

Tuesday, June 24, 1997

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6105-S6288*

**Measures Introduced:** Six bills were introduced, as follows: S. 950-955. **Page S6186**

**Measures Reported:** Reports were made as follows:  
Special Report entitled "Printing Pictures of Missing Children on Senate Mail". (S. Rept. No. 105-34)

S. 955, making appropriations for foreign operations, export financing, related programs for the fiscal year ending September 30, 1998. (S. Rept. No. 105-35)

Special Report entitled "Developments in Aging: 1996, Volume 1". (S. Rept. No. 105-36)

**Pages S6185-86**

### Measures Passed:

**Charitable Donation Antitrust Immunity:** Senate passed H.R. 1902, to immunize donations made in the form of charitable gift annuities and charitable remainder trusts from the antitrust laws and State laws similar to the antitrust laws, clearing the measure for the President. **Page S6287**

**Budget Reconciliation:** Senate continued consideration of S. 947, to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998, taking action on amendments proposed thereto, as follows:

**Page S6105-82**

#### Adopted:

Roth/Moynihan Amendment No. 431, of a technical nature. **Page S6120**

Roth/Moynihan Amendment No. 434, to provide for an income-related reduction in the subsidy provided to individuals under part B of title XVIII of the Social Security Act, and to provide for a demonstration project on an income-related part B deductible. **Page S6132**

Kennedy Amendment No. 440, to means-test Senatorial health benefits in the same way as the bill means-tests Medicare part B premiums and deductibles. (Upon division, this provision of the amendment was agreed to.) **Pages S6132-33**

Hutchison Amendment No. 446, to require States to verify that prisoners are not receiving food stamp benefits. **Pages S6147-48**

Wellstone/Domenici Amendment No. 449, to provide for full mental health parity with respect to health plans purchased through the use of amounts provided under a block grant to States. **Pages S6150-51**

Domenici (for Lieberman) Amendment No. 452, to require medicaid managed care plans to provide certain comparative information to enrollees. **Pages S6156-57**

Domenici (for Feinstein) Amendment No. 453, to require managed care organizations to provide annual data to enrollees regarding non-health expenditures. **Pages S6156-57**

Domenici (for Craig/Bingaman) Amendment No. 454, to provide for a study and report analyzing the short term and long term benefits and costs to the medicare system of coverage of medical nutrition therapy services by registered dietitians under part B of title XVIII of the Social Security Act. **Pages S6156-57**

Domenici (for Harkin/McCain) Amendment No. 457, to reduce health care fraud, waste, and abuse. **Pages S6167-68**

#### Rejected:

Kennedy/Wellstone Amendment No. 429, to strike the provision relating to the imposition of a copayment for part B home health services. (By 59 yeas to 41 nays (Vote No. 111), Senate tabled the amendment.) **Pages S6105, S6107-13**

Kennedy Amendment No. 440, to strike income-relating of the Medicare part B premiums and deductibles. (By 70 yeas to 30 nays (Vote No. 113), Senate agreed to a motion to table this division of the amendment.) **Pages S6132-42**

#### Pending:

Harkin Amendment No. 428, to reduce health care fraud, waste, and abuse. **Pages S6105, S6132**

Gramm Amendment No. 444, to provide waiver authority for penalties relating to failure to satisfy minimum participation rate. **Page S6145**

Reed Amendment No. 445, in the nature of a substitute. **Pages S6145-47**

Hutchison Amendment No. 447, to modify the reductions for disproportionate share hospital payments. **Page S6148**

Chafee/Rockefeller/Jeffords Amendment No. 448, to clarify the standard benefits package and the cost-sharing requirements for the children's health initiative. **Pages S6148-50**

Durbin/Wellstone Amendment No. 450, to provide food stamp benefits to child immigrants. **Pages S6151-52**

D'Amato/Harkin Amendment No. 451, to improve health care quality and reduce health care costs by establishing a National Fund for Health Research. **Pages S6152-56**

Domenici (for Murkowski) Amendment No. 455, to confirm Title IV, Energy Title, to the provisions of the bill, with respect to the use of underutilized Strategic Petroleum Reserve facilities. **Pages S6157-65**

Domenici (for Abraham/Levin) Amendment No. 456, to extend the moratorium regarding HealthSource Saginaw until December 31, 2002. **Pages S6165-67**

Domenici (for Helms) Amendment No. 458, to provide for inclusion of Stanly County, North Carolina in a large urban area under the Medicare program. **Page S6168**

Domenici (for Helms) Amendment No. 459, to provide for inclusion of Stanly County, North Carolina in a large urban area under the Medicare program. **Page S6168**

Domenici (for McCain/Wyden) Amendment No. 460, to provide for the continuation of certain State-wide medicaid waivers. **Pages S6168-69**

Domenici (for McCain) Amendment No. 461, to provide for the treatment of certain Amerasian immigrants as refugees. **Page S6169**

Domenici (for Jeffords) Amendment No. 462, to require the Secretary of Health and Human Services to provide medicare beneficiaries with notice of the medicare cost-sharing assistance available under the medicaid program for specified low-income medicare beneficiaries. **Page S6169**

Domenici (for Jeffords) Amendment No. 463, to provide for the evaluation and quality assurance of the children's health insurance initiative. **Page S6169**

Domenici (for Brownback) Amendment No. 464, to establish procedures to ensure a balanced Federal budget by fiscal year 2002. **Pages S6169-70**

Domenici (for Allard) Amendment No. 465, to expand medical savings accounts to families with uninsured children. **Pages S6170-71**

Domenici (for Chafee) Amendment No. 466, to extend the authority of the Nuclear Regulatory Commission to collect fees through September 30, 2002. **Page S6171**

Domenici (for Grassley) Amendment No. 467, to preserve religious choice in long-term care. **Page S6171**

Domenici (for Kyl) Amendment No. 468, to allow medicare beneficiaries to enter into private contracts for services. **Page S6171**

Domenici (for Specter) Amendment No. 469, to extend premium protection for low-income medicare beneficiaries under the medicaid program. **Page S6171**

Domenici (for Specter) Amendment No. 470, to strike the limitations on DSH payments to institutions for mental diseases under the medicaid program. **Page S6171**

Domenici (for Specter) Amendment No. 471, to strike the limitations on Indirect Graduate Medical Education payments to teaching hospitals. **Page S6171**

Domenici (for Burns) Amendment No. 472, to provide that information contained in the National Directory of New Hires be deleted after 6 months. **Page S6171**

Domenici (for Hutchinson) Amendment No. 473, to clarify the number of individuals that may be treated as engaged in work for purposes of the mandatory work requirement for TANF block grants. **Pages S6171-72**

Domenici (for McCain) Amendment No. 474, to provide for the extension and expansion of spectrum auction authority and to provide for the flexible use of electromagnetic spectrum. **Page S6172**

Lautenberg Amendment No. 475, to ensure that certain legal immigrants who become disabled are eligible for disability benefits. **Page S6172**

Lautenberg (for Kerrey) Amendment No. 476, to enhance taxpayer value in auctions conducted by the Federal Communications Commission. **Page S6172**

Lautenberg (for Durbin) Amendment No. 477, to provide food stamp benefits to child immigrants. **Page S6172**

Lautenberg (for Rockefeller) Amendment No. 478, to require balance billing protections for individuals enrolled in fee-for-service plans under the Medicare Choice program under part C of title XVIII of the Social Security Act. **Page S6172**

Lautenberg (for Dodd) Amendment No. 479, to provide for medicaid eligibility of disabled children who lose SSI benefits. **Page S6172**

Lautenberg (for Murray) Amendment No. 480, to clarify the family violence option under the temporary assistance to needy families program. **Pages S6172-73**

Lautenberg (for Dodd) Amendment No. 481, to amend the provision with regard to transfer cases. **Page S6173**

Lautenberg (for Levin) Amendment No. 482, to allow vocational educational training to be counted

as a work activity under the temporary assistance for needy families program for 24 months. **Page S6173**

Lautenberg (for Wyden) Amendment No. 483, to provide for the continuation of certain State-wide medicaid waivers. **Page S6173**

Lautenberg (for Harkin) Amendment No. 484, to make community action agencies, community development corporations and other non-profit organization eligible for welfare-to-work grants. **Page S6173**

Lautenberg (for Feinstein) Amendment No. 485, to provide that the hospital length of stay with respect to an individual shall be determined by the attending physician. **Pages S6173-74**

Lautenberg (for Feinstein) Amendment No. 486, to provide additional funding for State emergency health services furnished to undocumented aliens. **Page S6174**

Lautenberg (for Feinstein) Amendment No. 487, to provide for the application of disproportionate share hospital-specific payment adjustments with respect to California. **Page S6174**

Lautenberg (for Wellstone) Amendment No. 488, to provide for actuarially sufficient reimbursement rates for providers. **Page S6174**

Lautenberg (for Mikulski) Amendment No. 489, to reinstate the requirements for provider payment rates. **Page S6174**

Lautenberg (for Kennedy) Amendment No. 490, to improve the provisions relating to the Higher Education Act of 1965. **Pages S6174-75**

Lautenberg (for Baucus) Amendment No. 491, to prohibit cost-sharing for children in families with incomes that are less than 150 percent of the poverty line. **Page S6175**

Lautenberg (for Kennedy) Amendment No. 492, to ensure the provision of appropriate benefits for uninsured children with special needs. **Page S6175**

Lautenberg (for Kennedy) Amendment No. 493, to exempt severely disabled aliens from the ban on receipt of supplemental security income. **Pages S6175-76**

Lautenberg (for Conrad) Amendment No. 494, to provide for medicaid eligibility of disabled children who lose SSI benefits. **Page S6176**

Lautenberg (for Conrad) Amendment No. 495, to establish a process to permit a nurse aide petition to have his or her name removed from the nurse aide registry under certain circumstances. **Page S6176**

Lautenberg (for Kerrey) Amendment No. 496, to strike the limitation on the coverage of abortions. **Page S6176**

Lautenberg (for Kohl) Amendment No. 497, to clarify that risk solvency standards established for managed care entities under the medicaid program shall not preempt any State standards that are more stringent. **Page S6176**

Lautenberg (for Harkin) Amendment No. 498, to allow funds provided under the welfare-to-work grant program to be used for the microloan demonstration program under the Small Business Act. **Page S6176**

Domenici Amendment No. 499, to provide SSI eligibility for disabled legal aliens. **Pages S6176-77**

Domenici (for Chafee/Rockefeller) Amendment No. 500, to require that any benefits package offered under the block grant option for the children's health initiative includes hearing and vision services. **Page S6177**

Domenici (for Chafee/Rockefeller) Amendment No. 501, to require that any benefits package offered under the block grant option for the children's health initiative includes hearing and vision services. **Pages S6177-78**

Roth (for D'Amato) Amendment No. 502, to establish a Medicare anti-duplication provision. **Pages S6178-80**

Lautenberg (for Rockefeller) Modified Amendment No. 503, to extend premium protection for low-income medicare beneficiaries under the medicaid program. **Pages S6180, S6181**

Lautenberg (for Kennedy) Amendment No. 504, to immediately transfer to part B certain home health benefits. **Pages S6180-82**

Roth (for Lott) Amendment No. 505 (to Amendment No. 448), to improve the children's health initiative. **Page S6182**

Roth Amendment No. 506, to make technical corrections and revisions. **Page S6181**

Roth (for Lott) Amendment No. 507 (to Amendment No. 501), in the nature of a substitute. **Page S6181**

Roth (for Lott) Amendment No. 508 (to Amendment No. 500), in the nature of a substitute. **Page S6181**

Roth (for Lott) Amendment No. 509 (to Amendment No. 492), in the nature of a substitute. **Page S6181**

Lautenberg (for Rockefeller) Amendment No. 510, to require that any benefits package offered under the block grant option for the children's health initiative includes hearing and vision services. **Page S6181**

Roth Amendment No. 511, to provide a substitute for the children's health insurance initiatives. **Page S6181**

Chafee Amendment No. 512 (to Amendment No. 511), to clarify the standard benefits package and the cost-sharing requirement for the children's health initiative. **Pages S6182-83**

Roth (for Lott) Amendment No. 513 (to Amendment No. 510), in the nature of a substitute. **Page S6183**

Roth (for DeWine) Amendment No. 427, to continue full-time-equivalent resident reimbursement for an additional one year under medicare for direct graduate medical education for residents enrolled in combined approved primary care medical residency training programs. **Page S6182**

Motion to waive a point of order that Section 5822 of the bill violates section 313(b)(1)(A) of the Congressional Budget Act. **Page S6178**

Motion to waive section 310(d) of the Congressional Budget Act with respect to consideration of Reed Amendment No. 445, listed above. **Page S6146**

Motion to waive section 305(b)(2) of the Congressional Budget Act with respect to consideration of D'Amato Amendment No. 451, listed above. **Page S6155**

#### Withdrawn:

Gregg Modified Amendment No. 426, to provide for terms and conditions of imposing Medicare premiums. **Pages S6105–06**

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 38 nays (Vote No. 112), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to waive section 313(b)(1)(A) of the Congressional Budget Act of 1974 with respect to consideration of Section 5611 of the bill, providing for an increase in the eligibility age for Medicare from age 65 to 67. **Pages S6113–32**

By 37 yeas to 63 nays (Vote No. 114), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 310(d) of the Congressional Budget Act of 1974 with respect to consideration of division 1 of Kennedy Amendment No. 440, to delay the effective date of income-relating of the Medicare part B premiums and deductibles. Subsequently, a point of order that this division of the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S6132–44**

A unanimous-consent agreement was reached providing for further consideration of the bill and amendments/motions pending thereto, on Wednesday, June 25, 1997, with votes to occur thereon. **Pages S6287–88**

**Messages From the House:** **Page S6185**

**Measures Referred:** **Page S6185**

**Measures Placed on Calendar:** **Page S6185**

**Communications:** **Page S6185**

**Executive Reports of Committees:** **Page S6186**

**Statements on Introduced Bills:** **Pages S6186–90**

**Additional Cosponsors:** **Pages S6190–91**

**Amendments Submitted:** **Pages S6191–S6284**

**Notices of Hearings:** **Page S6284**

**Authority for Committees:** **Page S6284**

**Additional Statements:** **Pages S6284–87**

**Record Votes:** Four record votes were taken today. (Total—114) **Pages S6113, S6132, S6142, S6144.**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 10:54 p.m., until 9:20 a.m., on Wednesday, June 25, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6288.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS—FOREIGN ASSISTANCE

*Committee on Appropriations:* Subcommittee on Foreign Operations ordered favorably reported an original bill (S. 955) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998.

### GOVERNMENT PERFORMANCE AND RESULTS ACT

*Committee on Appropriations/Committee on Governmental Affairs:* Committees held joint hearings to examine the goals and requirements of the upcoming implementation of the Government Performance and Results Act of 1993 which will require Federal agencies to submit a strategic plan outlining their major functions and operations over the next six years to Congress and OMB not later than September 30, 1997 and its importance to the American public, receiving testimony from Franklin D. Raines, Director, and John Koskinen, Deputy Director for Management, both of the Office of Management and Budget.

Hearings were recessed subject to call.

### NOMINATION

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings on the nomination of Jane Garvey, of Massachusetts, to be Administrator of the Federal Aviation Administration, Department of Transportation, after the nominee, who was introduced by Senators Kennedy and Kerry, testified and answered questions in her own behalf.

### ELECTRIC UTILITIES DEREGULATION

*Committee on Energy and Natural Resources:* Committee met to further discuss proposals to advance the goals of deregulation and competition in the electric power industry, focusing on the repeal of the Public Utility Holding Company Act of 1935 and related