

purpose of the effort must have been inducing essentially fraudulent or other similar activity.

On this, here is what the Justice Department says, Mr. Speaker. This is of the Republicans that is now in the bill that will be before us on Thursday. "The proposed amendment will seriously undercut our anti-kickback enforcement efforts". This is the Justice Department. The Republicans did not listen to them.

Here is what the Inspector General of the Health and Human Services department says. "These proposals would cripple the efforts of law enforcement agencies to control health care fraud and abuse in the Medicare program and to bring wrongdoers to justice".

Here is what the GAO says about the change in the Republican bill in the criminal statute. "The effect could well be to make it easier to disguise the intent behind kickback arrangements or make disguises currently used more effective in evading prosecution".

In a word, Mr. Speaker, when it comes to criminal sanctions against fraud and abuse, the bill that will be before us on Thursday would make it much more difficult and would weaken our efforts. And, look, the HHS IG points out that the GAO estimates loss to Medicare from fraud and abuse at 10 percent of total Medicare expenditures, or about \$18 billion.

Why then, Mr. Speaker, are the Republicans weakening these provisions?

There is also a weakening of the monetary provisions, the civil provisions, and, here again, there is no reason to do it. Here is what the GAO says. "We agree with the Inspector General of HHS that this new definition of 'should know', which essentially would require proof of reckless activity, would, as drafted, significantly curtail enforcement under the Medicare civil monetary penalty provisions". Significantly curtail enforcement.

Now, why is this being done? The Washington Times, October 4, the headline is GOP's Medicare plan takes hit for weakness in stopping fraud. Why are the Republicans doing this? It is terribly misguided.

Searching for a reason, the Speaker, on October 12, said this. "The speaker defended GOP moves to reduce penalties and enforcement efforts against Medicare fraud by saying it is more important to lock up murderers and rapists than dishonest doctors".

I think the answer is, Mr. Speaker, we can do both. We should, obviously, lock up everybody, everybody who is convicted of murder and rape. However, that is not an excuse to let dishonest providers off the hook.

Mr. Speaker, I urge everybody to take a look at this. This Republican effort is terribly misguided.

## REPUBLICANS MEDICARE BILL WORSENS PROBLEM OF FRAUD AND ABUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I also want to address the problem of waste, fraud, and abuse in Medicare and say that I am very pleased to be a cosponsor, an original cosponsor, of the gentleman from Connecticut, Ms. DELAURO's, bill to deal with the problem.

As she pointed out, she is trying to address this problem. But, unfortunately, the Republican leadership, in their Medicare bill, which we are going to vote on, I understand, this Thursday, does not. In fact, Speaker GINGRICH's proposal, the Republican leadership proposal on Medicare actually makes the problem of waste, fraud, and abuse in the Medicare Program seriously worse.

The reason for that is, essentially what the Republican leadership is doing with this Medicare bill is trying to achieve savings by cutting Medicare to provide money for a tax cut primarily for the well-to-do. So their concern about problems dealing with waste, fraud, and abuse is really relatively minor in the overall bill that they have and that they will bring before the House.

I am concerned, Mr. Speaker, because we had a hearing, we were not allowed a hearing in the Committee on Commerce, which I sit on, to actually deal with the Republican Medicare proposal, but we decided that we would have our own hearing. And the day after the bill was first presented to us last week, we had our own Democratic hearing on Medicare. Interestingly enough, a number of representatives from the various Federal agencies that go after those who abuse the Medicare System, or commit fraud on the Medicare System, testified to the problems that exist in this bill with fraud and abuse.

Essentially, Mr. Speaker, what they say is that the Medicare restructuring proposed by Speaker GINGRICH and the Republican leadership actually weakens the Government's ability to weed out bad practices and Medicare scams. Over the course of 7 years, \$126 billion could be saved by reducing fraud and abuse, but the GOP bill makes the existing civil monetary penalties and the antikickback laws considerably more lenient. According to the inspector general of the Department of Health and Human Services, the Medicare restructuring legislation by the Republicans would substantially increase the Government's burden of proof in cases under the Medicare-Medicaid antikickback statute. And although a fund would be created to direct money recovered from wrongdoers, this fund would not go to further law enforcement efforts.

Now, just to put this in perspective, here we are, pursuant to this Repub-

lican proposal, squeezing every last dime or nickel out of the Medicare Program with these spending caps that limit how much can be spent on Medicare, and in the context of that, with our health care system and the quality of our health care system significantly declining because of these cuts, we are now, instead of addressing fraud and abuse and trying to save some more money there, actually making it easier for fraud and abuse to take place.

Mr. Speaker, I think one of the speakers mentioned that the Congressional Budget Office actually estimated that over the 7 years of this Republican Medicare Program, the regulatory relief would actually incur an additional expense of \$1.1 billion. In other words, it would cost us another billion dollars or more in this Medicare Program because of the relaxation of the laws that deal with fraud and abuse.

Now, I just want to just give some brief statements that were made by June Gibbs Brown, the inspector general of the U.S. Department of Health and Human Services, at our Commerce alternative hearing on October 3, because she basically specifies why it is true that this Republican bill will cripple efforts of the Federal and State law enforcement agencies to control fraud and abuse in the Medicare system.

She says, "We believe that H.R. 2425 contains several provisions which would seriously erode our ability to address Medicare and Medicaid fraud and abuse."

Here are some of the examples she cites. "The bill would make the existing civil monetary penalty and antikickback laws considerably more lenient." She goes on to say, "The bill would relieve providers of the legal duty to use reasonable diligence for ensuring that the claims they submit to Medicare and Medicaid are true and accurate. This will have the effect of increasing the government's burden of proof in cases under the civil monetary penalties law. In an era where there is great concern about fraud and abuse in the Medicare and Medicaid Programs, it would not be appropriate to relieve providers of the duty to use reasonable diligence to ensure that their claims for payment are truthful and accurate."

She then says, "The bill would substantially increase the government's burden of proof in cases under the Medicare-Medicaid antikickback statutes. For the vast majority of present-day kickback schemes, the proposed legislation would place an insurmountable burden of proof on the government."

She then says, "The bill would create new exemptions to the Medicare-Medicaid antikickback statute, which could be readily exploited by those who wish to pay rewards or incentives to physicians for the referral of patients."

But worst of all, Mr. Speaker, even though the bill creates a fund for directing moneys recovered from wrongdoers, the moneys do not go to the enforcement agencies within the Government to continue their efforts to try to stop fraud and abuse. It is incredible to me, Mr. Speaker, that in all the talk about Medicare, that this is what we have in this Republican bill.

#### O.J. SIMPSON IS GUILTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, I said earlier during someone else's 5-minute special order that I was going to discuss the O.J. Simpson case. I used to represent, for 6 years, the precinct in Los Angeles, the real estate name is Brentwood, CA, where Nicole Simpson had her throat slashed to her spine, and where young Ron Goldman, doing a simple act of kindness, bringing over a pair of reading glasses belonging to Nicole Simpson's mother, then stumbled on to a situation where he yelled either hey, hey, hey or hey, O.J.

The word on the streets of Brentwood, in Los Angeles, from the lawyer of the Goldman family is that one of the defense witnesses lied on the stand.

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That he actually told all of his friends that, "O.J. is going to kiss me if he beats this," and that he actually physically saw O.J. Whether that is true remains to be seen. This is somebody who should be polygraphed, should be arrested for perjury, if in fact he told all of his friends that he heard Goldman say, "Hey, O.J.," which means he gave his life beyond common courtesy as a Good Samaritan in trying to interfere into what he thought was a beating, until he saw the flash of the knife in the moonlight. I believe that Ron Goldman, at age 25, did die as a hero.

Mr. Speaker, in these short few minutes I want to discuss what I would like to do in an hour special order. If this truly was the double murder or the trial of the century, then it should be discussed on the floor of this, the world's most important legislative body, this Knesset, this House of Commons, this Duma. This House should discuss this issue.

Last night I watched an hour on the murder of Stanford White, the New York architect, on the roof garden of Madison Square Garden which he designed. If that was the trial of the century, and it was only 6 years into the century, or the Lindburgh trial, when I was an infant, was the trial of a century, and this has eclipsed all of that; if more people were aware of the O.J. murder than the atrocity of the bombing in Oklahoma City, or just about anything other than the assassination of President Kennedy or Pearl Harbor, for those of us old enough to remember

that, then it should be discussed on this floor.

In this brief, 5-minute introduction to what I intend to do here for an hour, let me say three things. One, of course, O.J. Simpson did it. Of course he did it. Of course the jury did not hear Nicole's statements, because it was hearsay, to several friends. "He will kill me and he will get away with it. He will O.J. his way out of it. He thinks he is above the law."

O.J. Simpson is now called the butcher of Brentwood, my former area that I raised five of my children in. Two of my children came home from the hospital to a little house on Chenault three short blocks from the murder scene. Of course he did it.

No. 2, Mr. Speaker, I am going to, with my last breath, defend cameras in the courtroom, because about 50 million people in this country became the 13th juror. They knew more than the alternates did. We must never sequester human beings like this again. They feel they are locked up with less contact with the outside world than Simpson, so of course they felt they were angry with the State. But we must keep the cameras in the courtroom or we would not have know more evidence than the jury itself knows.

No. 3, we must reopen this case. I said this to Mr. Garcetti. I said this to my friend, Sheriff Sherwin Block. And I have said it to the detectives, the prime detectives, one of the trio of detectives that handled most of the evidence. And he said to me on the phone last week, "Congressman, we had gobs of evidence we did not use."

How can Garcetti stamp his foot like a petulant child, when a third of this country believes O.J. Simpson was not just not found guilty, not that he was acquitted, but that he is innocent. You cannot leave a third of this country in a fog that a murderer or double killers, maybe more than one, Colombian necklacing drug lords are out there going to terrorize some other family.

We must put this to rest. And here is what I told the detectives and in 4 short minutes, they bought my case. Reopen it. Take Johnny Cochran and Simpson at his word and go look for the killer or killers. Let us reinterview everybody that was interviewed in this case and then a second and a third tier of potential witnesses.

Go over every speck of evidence. It is locked up. Play one lab in this country off against the other. And then come out with a paper or report 6 months or a year from now. And those of us who were the 13th jurors who followed this trial know what the verdict will be. It was the butcher of Brentwood. Mr. Simpson, who if he had any decency, would not ruin his children's lives. He slaughtered their mother. He would go to Mexico, or some foreign country, and get out of our face.

He is shocked that we are not groveling and accepting him back. He told the gentleman from California [Mr. DREIER], on the Tuesday before

the murder, that he voted for Bush and that he told that to Clinton's face when they played golf.

I will do this in a 60-minute special order, Mr. Speaker. But let me close on this line. As I told the Presidential candidates in New Hampshire, that Republican millionaires who voted for Bush are more a jury of his peers and they would have found him guilty.

These poor, emotionally distraught jurors were not his peers. Not his peers. He did it. He simply did it, and he has not gotten away with it yet; not in the court of public opinion.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2259, DISAPPROVAL OF CERTAIN SENTENCING GUIDELINE AMENDMENTS

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 104-279) on the resolution (H. Res. 237) providing for the consideration of the bill (H.R. 2259) to disapprove certain sentencing guideline amendments, which was referred to the House Calendar and ordered to be printed.

#### AMERICANS SHOULD PAY ATTENTION TO THE REPUBLICAN MEDICARE REFORM AGENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DURBIN] is recognized for 5 minutes.

Mr. DURBIN. Mr. Speaker, there are many items and subjects debated on the floor of the House, as the previous speaker indicated, from the O.J. Simpson trial to some items that are considered to be very parochial, very regional, very specific.

But there will be a debate on the floor of the House this week which I am afraid has not caught the attention of the American people. The reason I have this fear is because of the gravity and importance of this debate, not only to tens of millions of senior citizens across America, but to all of their families as well.

You can measure the importance of an item in the U.S. House of Representatives by the time we dedicate to that item, in most cases, but not when it comes to this Gingrich Medicare reform. Take a look at this chart as an indication of the time that we have spent in committee hearing on the Medicare reform plan of NEWT GINGRICH.

Well, we spent 10 days looking into Ruby Ridge. We spent 10 days looking into Waco. We have spent 28 days of committee hearings on Whitewater. And how many days have we spent on a \$270 billion cut in Medicare? Look closely. One. One day.

The fact of the matter is that even as of this weekend, we are just learning what is included in this bill; a bill which will literally affect every family in America.