

months on January 1, 2006. If Congress does not act soon, a 4.3 percent across-the-board cut will be imposed for 2006 and between 2007 and 2012 cuts would total approximately 30 percent. To restore predictability and stability to providers, Congress must devise a permanent solution that will stave off this impending crisis and its potential impact on beneficiaries' access to care.

The current physician payment formula is flawed for two primary reasons: first payment rates are calculated by using the SGR, which is in turn tied to our Nation's Gross Domestic Product (GDP). When the economy softens and GDP declines—unless physician volume and costs decline correspondingly—physician payment updates will be decreased. But this is a faulty measure of appropriate utilization, because the health care needs of our seniors do not decline during economic downturns. We faced such a situation in 2002, when the economy faced a downturn, yet the rising costs of caring for beneficiaries continued to rise. As a result, CMS cut the physician update by 5.4 percent.

Furthermore, the SGR system fails to recognize that several factors driving volume and cost increases are beyond providers' control. These include administrative coverage decisions that promote greater use of physician services, increases in the cost of the physician-administered drugs, and the addition since 1997 of valuable, life-saving preventive benefits, including mammograms, pap smears, colorectal and prostate cancer screening, and bone mass measurements for osteoporosis. In addition, the 2003 MMA added a physical examination for new beneficiaries, cholesterol and lipid screenings, and limited prescription drug coverage.

As a result of these initiatives, beneficiaries will visit their physicians more often-to get prescriptions for newly-covered drugs, to be monitored for drugs' side effects, to receive newly-covered preventive services, or to receive follow-up care for conditions diagnosed by these services. These costs must be taken into account in determining payment updates for physicians. Physicians should not be penalized for increases in volume resulting from Congressional initiatives.

The volatility of Medicare reimbursement jeopardizes the ability of physician practices to make sound long-term financial decisions. Many physicians in my home State of Maryland are beginning to limit the number of Medicare patients they treat. Cuts in Medicare payments also jeopardize access to care for our military families and retirees, because the TRICARE program sets its rates based on Medicare's. In addition many State Medicaid programs and other third party payers rely on Medicare's system to set their rates.

Congress must replace the SGR with a methodology that assures adequate and appropriate payments as well as a stable update for Medicare providers. The Medicare Payment Advisory Commission in its March 2005 report and recommends implementation of a system where updates are based on a fair assessment of practice costs and adequacy of payment rates.

The Preserving Patient Access to Physicians Act of 2005 would set the Medicare physician payment update for 2006 at no less than 2.7 percent, in accordance with MedPAC's recommendation. For 2007 and beyond, it would replace the flawed physician

payment formula with a new formula that increases the update to reflect changes in the cost of providing care. There is bipartisan agreement that Congress needs to fix the physician payment formula permanently. Unfortunately, budgetary constraints have limited us to only short-term fixes. Our nation is facing a \$7 trillion debt, and this year's budget deficit exceeds \$500 billion. Given our Nation's fiscal situation and the budget rules on Congress, the likelihood that Congress will enact a permanent fix this year is diminished. But each year that we delay increases the ten-year cost of the bill, and Congress must move beyond a band-aid approach to a more comprehensive, responsible and permanent solution to this flawed payment system. This is an ambitious bill, but one that I believe is necessary to initiate serious debate on this matter. Congress must make sure that the enactment of a solution for physician reimbursement is done in a fiscally responsible manner.

MedPAC's March 2005 report also notes that neither the SGR nor any previous mechanism has been successful in moderating growth of physician services through the use of volume targets. Specifically, according to MedPAC, "volume has continued to grow and legislated targets have not succeeded in differentiating between beneficial volume growth and increases in inappropriate services. The current sustainable growth rate (SGR) formula has resulted in both budgetary and policy problems." Congress must devise a way to control unwarranted growth in services without compromising the delivery of needed medical care.

I also want to address an issue of great importance to our beneficiaries—rising Medicare premiums and copayments. Increases in Medicare Part B premiums are set by law based on the actuarial value of the coverage. Increases in Part B costs in turn increase the monthly premiums and copayments that beneficiaries must pay. I recognize that this bill is no exception to the rule. CMS has just reported that monthly premiums for Part B will rise to an estimated 14 percent to \$89.20 in 2006, largely because of an unexpected 15 percent increase in spending on physician visits and other outpatient services in 2004. According to CMS, the higher spending levels can be attributed to longer office visits, more services provided, an increase in laboratory tests and imaging services, and higher use of physician-administered drugs. CMS also reported that enrollment growth and a 1.5 percent increase in Medicare physician reimbursements last year were not significant factors in the overall spending increase.

The annual cost-of-living increases in our seniors' and disabled persons' Social Security checks are not sufficient to cover rapidly increasing Medicare premiums. Furthermore, because the prescription drug coverage enacted in 2003 will be administered by private plans that will set their own premiums, seniors do not know what they will have to pay for a drug plan premiums next year or in the years to come. So, in addition to fixing SGR, Congress must also act to protect beneficiaries from sharp increases in premiums. We must make sure that seniors do not pay the price for appropriate increases to health care providers. As a member of the Ways and Means Committee, I will continue to work with my colleagues and with all groups who want to preserve access and affordability for beneficiaries

while achieving fairness in our reimbursement system.

I urge my colleagues to cosponsor this important legislation.

CONGRATULATIONS TO MR.  
JUSTIN COLLIER

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2005

Mr. DAVIS. Mr. Speaker, congratulations to Mr. Justin Collier, who has been named the 2004–2005 Outstanding AG/HEC Ambassador. Mr. Collier is from McMinnville, TN, he is currently a student at Tennessee Tech University studying Agriculture with concentrations in horticulture and nursery and landscape management.

Mr. Collier received an engraved plaque and a \$500 cash award which was presented by Don Elkins, Dean of the College of Agriculture and Human Ecology and AG/HEC Ambassadors advisor, at the Agriculture Awards Banquet on April 15, 2005.

Mr. Collier began his work in recruiting and public relations even before he was officially an AG/HEC Ambassador. He started speaking to several groups of new students and their parents in the summer of 2004 during SOAR sessions. He also visited 7 high schools on recruitment visits during the year, where he gave presentations to classes about Tennessee Tech, the College of Agriculture and Human Ecology, and career opportunities available to Agriculture/Human Ecology graduates.

In addition, he gave official welcome tours to several groups of campus visitors. During these tours he hosted several individuals and small groups of campus visitors and gave them a complete campus tour, which included a farm tour. His efforts also included writing, emailing and calling numerous prospective students. In 2005 Mr. Collier participated in LEAD 2005, an Ambassador Leadership Conference held in February at the University of Georgia in Athens.

Regarding his experiences as an AG/HEC Ambassador in 2004–05, Mr. Collier states, "The recruiting and other activities have allowed me to share my love for the College with many people. I have met more new people and made more friends than I could have possibly imagined. Having had the opportunity to serve as an AG/HEC Ambassador has been an honor and will definitely go down as one of the most memorable and exciting experiences during my time at TTU."

IN HONOR OF ARMY SERGEANT  
ADAM PLUMONDRE AND ARMY  
SPECIALIST CLINTON GERTSON,  
BOTH OF WHOM WERE KILLED IN  
COMBAT DURING OPERATION  
IRAQI FREEDOM

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2005

Mr. KINGSTON. Mr. Speaker, SGT Adam Plumondore of Gresham, Oregon, was killed

in action on 16 February 2005, and SPC Clinton Gertson of Houston Texas, was killed in action on 19 February 2005. Both men were snipers assigned to the 1st Battalion, 24th Infantry Regiment, 1st Brigade, 25th Infantry Division, Ft. Lewis, Washington. Lieutenant Colonel Michael E. Kurilla commands the 1–24 Infantry Regiment and he shares his comments made at the memorial service for these Great Americans.

GEN Bergner, COL Brown, SGTs Major, friends of Deuce Four, and most importantly the men of Deuce Four. Thank you for coming today to honor two of the finest warriors that I have had the privilege and honor to serve beside.

GEN William T. Sherman stated that War is Hell. My friends, he was right. It affects all those in its all consuming grasp. It affects us physically, mentally, emotionally, and spiritually—it does not differentiate between civilian or soldier. No one wishes for war—to do so is sheer madness. GEN MacArthur said it best—The soldier above all others prays for peace, for it is the soldier who must suffer and bear the deepest wounds and scars of war.

To the men of Deuce Four, we now honor our 7th warrior to die defending the freedom of a people we neither know nor completely understand. But such action is truly the nobility of our profession. We sacrifice all for a people that do not fully understand the extent of our sacrifice. A people that had never tasted the sweet waters of freedom until 30 Jan of this year. And it is because of your valiant actions, the valiant actions of heroes like SGT Adam Plumondore and SPC Clint Gertson.

I would like to tell you about what kind of men they were as I remembered them—for these were extraordinary men that accomplished extraordinary things.

Clint Gertson was the first man I met from Deuce Four three weeks before I took command of the Battalion. I was visiting Deuce Four in Feb 2004 conducting live fires at Yakima Training Center. I approached the support by fire position and this 6'4" square jawed PFC stood up and greeted me with that big Texas smile and asked me if I wanted a clinic on how to shoot; he subsequently proceeded to hit a man sized target at 500m. I immediately knew that I would love this battalion and that if the rest of the soldiers were half as impressive as he was, I would have the best battalion in the Army.

Gerty became a main stay of motivation for me. If one ever needed to know why it is a privilege and honor to command the sons and daughters of America they only needed to meet Clint Gertson.

I remember 11 Nov like it was yesterday. What started as a raid to kill or capture an HVT turned into a 6 hour firefight with 60 insurgents, leaving 25 confirmed enemy dead and estimates of up to 40 killed. This was

only because of men like Clint Gertson. We were taking significant small arms, RPG and mortar fire when we moved to the top of a building to get better fields of fire. As we arrived at the top of the building, I heard the distinctive bark of the .50 Cal sniper rifle from the corner and looked over to see Gerty in all his glory. Gerty and the sniper crew were killing RPG gunners as they moved between buildings in an attempt to reposition on Apache company. At one point he turned around and gave that big Texas smile and turned back to administering death to the enemy.

I also remember one month later when Gerty missed a shot on an enemy mortar team only 300m from his hide site (I think it was closer to 250m)—I teased him that he needed more range time but he quickly reminded me that at least it scared the shit out of the enemy to drop the mortar tube and we did capture it. Good point Gerty. Clint Gertson was the kind of man that made you proud to say that you served with him.

SGT Adam Plumondore was also such a man. An extraordinary leader that did extraordinary things. I had the privilege to observe the actions of SGT Plumondore on a daily basis—and stand back in awe and wonder.

Plum was a walking uniform violation—but strangely, that is one of the things I loved about this man. I do not think a day would go by where I did not tell him to roll down his sleeves, buckle his chin strap, or trim up his Delta Force mustache. Sure enough, he would make the correction and in the thick of a fire fight there would be Plum with sleeves up, chin strap unbuckled, a big smile on his face and a weapon that never missed—unless he was firing 40mm from his M203 which he often reminded me was an area weapon.

I remember 3 Dec like it was yesterday. Sixty to seventy enemy had set up a 2km ambush along Route Tampa and the Recon platoon and TAC found itself running a 2km gauntlet of 15 IEDs, over 30 RPGs, hand grenades and significant machinegun and AK47 fire. Six soldiers were wounded including SPC Moore who was blown from the hatch of his Stryker that was now running on 8 flat tires—without missing a beat SGT Plumondore immediately jumped up and manned the MK19 and suppressed and killed enemy positions allowing the platoon to get casualties to the CSH and then launch a Battalion counter attack that killed 22 enemy.

I remember 11 Dec like it was yesterday. As we were beginning to exfil from destroying a weapons cache a suicide car bomb slammed into the side of Hunter 1. The entire vehicle was in flames, 6 soldiers were wounded. The enemy then engaged with mortars, RPGs, and machinegun fire from 3 directions. Without even thinking twice, SGT Plumondore jumped from his vehicle with fire extinguishers in his hands and his weap-

on slung on his back. Without hesitation he began to put out the Stryker on fire and assist in the evacuation of the wounded from the Stryker. The fire out, Plum then turned his attention to the enemy and began to engage them with precision fires. Because of his actions, Plum saved soldiers lives and the Stryker did not burn to the ground—in fact his determined face was back in the gunner's hatch of his vehicle engaging an enemy RPG team that tried to ambush the platoon during exfil—complete with sleeves rolled up to the elbows.

How do you honor such heroes as Clint Gertson and Adam Plumondore? You honor them by telling the stories of their friendship, camaraderie, and fierce bravery. You honor them by continuing to fight to protect the man on your left and right who would lay down his life so that others might live. You honor them by continuing in this noble endeavor providing freedom to a people we do not know or understand the sacrifices that are made—but that is what makes America the greatest nation on earth.

We will miss them both terribly, but I know that our Deuce Four snipers, Gerty and Plum, are looking down from Heaven continuing to look out for us—that voice you hear in your head is Gerty calling the winds, Plum ensuring you have the correct distance, and both always reminding you to always look for the positive in life.

On this day, we ask almighty God to grant us patience and steadfast resolve in all that is to come. May God Bless Deuce Four, 1st Brigade, and may God Bless America.

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#### PERSONAL EXPLANATION

#### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 16, 2005*

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the record and regret that I could not be present today, Thursday May 12, 2005 to vote on rollcall vote nos. 171, 172 and 173 due to a family medical emergency.

Had I been present, I would have voted: “yea” on rollcall vote no. 171 on H.R. 627—to designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the “Linda White-Epps Post Office”; “yea” on rollcall vote no. 172 on H. Res. 266—supporting the goals and ideals of Peace Officers Memorial Day; and, “yea” on rollcall vote no 173 on H.R. 2107—the National Law Enforcement Officers Memorial Maintenance Fund Act of 2005.