

Mr. President, I will do all I can to ensure that the women in my state and all over the country have access to the opportunities and resources they need to start new business ventures. However it is also imperative that we invest in the business development resources that will help women sustain and grow these new businesses. This small investment yields big returns in the form of job creation, revenues, and overall growth of the nation's economy.●

#### MEDICARE BENEFICIARY ACCESS TO QUALITY NURSING HOME CARE ACT OF 1999

● Mr. ABRAHAM. Mr. President, on the 13th of October, I was proud to cosponsor S. 1500, the Medicare Beneficiary Access to Quality Nursing Home Care Act of 1999. When Congress worked with the President to craft and pass the Balanced Budget Act of 1997, it included a number of desperately needed cost-saving measures to ensure that Medicare did not go bankrupt. At the time, Medicare was projected to be bankrupt by 2001 with annual costs rising at three times the rate of inflation.

However, the Health Care Financing Administration, which oversees the administration of Medicare, has far exceeded the scope of the Balanced Budget Act of 1997, and gone beyond the intent of Congress in scaling back health care provider reimbursements. Driven by a philosophy that the Federal Government knows best how to handle your health care decisions, this administration has uniformly adopted policies that limit Medicare beneficiary choice, obstruct critically needed market-based reforms, and relentlessly pursued a strategy of reducing payments to providers as the prime method to reduce outlays.

Sometimes such a "Washington-knows-best" strategy just doesn't work. The fact of the matter is, health care providers will bear costs that cannot be overlooked or undervalued simply because HCFA wishes to declare it so. This has been especially prevalent in the area of Skilled Nursing Facility care. The recently implemented Prospective Payment System (PPS) fails to account for the full range of services required by most Medicare beneficiaries provided care in these facilities.

Specifically, the PPS implemented by HCFA has a payment schedule called Resource Utilization Groups (RUGs) that are intended to account for the needs of individual beneficiaries. However, these RUGs have failed to account for the full range of needs of these beneficiaries, especially for the medically complex patient. While private market insurance is significantly better at recognizing the needs of the medically complex patient, the failure of this administration to allow for any type of market-based reform to move forward has forced us to rely upon the implementation of the

PPS by HCFA, which, as I discussed before, seems to have a predisposition towards underpaying for necessary services.

The result, Mr. President, is that beneficiaries are increasingly denied access to lower-cost Skilled Nursing Facilities and are forced to continue care in higher-cost hospitals where they also may not be able to get the most appropriate level of rehabilitative care. S. 1500, introduced by Senator HATCH, attempts to address the overreaching of HCFA directly and swiftly. First, it would provide for payment "add-ons" for the provision of additional treatment in the care of the medically complex patient. Second, it restores one percentage point of the reductions to the annual inflation adjuster mandated by BBA-97. Although the inflation adjustment reduction was directly written in the BBA-97 language, it's revision provides Congress the most direct and simplest way to counteract the excesses of HCFA.

Mr. President, I am heartened that HCFA has recognized the flaws in the current PPS system and is undertaking a review of this system. However, that review will not be completed until next year. Our Skilled Nursing Facilities need these restorations now in order to continue to provide our Medicare beneficiaries continued and uninterrupted care. That is why I fully support this legislation, am cosponsoring it, and call on my colleagues to do the same as soon as possible.●

#### THIRD ANNUAL CAUCUS FOR POTOMAC HERITAGE NATIONAL SCENIC TRAIL

● Mr. ROBB. Mr. President, I rise to recognize the Third Annual Caucus for the Potomac Heritage National Scenic Trail, to be held on October 22, 1999.

Designated by Congress in 1983, the Potomac Heritage Trail is unlike any other trail in the National Trails System. The corridor which follows "Our Nation's River" includes both the boyhood home and Mt. Vernon estate of our first President, George Washington, significant greenways and parks, and nearby centers of commerce which are vital to the economic vitality of Virginia and the capital region.

I congratulate the National Park Service, the Potomac Heritage Partnership, the Northern Virginia Planning District Commission and other advocates of this National Scenic Trail in persevering in their efforts to increase opportunities for enhancing commerce, conservation and cultural initiatives along the Potomac River. I wish them continued success in the years to come.●

#### IN RECOGNITION OF DOUGLAS C. STRAIN

● Mr. WYDEN. Mr. President, I am pleased today to recognize the 55th anniversary of Electro Scientific Industries, Incorporated, ESI, and to honor

the accomplishments of Mr. Douglas C. Strain, ESI's founder and first president and chairman of ESI's board.

Established in Portland in 1944, ESI was among the first high-technology companies in Oregon. Since that time, ESI has grown into a global leader in the manufacturer of precision laser trimmers and memory repair equipment, as well as a worldwide supplier of electronic production equipment. From humble beginnings, ESI has become a \$200 million company, employing more than 900 individuals in Oregon and around the world, and helping to establish Oregon as one of this country's high-tech capitals.

Accomplishments such as these are often born of tough challenges. Having overcome a devastating fire in the 1950's, ESI had to rebuild itself from the ground up, and has had to re-invent itself on a number of occasions since that time. The company has proven itself adept at adapting to the fast-pace that characterizes the high-technology sector. From test and calibration equipment, electron microscopy, and analog computing to laser trimming, memory repair and vision, handling, packaging, and drilling technologies, ESI products have always been at the leading edge of technology developments.

I especially pay tribute to a remarkable Oregonian, Electro Scientific's founder, Mr. Douglas C. Strain. On October 24, Doug will celebrate both his 80th birthday and his retirement from ESI's board of directors. Mr. Strain's vision and perseverance have brought the company successfully to the end of this century, and I believe that ESI will continue on with equal success well into the next century. I congratulate Doug on his accomplishments and wish him the very best as he undertakes new challenges in his life.●

#### IN PRAISE OF METS OUTFIELDER BENNY AGBAYANI

● Mr. AKAKA. Mr. President, the boys of summer rarely disappoint us, and last night's final game of the National League playoffs once again confirmed that baseball is truly America's pastime. The series captivated television audiences as the Mets and Braves went head to head in extra innings in their last two games: Sunday's game was the longest in playoff history—lasting more than five hours, and last night's game was not decided until the bottom of the 11th—just past midnight.

I want to single out Hawaii's own, Benny Agbayani, the star New York outfielder, who proudly wears number 50 for the 50th state. Benny had an illustrious playoff season and proved he is an invaluable addition to the Mets starting lineup. After playing in Triple A since 1993, the Hawaii outfielder was called up by the Mets in early May to replace the injured Bobby Bonilla. He secured his slot by batting .400 and hitting 10 home runs by mid-June. The former St. Louis School and Hawaii

Pacific University all-state athlete has made Hawaii proud and has captured the nation's attention with his strength at bat, agility on the field, and grace in waiting for his place in baseball history.

My aloha to Benny, his recent bride Niela, and their families.●

#### CHANGE OF CONFEREES

Mr. SANTORUM. Mr. President, I ask unanimous consent that Senator DOMENICI be added as a conferee in lieu of Senator KYL to the conference to accompany the D.C. appropriations bill.

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

#### NATIONAL MEDAL OF HONOR SITES IN CALIFORNIA, INDIANA, AND SOUTH CAROLINA

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of H.R. 1663, and the Senate now proceed to its consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 1663) to designate as a national memorial the memorial being built at the Riverside National Cemetery in Riverside, California, to honor recipients of the Medal of Honor.

There being no objection, the Senate proceeded to consider the bill.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the bill be read a third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1663) was passed.

#### ORDERS FOR THURSDAY, OCTOBER 21, 1999

Mr. SANTORUM. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until the hour of 9:30 a.m. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on S. 1692, the partial-birth abortion bill.

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

#### PROGRAM

Mr. SANTORUM. For the information of all Senators, the Senate will resume consideration of the partial-birth abortion bill tomorrow morning. By a previous order, the Senate will proceed to a vote on the pending Harkin amendment after 2 hours of debate. Therefore, Senators can anticipate the first vote on Thursday at approximately 11:30 a.m. unless time is yielded back. Debate on the bill is expected to be completed during tomorrow's session of the Senate. Consequently, Senators can expect votes on amendments and final passage of the bill. The Senate may also consider any appropriations conference reports ready for action.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SANTORUM. If there is no further business to come before the Sen-

ate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:30 p.m., adjourned until Thursday, October 21, 1999, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate October 20, 1999:

##### DEPARTMENT OF COMMERCE

LINDA J. BILMES, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE W. SCOTT GOULD, RESIGNED.

LINDA J. BILMES, OF CALIFORNIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF COMMERCE, VICE W. SCOTT GOULD, RESIGNED.

##### DEPARTMENT OF STATE

JAMES B. CUNNINGHAM, OF PENNSYLVANIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

DONALD STUART HAYS, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR UN MANAGEMENT AND REFORM.

##### THE JUDICIARY

JAMES D. WHITTEMORE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA VICE WILLIAM TERRELL HODGES, RETIRED.

RICHARD C. TALLMAN, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE BETTY BINNS FLETCHER, RETIRED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. JOHN P. JUMPER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. GREGORY S. MARTIN, 0000.