

Wednesday, June 25, 1997

Daily Digest

HIGHLIGHTS

- Senate passed Budget Reconciliation.
- House passed H.R. 1119, National Defense Authorization Act.
- House passed H.R. 2015, Balanced Budget Act.
- House Committee ordered reported 15 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages H6289-S6391

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 956-963, and S. Res. 103. Pages S6358-59

Measures Passed:

Budget Reconciliation: By 73 yeas to 27 nays (Vote No. 130), Senate passed S. 947, to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998, after taking action on further amendments proposed thereto, as follows: Pages S6290-99, S6301-32

Adopted:

Harkin Amendment No. 428, to reduce health care fraud, waste, and abuse. Pages S6290-91

Gramm Amendment No. 444, to provide waiver authority for penalties relating to failure to satisfy minimum participation rate. Pages S6290-01

Lautenberg (for Kerrey) Modified Amendment No. 476, to enhance taxpayer value in auctions conducted by the Federal Communications Commission. Page S6290, S6293

Domenici (for Abraham/Levin) Amendment No. 456, to extend the moratorium regarding HealthSource Saginaw until December 31, 2002. Pages S6290, S6293

Domenici (for Murkowski) Amendment No. 455, to conform Title IV, Energy Title, to the provisions of the bill, with respect to the use of underutilized Strategic Petroleum Reserve facilities. Pages S6290, S6293-94

Domenici (for Helms) Amendment No. 458, to provide for inclusion of Stanly County, North Carolina in a large urban area under the medicare program. Pages S6290, S6294

Lautenberg Amendment No. 475, to ensure that certain legal immigrants who become disabled are eligible for disability benefits. Pages S6290, S6294

Domenici (for McCain) Amendment No. 461, to provide for the treatment of certain Amerasian immigrants as refugees. Pages S6290, S6295

Lautenberg (for Murray) Amendment No. 480, to clarify the family violence option under the temporary assistance to needy families program. Pages S6290, S6297

Lautenberg (for Dodd) Amendment No. 481, to amend the provision with regard to transfer cases. Pages S6290, S6297

Domenici (for Jeffords) Amendment No. 463, to provide for the evaluation and quality assurance of the children's health insurance initiative. Pages S6290, S6297

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. Pages S6290, S6298

Domenici (Kyl) Amendment No. 468, to allow medicare beneficiaries to enter into private contracts for services. Pages S6290, S6298-99

Domenici (for Grassley) Modified Amendment No. 467, to preserve religious choice in long-term care. Pages S6290, S6302

Lautenberg (for Kennedy) Amendment No. 493, to exempt severely disabled aliens from the ban on receipt of supplemental security income. Pages S6290, S6302

Lautenberg (for Conrad) Amendment No. 495, to establish a process to permit a nurse aide to petition to have his or her name removed from the nurse aide registry under certain circumstances. Pages S6290, S6303

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.

Pages S6290, S6306

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.

Pages S6290, S6306

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

Pages S6290, S6308-11

Roth (for D'Amato) Amendment No. 502, to establish a medicare anti-duplication provision.

Pages S6290, S6311

Roth Modified Amendment No. 506, to make technical corrections and revisions.

Pages S6290, S6312-16

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

Pages S6291, S6317-18

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 S6391, S6317-18

Roth (for DeWine) Modified 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.

Pages S6291, S6319

Rejected:

Domenici (for Specter) Amendment No. 471, to strike the limitations on Indirect Graduate Medical Education payments to teaching hospitals. (By 71 yeas to 29 nays (Vote No. 123), Senate tabled the amendment.)

Pages S6290, S6304-05

Lautenberg (for Mikulski) Amendment No. 489, to reinstate the requirements for provider payment rates. (By 66 yeas to 34 nays (Vote No. 124), Senate tabled the amendment.)

Pages S6290, S6305

Lautenberg (for Kennedy) Amendment No. 492, to ensure the provision of appropriate benefits for uninsured children with special needs. (By 57 yeas to 43 nays (Vote No. 128), Senate tabled the amendment.)

Pages S6290, S6318-19

By 39 yeas to 61 nays (Vote No. 129), Lautenberg (for Kerrey) Modified Amendment No. 496, to strike the limitation on the coverage of abortions.

Pages S6290, S6319-20

Withdrawn:

Domenici (for Helms) Amendment No. 459, to provide for inclusion of Stanly County, North Caro-

lina in a large urban area under the medicare program.

Pages S6290, S6294

Domenici Amendment No. 499, to provide SSI eligibility for disabled legal aliens.

Pages S6290, S6294

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

Pages S6290, S6294-95

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.

Pages S6290, S6295

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

Pages S6290, S6296-97

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.

Pages S6290, S6296-97

Domenici (for Allard) Amendment No. 465, to expand medical savings accounts to families with uninsured children.

Pages S6290, S6296-97

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

Pages S6290, S6297

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 S6290, S6298

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

Pages S6290, S6298

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

Pages S6290, S6298

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 S6290, S6302

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

Pages S6290, S6305

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

Pages S6290, S6305

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.

Pages S6290, S6306

Point of order that Section 5822 of the bill violates section 313(b)(1)(D) of the Congressional Budget Act.

Pages S6291, S6318

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

Pages S6290, S6317-18

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.

Pages S6290, S6317-18

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 S6290, S6317-18

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

Pages S6290, S6317-18

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

Pages S6290, S6317-18

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

Pages S6291, S6317-18

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

Pages S6291, S6317-18

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.

Pages S6291, S6317-18

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

Pages S6291, S6317-18

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

Pages S6290, S6319

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

Pages S6290, S6319

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

Pages S6290, S6319

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

Pages S6290, S6319

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

Pages S6290, S6319

A point of order that Section 1949(a)(2) of the bill violated Section 313(b)(1)(A) of the Congressional Budget Act.

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

By 25 yeas to 75 nays (Vote No. 115), 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 Reed Amendment No. 445, in the nature of a substitute. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290-92

By 48 yeas to 52 nays (Vote No. 116), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Durbin/Wellstone Amendment No. 450, to provide food stamp benefits to child immigrants. Subsequently, a point of order that the amendment was not germane was sustained, and the amendment thus fell.

Pages S6290, S6292

By 46 yeas to 54 nays (Vote No. 117), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305(b)(2) of the Congressional Budget Act with respect to consideration of D'Amato/Harkin Amendment No. 451, to improve health care quality and reduce health care costs by establishing a National Fund for Health Research. Subsequently, a point of order that the amendment was not germane was sustained, and the amendment thus fell.

Pages S6290-91, S6293

By 49 yeas to 51 nays (Vote No. 118), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 310 of the Congressional Budget Act with respect to consideration of Lautenberg (for Dodd/Conrad) Amendment No. 479, to provide for medicaid eligibility of disabled children who lose SSI benefits. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290, S6295-96

By 55 yeas to 45 nays (Vote No. 119), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 310 of the Congressional Budget Act with respect to consideration of 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. Subsequently, a point of order that the amendment was in violation of the

Congressional Budget Act was sustained, and the amendment thus fell. **Pages S6290, S6297-98**

By 64 yeas to 35 nays (Vote No. 120), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to waive section 305(b)(2) of the Congressional Budget Act with respect to consideration of Domenici (for Kyl) Amendment No. 468, listed above.

Pages S6290, S6298-99

By 52 yeas to 48 nays (Vote No. 121), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to a motion to waive the Congressional Budget Act with respect to consideration of Domenici (for Specter) Amendment No. 469, to extend premium protection for low-income medicare beneficiaries under the medicaid program. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290, S6302-03

By 62 yeas to 37 nays (Vote No. 122), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to waive section 313(b)(1)(A) of the Congressional Budget Act with respect to consideration of Section 5001 of the bill, providing for the establishment of a Medicare Choice program.

Pages S6303-04

By 39 yeas to 60 nays (Vote No. 125), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Lautenberg (for Wellstone) Amendment No. 488, to provide for actuarially sufficient reimbursement rates for providers. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290, S6305-06

By 43 yeas to 57 nays (Vote No. 126), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Lautenberg (for Kennedy) Amendment No. 490, to improve the provisions relating to the Higher Education Act of 1965. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290, S6306-08

A point of order that Section 5822 of the bill, relating to enrollment flexibility, violates section 313(b)(1)(D) of the Congressional Budget Act was sustained, and the provisions were removed from the bill.

Page S6308

By 38 yeas to 62 nays (Vote No. 127), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to

consideration of Lautenberg (for Kennedy) Amendment No. 504, to immediately transfer to part B certain home health benefits. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6290, S6316-17

Budget Reconciliation: Pursuant to the order of Tuesday, June 24, 1997, Senate passed H.R. 2015, to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998, after striking all after the enacting clause and inserting the text of S. 947, Senate companion measure, as passed by the Senate on Wednesday, June 25, 1997.

Pages S6144-45

Subsequently, S. 947 was indefinitely postponed.

Page S6386

Kennedy Assassination Records Review Board: Senate passed H.R. 1553, to amend the President John F. Kennedy Assassination Records Collection Act of 1992 to extend the authorization of the assassination Records Review Board until September 30, 1998, clearing the measure for the President.

Page S6385

Congratulating Chicago Bulls: Senate agreed to S. Res. 103, to congratulate the Chicago Bulls on winning the 1997 National Basketball Association Championship and proving themselves to be one of the best teams in NBA history.

Pages S6385-86

Revenue Reconciliation: Senate began consideration of S. 949, to provide for revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998, taking action on amendments/motions proposed thereto, as follows:

Pages S6332-56

Adopted:

Roth Amendment No. 521 (to Amendment No. 520), in the nature of a substitute.

Page S6350

Pending:

A motion to waive the Congressional Budget Act with respect to consideration of Section 602 of the bill.

Page S6336

Dorgan motion to refer the bill to the Committee on the Budget, with instructions.

Pages S6336-37

Dorgan Amendment No. 515, to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns and payment of tax (and waives any penalties relating to the failure to so file or so pay) for such taxpayers.

Page S6337

Dorgan Amendment No. 516, to provide tax relief for taxpayers located in Presidentially declared disaster areas.

Pages S6337-38

Dorgan Amendment No. 517, to impose a lifetime cap of \$1,000,000 on capital gains reduction.

Page S6338

Bumpers Amendment No. 518, to repeal the depletion allowance available to certain hardrock mining companies.

Pages S6338–48

Durbin Amendment No. 519, to increase the deduction for health insurance costs of self-employed individuals, and to increase the excise tax on tobacco products.

Pages S6348–50

Roth Amendment No. 520, to provide for children's health insurance initiatives.

Pages S6350–51

Jeffords Amendment No. 522, to provide for a trust fund for District of Columbia school renovations.

Pages S6351–52

Withdrawn:

Allard Amendment No. 523, to strike section 881, providing for an extension of the Temporary Federal Unemployment Surtax.

Page S6354

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, June 26, 1997.

Page S6386

Portrait Monument Ceremony: By unanimous-consent, Senate agreed that the authorization contained in H. Con. Res. 216, passed in the 104th Congress, relating to use of the rotunda for a ceremony to commemorate the placement of the Portrait Monument in the Capitol Rotunda, be extended to the 105th Congress.

Page S6386

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Tax Convention with Swiss Confederation (Treaty Doc. 105–8).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

Page S6385

Appointments:

U.S. Senate Caucus on International Narcotics Control: The Chair, on behalf of the Vice President, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appointed Senators Sessions and Feinstein as members of the U.S. Senate Caucus on International Narcotics Control.

Page S6386

Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 104–293, appointed James J. Exon, of Nebraska, as a member of the Commission to Assess the Organization of the Federal Government to

Combat the Proliferation of Weapons of Mass Destruction.

Page S6386

Nominations Received: Senate received the following nominations:

Sonia Sotomayor, of New York, to be United States Circuit Judge for the Second Circuit.

Rudy deLeon, of California, to be Under Secretary of Defense for Personnel and Readiness.

Page S6391

Messages From the House: Pages S6356–57

Measures Referred: Page S6357

Communications: Page S6357

Executive Reports of Committees: Pages S6357–58

Statements on Introduced Bills: Pages S6359–72

Additional Cosponsors: Page S6372

Amendments Submitted: Pages S6373–79

Authority for Committees: Pages S6379–80

Additional Statements: Pages S6380–85

Record Votes: Sixteen record votes were taken today. (Total–130)

Pages S6692–93, S6296, S6298–99, S6303–06, S6308, S6316–20, S6632

Adjournment: Senate convened at 9:20 a.m., and adjourned at 10:11 p.m., until 9:30 a.m., on Thursday, June 26, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6386.)

Committee Meetings

(Committees not listed did not meet)

AUTHORIZATION—U.S. FIRE ADMINISTRATION/COMMERCIAL SPACE TRANSPORTATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings on proposed legislation authorizing funds for fiscal year 1998 for the United States Fire Administration and the Office of the Associate Administrator for Commercial Space Transportation, after receiving testimony from Carrye B. Brown, Administrator, United States Fire Administration, Federal Emergency Management Agency; Patricia Grace Smith, Acting Associate Administrator for Commercial Space Transportation, Federal Aviation Administration, Department of Transportation; and Keith Calhoun-Senghor, Director, Office of Air and Space Commercialization, Technology Administration, Department of Commerce.