and teachers who have supported his hard work and determination. Brian is an excellent example of what young people will achieve when given the opportunity.

1986 AMENDMENTS TO THE FALSE CLAIMS ACT

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1999

Mr. BERMAN. Mr. Speaker, thirteen years ago, Congress passed the 1986 Amendments to the False Claims Act. They have been an enormous success.

As the principal sponsors of those amendments, Senator GRASSLEY and I are gratified to see how well they have worked. Recoveries to the United States Treasury pursuant to the False Claim Act have increased a remarkable 40-fold compared to the period before the amendments were adopted. More than $2.5 billion has been recovered to date from *qui tam* lawsuits, with half of that amount coming in the last few years. Another $3 billion in recoveries is anticipated from the pending cases the government has already joined. This exponential growth in recoveries to the Treasury is expected to continue.

The biggest payoff however has been in the deterrence of fraud. An analysis by William L. Stringer, the former Chief Economist for the U.S. Senate Committee on Budget, has estimated the deterrence attributable to the *qui tam* provisions of the False Claims Act for the first 10 years (through 1996) is $35 billion to $75 billion. He estimates that the next 10 years will produce additional savings of $105 billion to $210 billion. Indeed, many believe that the substantial reduction in Medicare outlays in recent years is due in no small part to the effect these amendments have had in curtailing fraud.

It is not an overstatement to suggest that there has been a cultural shift within companies that do business with the government. Because of the vigilance of the citizenry and the use of the *qui tam* provisions of False Claims Act, companies and entities are changing the way they do business with the government. Instead of developing strategies of ''revenue enhancement'' when dealing with the government, these same entities are developing new compliance programs to ensure that the government is not overcharged. This shift has occurred for one fundamental reason: The risks of getting caught, exposed and subjected to substantial penalties have grown tremendously as a direct result of the reinvigoration of the government's fraud enforcement caused by the 1986 amendments.

This cultural change is very much what Senator GRASSLEY and I hoped and expected would develop with the enactment of the 1986 amendments. We wanted to encourage, with appropriate incentives, the citizenry to the take us the fight against fraud perpetrated against our government. We had hoped to forge a public/private partnership to go after those who would deliberately overcharge (or underpay) the government. People who are insiders within companies and witness fraud, businesses that become aware of illegal practices by competitors, individuals who through their own investigative efforts turn up information of government overcharges (or underpayments) and, equally important, the private attorneys and law firms who work with the Justice Department and heavily invest their own time, resources, and expertise over many years these individuals, companies and attorneys have collectively turned the *qui tam* provisions of the False Claims Act into the single best example of privatization success.

In the thirteen years since the 1986 amendments were adopted, more than cases have been filed. As a result, a substantial body of False Claims law has developed.

I rise today to express the grave concerns that Senator GRASSLEY and I have about judicial decisions involving one important provisions of the law: the ''public disclosure' bar. We have reviewed with dismay opinions of many courts that have misunderstood and therefore, misinterpreted what Congress intended when in adopted this provision. The courts' interpretations of the ''public disclosure'' bar are often in conflict with each other, resulting in great confusion. Worse, taken together these decisions many discourage many good cases from being filed, threatening to seriously undermine the effectiveness of the Act.

Because of our concerns about judicial interpretation of the ''public disclosure'' bar, we wrote to Attorney General Reno to set forth our views in detail about this provisions and the various circuit court interpretations. We ask that the Department of Justice, as the government agency with primary responsibility for enforcing the False Claims Act, be especially vigilant in helping courts correctly implement the Congressional policy that underlies the ''public disclosure'' bar.

We also believe that it would be useful for courts to understand what we as the principal authors of the law intended in creating the ''public disclosure' bar.

By introducing our letter to Attorney General Reno into the CONGRESSIONAL RECORD, it is our intention to make it available to federal courts for guidance and perspective.

H.R. 2499, THE SILENT SKIES ACT

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1999

Mr. WEINER. Mr. Speaker, the Silent Skies Act, which I am introducing along with Representatives CROWLEY, HYDE, SHAYS and fourteen other original cosponsors, is intended to expedite the implementation of the next generation of quieter airplane engines.

So many members have airports in their district and have received the same letters from constituents. Every day and every night planes pass over your constituents' homes, businesses, and schools. They interrupt all aspects of life for those who reside under flight paths. While there is little we can do about the every-growing volume of air traffic, we can ensure the planes that fly overhead are as quiet as technology will allow.

In 1990, Congress passed the Aviation Noise and Capacity Act, a measure that led to the implementation of Stage 3 aircraft and reduced noise from airplanes by 50%. By the end of this year, Stage 3 will be fully implemented and most of the U.S. commercial fleet will be in compliance with these new lower noise levels. While we recognize the contributions the airline industry has made in reducing the amount of noise coming from their aircraft, the number of flights going in and out of major airports continues to increase. Our constituents need relief.

By September 2001, the International Civil Aviation Organization will have approved international standards for Stage 4 engines. Our bill simply says that our constituents deserve relief, and they deserve it as soon as possible. The Silent Skies Act mandates a 10 year timetable, beginning in 2002, to phase in Stage 4 engines.

It is time for the Congress to take the lead again. This bill does just that. I am proud to introduce this bipartisan legislation and urge my colleagues to support this bill.

SUMMARY H.R. 2499, THE SILENT SKIES ACT

This bill expedites the implementation of Stage 4-compliant aircraft. In 1990, Congress passed the Aviation Noise and Capacity Act, a measure that led to the development and implementation of Stage 3 aircraft, and reduced aircraft noise by 50%. By the end of this year, Stage 3 will be fully implemented and most of the U.S. commercial fleet will be in compliance with these new lower noise levels. Stage 4 represents the next level of noise reduction, and would reduce airplane noise by an estimated 40%.

This bill directs the Secretary of Transportation to issue regulations establishing minimum standards for Stage 4 noise levels no later than December 31, 2001;

Directs the phase in of these new standards over a ten year period, beginning in 2002;

Directs the Secretary of Transportation to submit a report to Congress on the progress being made toward compliance with Stage 4 implementation; and

Removes the noise level exemption for supersonic civil transport aircraft.

INTRODUCTION OF THE HEALTH RESEARCH AND QUALITY ACT OF 1999

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1999

Mr. BILIRAKIS. Mr. Speaker, today I am introducing, along with my colleagues, Representatives SHERROD BROWN and JIM GREENWOOD, the Health Research and Quality Act of 1999. We are introducing this bipartisan legislation to reauthorize and and redefine the mission of the Agency for Health Care Policy and Research. Our bill renames it as the Agency for Health Research and Quality (AHRQ-pronounced ''arc'').

The purpose of this new name, and the reauthorization, is to foster comprehensive improvements in our health care system. Our bill refocuses the efforts of this critical agency to support private sector initiatives. Building on its current activities, the new agency will become a key partner to the private sector in improving the quality of health cae in America.

Specifically, our bill directs the new agency to take action to improve health care quality by: Conducting and supporting research to reduce errors in medicine; supporting the Medical Expenditure Panel Survey (MEPS) and expanding its sample size to provide information on the quality of patient care; supporting research to evaluate and initiatives to advance