

rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code; and

(B) the rate of pay for the deputy executive director, the general counsel of the Commission, and other Commission personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) EMPLOYEE BENEFITS.—

(A) IN GENERAL.—An employee of the Commission shall be an employee for purposes of chapters 84, 85, 87, and 89 of title 5, United States Code, and service as an employee of the Commission shall be service for purposes of such chapters.

(B) NONAPPLICATION TO MEMBERS.—This paragraph shall not apply to a member of the Commission.

(6) OFFICE OF PERSONNEL MANAGEMENT.—The Office of Personnel Management—

(A) may promulgate regulations to apply the provisions referred to under subsection (a) to employees of the Commission; and

(B) shall provide support services relating to—

(i) the initial employment of employees of the Commission; and

(ii) other personnel needs of the Commission.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement to the agency of that employee, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) STAFF QUALIFICATIONS.—Any person appointed to the staff of or employed by the Commission shall be an individual of integrity and impartiality.

(g) CONDITIONAL EMPLOYMENT.—

(1) IN GENERAL.—The Commission may offer employment on a conditional basis to a prospective employee pending the completion of any necessary security clearance background investigation. During the pendency of any such investigation, the Commission shall ensure that such conditional employee is not given and does not have access to or responsibility involving classified or otherwise restricted material.

(2) TERMINATION.—If a person hired on a conditional basis as described in paragraph (1) is denied or otherwise does not qualify for all security clearances necessary for the fulfillment of the responsibilities of that person as an employee of the Commission, the Commission shall immediately terminate the employment of that person with the Commission.

(h) EXPEDITED SECURITY CLEARANCE PROCEDURES.—A candidate for executive director or deputy executive director of the Commission and any potential employee of the Commission shall, to the maximum extent possible, be investigated or otherwise evaluated for and granted, if applicable, any necessary security clearances on an expedited basis.

#### SEC. 6. SUPPORT SERVICES.

During the 180-day period following the date of enactment of this Act, the General Services Administration shall provide administrative support services (including offices and equipment) for the Commission.

#### SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 3.

#### SEC. 8. MISCELLANEOUS PROVISIONS.

(a) INAPPLICABILITY OF FACAA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Commission.

(b) PUBLIC ATTENDANCE.—To the maximum extent practicable, each meeting of the Commission shall be open to members of the public.

#### SEC. 9. FUNDING OF COMMISSION.

Notwithstanding section 1346 of title 31, United States Code, or section 611 of the Treasury and General Government Appropriations Act, 1998, of funds made available for fiscal years 1998 and 1999 to the Departments of Justice, State, and any other appropriate agency that are otherwise unobligated, not more than \$3,500,000 shall be available for the interagency funding of activities of the Commission under this Act. Funds made available to the Commission pursuant to this section shall remain available for obligation until December 31, 1999.

Mr. KYL. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be considered read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Amendment (No. 2335) was agreed to.

THE PRESIDING OFFICER. Without objection, the committee amendment, as amended, is agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

#### ORDERS FOR MONDAY, MAY 4, 1998

Mr. KYL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. on Monday, May 4. I further ask that on Monday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then begin a period of morning business until 12 noon, with Senators permitted to speak for up to 10 minutes each, with the following exceptions:

Senator HUTCHINSON for 30 minutes;

And Senator DORGAN for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. I further ask that following morning business at noon, the Senate proceed to the consideration of H.R. 2676, the IRS reform bill, for debate only.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. KYL. For the information of all Senators, when the Senate reconvenes on Monday, it is the leader's intention to begin consideration of the IRS reform bill. It is hoped that Members will come to the floor, offer their opening statements and debate this important piece of legislation. As a reminder, any

votes ordered with respect to the IRS reform bill will be postponed to occur following the vote on the job training partnership bill ordered for 5:30 p.m. on Tuesday, May 5.

#### ORDER FOR ADJOURNMENT

Mr. KYL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator DORGAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

#### HEALTH CARE BILL OF RIGHTS

Mr. DORGAN. Mr. President, following the business of the Senate today, there was an hour of morning business and a number of Members of the Senate came to the floor to comment on the hearings that were held yesterday and, I think today, before the Senate Finance Committee. These are hearings about the Internal Revenue Service. I am going to talk about that in a bit because the hearings are dealing with, at least from what I have read, some abuses in the Internal Revenue Service. Some of the instances that have been disclosed in these hearings represent abusive behavior on the part of some employees of the Internal Revenue Service. I will comment on that in a moment, but first I want to talk about some other abuses first that relate to another agenda that many of us want brought to the floor of this Chamber to be debated as soon as is possible. I am referring to abuses in the area of health care, particularly with regard to managed care organizations in our country.

We know that some in this Chamber and in the Congress do not want to address the issue of managed care because the largest insurance companies in the country do not want it addressed. It would be difficult and inconvenient for some insurance plans if the Congress addressed these issues, so there is some stalling going on. However, we intend to, every day that we are in session and have the opportunity, come to the floor of the Senate and talk about some specific instances of abuse that the American people have suffered at the hands of their health care plans. In many respects, we have a wonderful system of health care in this country—new medicines and procedures, breathtaking medical advances—but this is only true for the people who have the quality care available to them.

Let me talk about one American named Buddy Kuhl from Missouri who is dead now. Buddy had a heart attack on his 25th wedding anniversary. He was told by his doctor that he required specialized heart surgery, but because the hospital in his hometown did not have the necessary equipment for that surgery, the doctor arranged for the