

# Daily Digest

## HIGHLIGHTS

Senate passed Patients' Bill of Rights.

## Senate

### Chamber Action

*Routine Proceedings, pages S7127-7291*

**Measures Introduced:** Twenty bills and eight resolutions were introduced, as follows: S. 1138-1157, S. Res. 118-123, and S. Con. Res. 57-58.

**Pages S7193-94**

#### Measures Reported:

H.R. 2217, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, with an amendment in the nature of a substitute. (S. Rept. No. 107-36)

**Page S7193**

#### Measures Passed:

**Patients' Bill of Rights:** By 59 yeas to 36 nays (Vote No. 220), Senate passed S. 1052, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage, after taking action on the following amendments proposed thereto:

**Pages S7127-85**

##### Adopted:

By a unanimous vote of 98 yeas (Vote No. 208), Santorum Amendment No. 814, to protect infants who are born alive.

**Pages S7127-28**

By a unanimous vote of 98 yeas (Vote No. 209), DeWine Modified Amendment No. 842, to limit class actions to a single plan.

**Pages S7127, S7128-29**

By a unanimous vote of 98 yeas (Vote No. 213), Thompson Modified Amendment No. 819, to require the exhaustion of administrative remedies before a claimant goes to court.

**Pages S7127, S7132-33**

Nickles Amendment No. 850, to apply the patient protection standards to Federal health benefits programs.

**Pages S7128, S7142-45**

Ensign Modified Amendment No. 849, to provide for genetic nondiscrimination.

**Pages S7128, S7135, S7161-62**

Thompson Amendment No. 853, to clarify the law which applies in a State cause of action.

**Pages S7160, S7162**

Warner Further Modified Amendment No. 833, to limit the amount of attorneys' fees in a cause of action brought under this Act.

**Pages S7127, S7155-57, S7162**

Reid (for Kennedy/Gregg) Amendment No. 860, to make technical and conforming amendments.

**Page S7185**

#### Rejected:

Nickles Amendment No. 846, to apply the bill to plans maintained pursuant to collective bargaining agreements beginning on the general effective date. (By 54 yeas to 44 nays (Vote No. 211), Senate tabled the amendment.)

**Pages S7130-31**

Ensign Amendment No. 848, to provide that health care professionals who provide pro bono medical services to medically undeserved or indigent individuals are immune from liability. (By 52 yeas to 46 nays (Vote No. 212), Senate tabled the amendment.)

**Pages S7128, S7131-32, S7135**

Allard Amendment No. 821, to exempt small employers from causes of action under the Act. (By 55 yeas to 43 nays (Vote No. 215), Senate tabled the amendment.)

**Pages S7138-42, S7145-46**

Craig Amendment No. 851, to express the sense of the Senate regarding making medical savings accounts available to all Americans. (By 53 yeas to 45 nays (Vote No. 216), Senate tabled the amendment.)

**Pages S7146-49**

Santorum Modified Amendment No. 841, to dedicate 75 percent of any awards of civil monetary penalties allowed under this Act to a Federal trust fund to finance refundable tax credits for uninsured individuals and families. (By 50 yeas to 46 nays (Vote No. 217), Senate tabled the amendment.)

**Pages S7149-54**

By 42 yeas to 54 nays (Vote No. 218), Kyl Amendment No. 854, to permit choices in costs and damages.

**Pages S7164-67, S7172-73**

By 36 yeas to 59 nays (Vote No. 219), Frist/Beaux Amendment No. 856, in the nature of a substitute. **Pages S7167–72, S7173**

Withdrawn:

Brownback Amendment No. 847, to prohibit human germline gene modification.

**Pages S7128, S7131, S7133–35**

Reid Amendment No. 852, to limit the amount of attorneys' fees in a cause of action brought under this Act. **Pages S7157–60, S7162**

Carper Amendment No. 855, to disallow punitive damages. **Page S7163**

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

By 46 yeas to 52 nays (Vote No. 210), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to consideration of Grassley Amendment No. 845, to strike provisions relating to customs user fees and Medicare payment delay. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell.

**Pages S7127, S7129–30**

By 57 yeas to 41 nays (Vote No. 214), Senate sustained a point of order that Smith (OR) Modified Motion to Commit to the Committee on Finance with instructions to report the bill back to the Senate with an amendment, is a motion that affects revenues on a bill originating in the Senate, and not in the House of Representatives as prescribed by the United States Constitution; therefore, the motion is not in order under the Constitution.

**Pages S7136–38, S7145**

*107th Congress Reorganization:* Senate agreed to S. Res. 120, relative to the organization of the Senate during the remainder of the 107th Congress.

**Pages S7258, S7285–87**

*Committee on Small Business and Entrepreneurship:* Senate agreed to S. Res. 123, amending the Standing Rules of the Senate to change the name of the Committee on Small Business to the "Committee on Small Business and Entrepreneurship".

**Pages S7261, S7287**

**Nominations Confirmed:** Senate confirmed the following nominations:

Neal A. McCaleb, of Oklahoma, to be an Assistant Secretary of the Interior.

4 Air Force nominations in the rank of general.

7 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page S7291**

**Nominations Received:** Senate received the following nominations:

Henrietta Holsman Fore, of Nevada, to be Director of the Mint for a term of five years.

Marion Blakey, of Mississippi, to be Chairman of the National Transportation Safety Board for a term of two years.

Marion Blakey, of Mississippi, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2005.

Jim Nicholson, of Colorado, to be Ambassador to the Holy See.

Charlotte L. Beers, of Texas, to be Under Secretary of State for Public Diplomacy.

Dennis L. Schornack, of Michigan, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Randal Quarles, of Utah, to be United States Executive Director of the International Monetary Fund for a term of two years.

Carol D'Amico, of Indiana, to be Assistant Secretary for Vocational and Adult Education, Department of Education.

Judith Elizabeth Ayres, of California, to be an Assistant Administrator of the Environmental Protection Agency.

George McDade Staples, of Kentucky, to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Navy. **Pages S7289–91**

**Executive Communications:** **Pages S7191–93**

**Statements on Introduced Bills:** **Pages S7195–S7252**

**Additional Cosponsors:** **Pages S7194–95**

**Amendments Submitted:** **Pages S7262–83**

**Additional Statements:** **Pages S7190–91**

**Notices of Hearings:** **Page S7283**

**Privilege of the Floor:** **Page S7284**

**Record Votes:** Thirteen record votes were taken today. (Total—220)

**Page S7128–33, S7145–46, S7149, S7154, S7173, S7185**

**Adjournment:** Senate met at 9 a.m., and pursuant to the provisions of H. Con. Res. 176, adjourned at 8:59 p.m., until 12 noon, on Monday, July 9, 2001. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7289.)

## *Committee Meetings*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

The House was not in session. Pursuant to the provisions of H. Con. Res. 176, it has adjourned for the 4th of July District Work Period and will next meet on Tuesday, July 10 at 2 p.m.

## *Committee Meetings*

No Committee meetings were held.

*Next Meeting of the SENATE*

12 noon, Monday, July 9

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Tuesday, July 10

## Senate Chamber

**Program for Monday:** After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 1 p.m.), Senate will begin consideration of S. 1077, Supplemental Appropriations.

## House Chamber

**Program for Tuesday:** To be announced.

## Extensions of Remarks, as inserted in this issue

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