 10 minutes to talk about it. It has nothing to do with the measure at hand. After the conclusion of the opening remarks on the offering of his amendment, I would appreciate that side accommodating the Senator from North Dakota, if that is satisfactory, and the time will be charged to us.

Mr. DOMENICI. Mr. President, might I inquire, the Senator said it is unrelated to the budget?

Mr. EXON. Yes, unrelated to the budget.

Mr. DOMENICI. We have a similar request, Mr. President. Did the Senator from Wyoming wish some time? Did he not want to introduce a bill?

Mr. THOMAS. Three minutes, if I may.

Mr. DOMENICI. May we have, immediately following, 3 minutes for the junior Senator from Wyoming?

Mr. EXON. I assume the Senator from Maine would want to go ahead and offer his amendment at this time.

The PRESIDING OFFICER. The Senator from Maine offered the amendment.

Mr. EXON. I thank the Senator from Maine and the chairman of the committee.

The PRESIDING OFFICER. Without objection, it is so ordered. We will proceed with the Senator from North Dakota, followed by the Senator from Wyoming for 3 minutes, and then the Senator from Maine.

Mr. CONRAD. I thank the Chair.

(The remarks of Mr. CONRAD pertaining to the introduction of S. 840 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the Senator from Wyoming is recognized.

Mr. LOTT. Will the Senator yield?

Mr. THOMAS. Yes.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that a vote occur on or in relation to the Cohen Medicare fraud amendment, to be followed immediately by a vote on or in relation to the Democratic education amendment, at 7:15 p.m. this evening, with the first vote limited to the regular 20-minute time limit, and the second vote limited to 10 minutes in length. I note at this

point that this has been cleared with the Democratic side of the aisle. I further ask that no points of order be considered as having been waived by this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I further ask unanimous consent that no second-degree amendments be in order to either amendment, and that the time between now and 4:30 be equally divided for consideration of the Cohen amendment, and the time from 4:30 p.m. to 7:15 p.m. be equally divided on the Democratic education amendment, and that following the two back-to-back votes, Senator ABRAHAM be recognized to offer an amendment relative to education.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from Maine is recognized.

#### AMENDMENT NO. 1116, AS MODIFIED

Mr. COHEN. I send a modification of my amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment is so modified.

The amendment (No. 1116), as modified, is as follows:

Strike all after the word "section" and insert the following:

#### SEC. . SENSE OF THE SENATE REGARDING LOSSES OF TRUST FUNDS DUE TO FRAUD AND ABUSE IN THE MEDICARE PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) the General Accounting Office estimates that as much as \$100,000,000,000 are wasted each year in the health care system due to fraud and abuse;

(2) outlays for the medicare program under title XVIII of the Social Security Act during fiscal year 1995 were \$161,100,000,000, and the General Accounting Office estimates that up to 10 percent of those outlays were wasted because of fraud and abuse;

(3) medicare beneficiaries incur higher out-of-pocket costs and copayments due to inflated billings resulting from fraudulent and abusive practices perpetrated against the medicare program; and

(4) funds lost because of fraud and abuse are contributing to the financial crises of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as identified by the Boards of Trustees of such trust funds in their 1995 annual reports.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that as the Committee on Finance of the Senate and if established, the Bipartisan Commission on the Solvency of Medicare recommended under section 307, address the long-term solvency of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), high priority should be given to proposals which identify, eliminate, and recover funds expended from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund due to, fraud and abuse in such program.

In addition, the Senate assumes that funds recovered from enhanced anti-fraud and abuse efforts be used to fund health care anti-fraud and abuse enforcement efforts, reimbursements to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund for losses due to fraud and abuse, and deficit reduction.

Mr. COHEN. The focus of debate today has been on what to do about Medicare. I think all of us share the concern over the grim news that the Medicare trustees announced a few weeks ago, namely, that the Medicare trust fund is going bankrupt.

I support the budget resolution that calls for a bipartisan commission to devise a plan to basically pull Medicare out of its financial crisis. Just as we restored public confidence in the Social Security system over a decade ago through a bipartisan panel, the only way to fix Medicare is also through a bipartisan panel.

The amendment I am offering today for myself, Senators DOLE and BRADLEY, urges the bipartisan commission to give high priority to a problem that is costing the Medicare Program, senior citizens, and taxpayers across the country billions of dollars every year: health care fraud in Medicare.

For the past 3 years, the staff on the Senate Special Committee on Aging has been investigating the explosion of fraud and abuse throughout the U.S. health care system. Nearly a trillion dollars is spent on health care each year, and roughly 10 percent is lost through abusive practices and fraudulent activities.

Over the past 5 years, the estimated losses from health care system fraud total \$418 billion. That is four times the amount lost to the savings and loan crisis—all those scandals, four times the amount just in the past 5 years.

A major victim of this health care fraud is the American taxpayer. In 1993, spending on Medicare and Medicaid totaled some \$272 billion, or over 30 percent of all the moneys we spend on health care in this country. The Federal Government loses as much as \$30 billion a year due to fraud in the Medicare and Medicaid systems and as much as \$44 billion from fraud when we take into account all of the Federal health care programs.

Taxpayers are losing \$44 billion a year today through health care fraud. I think this only represents a tiny fraction of the problem. These are the ones that we know about, the ones that are being caught and prosecuted. I think they represent a tiny fraction of the level of fraudulent activity taking place in this country.

Mr. President, it is shockingly simple to defraud the current system. The payors are running as fast as they can to process the over four billion claims that are filed every year, and law enforcement simply is lacking in the resources necessary to really detect and prosecute this fraudulent activity.

Recently the Aging Committee heard, I think, some compelling testimony on the extent of the fraud in this country. FBI Director, Louis Freeh, testified "We see cocaine dealers turning into health care fraud entrepreneurs" because that is where the money is big—but enforcement is little.