

most or all of the financial risk for their respective health plans; and

Whereas, as self-funding of health plans has grown, states have lost regulatory oversight of this growing portion of the health insurance market; and

Whereas, the federal government has been slow to enact meaningful patient protections such as mechanisms for the recovery of benefits due plan participants, recovery of compensatory damages from the fiduciary caused by its failure to pay benefits due under the plan, enforcement of the plan-participant's rights under the terms of the plan, assurance of timely payment, and clarification of the plan-participant's rights to future benefits under the terms of the plan; and

Whereas, in the absence of federal patient protections, state-level action is needed: Now, therefore, be it

*Resolved by the senate, the house of delegates concurring.* That the Congress of the United States be urged to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; and, be it

*Resolved further,* That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House Representatives, the President of the United States Senate, the President of the United States, the Secretary of the United States Department of Labor, the Congressional Delegation of Virginia, and to the presiding officer of each house of each state's legislative body so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-118. A resolution adopted by the House of the Legislature of the State of Michigan relative to "Know Your Customer" banking regulations and policies; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE RESOLUTION NO. 30

Whereas, The Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision have been considering a proposed rule known as the "Know Your Customer" regulation. Although currently withdrawn from formal consideration through the federal regulatory process, this proposed measure would require banks and savings institutions to develop and enforce programs to monitor banking transactions to identify those that may be connected to certain illegal activities; and

Whereas, The "Know Your Customer" concept is a response to concerns over activities such as money laundering, drug trafficking, tax evasions, and fraud. The regulation places an enormous burden of responsibility on banks, while ignoring the fact that provisions already exist to help deal with suspicious banking activities; and

Whereas, In addition to the proposed rule, which prompted overwhelming objections during the public comment period, federal banking officials already require banks to have "Know Your Customer" guidelines and procedures in place to identify suspicious activities. The Federal Reserve Bank's Secrecy Act compliance manual specifies this policy and directs bank examiners to look for compliance with this practice; and

Whereas, The "Know Your Customer" concept represents a serious threat to the privacy of law-abiding citizens. Giving the banks the duty of monitoring all banking

transactions—without probable cause and appropriate search warrants—is a clear threat and likely violation of the Fourth Amendment, which states, in part, the right of the people to be secure in their papers and effects against unreasonable searches and seizures. The "Know Your Customer" concept ignores constitutional protections of personal privacy; and

Whereas, There is legislation currently pending in Congress to prohibit "Know Your Customer" transaction screening policies. This type of legislation, to protect personal privacy under the Fourth Amendment, is most appropriate. Now, therefore, be it

*Resolved by the House of Representatives,* That without hindering the pursuit of money laundering, drug trafficking, tax evasion, and fraud, we oppose "Know Your Customer" banking regulations and policies and memorialize the Congress of the United States to enact legislation to prohibit banking transaction screening practices that threaten personal privacy; and be it further

*Resolved,* That copies of this resolution be transmitted to the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, April 29, 1999.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces and for other purposes (Rept. No. 106-50).

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1061. An original bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

S. 1062. An original bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself, Mr. MACK, Mr. MOYNIHAN, and Mr. KERREY):

S. 1058. A bill to provide for the collection of fees for certain customs services, to authorize the continuation of certain preclearance services, and for other purposes; to the Committee on Finance.

By Mr. WARNER:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military ac-

tivities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1061. A bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1062. A bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CONRAD (for himself, Mr. HARKIN, Mr. GRASSLEY, and Mr. HATCH):

S. Con. Res. 32. A concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 211

At the request of Mr. HELMS, his name was added as a cosponsor of S. 211, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 429

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 429, a bill to designate the legal public holiday of "Washington's Birthday" as "Presidents' Day" in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the

contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 517

At the request of Mr. GRAHAM, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 517, a bill to assure access under group health plans and health insurance coverage to covered emergency medical services.

S. 566

At the request of Mr. LUGAR, the name of the Senator from Vermont (Mr. LEAHY) was added as cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from North Dakota (Mr. DORGAN) was added as cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after Medicare benefits end, and to extend certain Medicare secondary payer requirements.

S. 648

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as cosponsor of S. 648, a bill to provide for the protection of employees providing air safety information.

S. 712

At the request of Mr. LOTT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as cosponsor of S. 712, a bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps.

S. 751

At the request of Mr. LEAHY, the name of the Senator from Maryland

(Ms. MIKULSKI) was added as cosponsor of S. 751, a bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors, and for other purposes.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from Hawaii (Mr. AKAKA) was added as cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 820

At the request of Mr. CHAFEE, the name of the Senator from Utah (Mr. HATCH) was added as cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the name of the Senator from Montana (Mr. BAUCUS) was added as cosponsor of Senate Resolution 59, a resolution designating both July 2, 1999, and July 2, 2000, as "National Literacy Day."

SENATE RESOLUTION 81

At the request of Mr. CRAPO, the names of the Senator from Louisiana (Mr. BREAUX) the Senator from Massachusetts (Mr. KENNEDY), the Senator from Utah (Mr. BENNETT), the Senator from Florida (Mr. GRAHAM), the Senator from Michigan (Mr. ABRAHAM), the Senator from Washington (Mrs. MURRAY), the Senator from Maine (Ms. COLLINS), the Senator from South Dakota (Mr. DASCHLE), the Senator from New York (Mr. MOYNIHAN), the Senator from Georgia (Mr. CLELAND), the Senator from California (Mrs. FEINSTEIN), the Senator from Nevada (Mr. BRYAN), the Senator from Missouri (Mr. BOND), the Senator from Oregon (Mr. WYDEN), the Senator from Idaho (Mr. CRAIG), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER), the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. BIDEN), the Senator from Ohio (Mr. VOINOVICH), the Senator from Indiana (Mr. LUGAR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from North Carolina (Mr. HELMS), the Senator from Maine (Ms. SNOWE), the Senator from Delaware (Mr. ROTH), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Nebraska (Mr. KERREY), the Senator from Virginia (Mr. ROBB), the Senator from Arkansas (Mrs. LINCOLN), the Senator from North Dakota (Mr.

CONRAD), the Senator from South Carolina (Mr. THURMOND), the Senator from Texas (Mrs. HUTCHISON), the Senator from New Hampshire (Mr. SMITH), the Senator from North Dakota (Mr. DORGAN), the Senator from Indiana (Mr. BAYH), the Senator from Connecticut (Mr. DODD), the Senator from Wyoming (Mr. THOMAS), the Senator from Iowa (Mr. GRASSLEY), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Hawaii (Mr. INOUE), were added as cosponsors of Senate Resolution 81, a resolution designating the year of 1999 as "The Year of Safe Drinking Water" and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act.

SENATE CONCURRENT RESOLUTION 32—EXPRESSING THE SENSE OF CONGRESS REGARDING THE GUARANTEED COVERAGE OF CHIROPRACTIC SERVICES UNDER THE MEDICARE+CHOICE PROGRAM

Mr. CONRAD (for himself, Mr. HARKIN, Mr. GRASSLEY, and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 32

*Resolved by the Senate (the House of Representatives concurring), That*

**SECTION 1. SENSE OF CONGRESS REGARDING GUARANTEED COVERAGE OF CHIROPRACTIC SERVICES UNDER THE MEDICARE+CHOICE PROGRAM.**

(a) FINDINGS.—Congress finds the following:

(1) In 1972, Congress included chiropractors in the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) through the definition of the term "physician" under section 1861(r) of such Act (42 U.S.C. 1395x(r)), which referred to the "treatment by means of manual manipulation of the spine (to correct a subluxation)". Congress crafted this language to identify a specific chiropractic service using terminology that was unique to the chiropractic profession at that time. Such language shows that Congress was aware that patients required direct access to chiropractic care in order to provide this benefit under the medicare program.

(2) The traditional fee-for-service medicare program gave beneficiaries direct access to doctors of chiropractic for treatment by means of manual manipulation of the spine to correct a subluxation. The sole limitation, shared by all entities and health care providers under the medicare program, is the limitation outlined in section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)), which requires that items and services provided to medicare beneficiaries be reasonable and necessary in order for payment to be made for such items and services.

(3) Treatment by means of manual manipulation of the spine to correct a subluxation is uniquely chiropractic. Doctors of chiropractic are the only health care providers educated and trained to perform such a treatment.

(4) In 1982, Congress established provisions for making payments to health maintenance organizations and competitive medical plans under section 1876 of the Social Security Act (42 U.S.C. 1395mm). Such provisions directed all eligible organizations with contracts