

H.J. Res. 122. A joint resolution making further appropriations for the fiscal year 2003, and for other purposes.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bill and joint resolution were signed by the President pro tempore (Mr. BYRD) on October 11, 2002.

#### ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on October 15, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 114. A joint resolution to authorize the use of United States Armed Forces against Iraq.

Under the authority of the order of the Senate of January 3, 2001, the enrolled joint resolution was signed by the President pro tempore (Mr. BYRD) on October 15, 2002.

At 11:22 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks announced that the House has passed the following bill, without amendment:

S. 1339. An act to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4757. An act to improve the national instant criminal background check system, and for other purposes.

H.R. 4967. An act to establish new non-immigrant classes for border commuter students.

H.R. 5590. An act to amend title 10, United States Code, to provide for the enforcement and effectiveness of civilian orders of protection on military installations.

H.R. 5599. An act to apply guidelines for the determination of per-pupil expenditure requirements for heavily impacted local educational agencies, and for other purposes.

At 8:04 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate.

H.J. Res. 123. A joint resolution making continuing appropriations for the fiscal year 2003, and for other purposes.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1339. An act to amend the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

S. 2558. An act to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

H.J. Res. 113. A joint resolution recognizing the contributions of Patsy Takemoto Mink.

At 8:35 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5200. An act to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

H.R. 5651. An act to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, and for other purposes.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-354. A resolution adopted by the House of the Legislature of the State of Michigan relative to an independent review and analysis of generic drugs; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE RESOLUTION NO. 293

Whereas, the United States Food and Drug Administration (FDA) is a vital agency responsible for ensuring safety in foods and medicines. The work it undertakes has a direct impact on each citizen. The FDA oversees the approval of drugs for the market and provides information to the health care network; and

Whereas, a key component of our health care resources is the availability of generic drugs, which can offer a less costly means of treatment. The use of this option, however, is only as good as the level of assurance that a generic drug is as safe as possible. The FDA considers generic drugs submitted for approval through its Office of Generic Drugs; and

Whereas, in spite of repeated assurances from the FDA and pharmaceutical companies that generic drugs are safe and are identical in the ingredients to their brand-name counterparts, there have been concerns over the safety of some generic drugs. Any concern must be investigated thoroughly to ensure that all standards of ingredients, preparation, and packaging are met. We must do all we can to ensure the highest standards for all prescription medications. Most importantly, there can be no doubt that the review of submitted medications is completely unaffected by criteria other than scientific evidence and the impact of the drugs in question on patients. Citizens as well as health care providers must have faith in the independence and reliability of all tests and determinations; Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States and the Food and Drug Administration to provide for an independent review and analysis of generic drugs submitted for approval; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Food and Drug Administration.

POM-355. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania relative to Medicare

home health benefits and home health providers; to the Committee on Finance.

#### HOUSE RESOLUTION NO. 576

Whereas, there are 321 Medicare-certified agencies in Pennsylvania providing critical care each year in the homes of nearly half a million Pennsylvanians; and

Whereas, home health patients receiving Medicare services are typically the sickest, frailest and most vulnerable of Pennsylvania's elderly population; and

Whereas, the Congress of the United States in 1997 sought to cut growth in the Medicare home health benefit by \$16.2 billion over five years but resulted in cutting more than \$72 billion; and

Whereas, nearly one million fewer Medicare beneficiaries qualify for Medicare-reimbursed home care than in 1997; and

Whereas, additional cuts in the Medicare home health benefit would force many low-cost, efficient agencies in Pennsylvania which are struggling under the current system to go out of business, thereby harming access to Medicare beneficiaries; and

Whereas, total elimination of the 15% cut has been postponed for the past two years; and

Whereas, the impending 15% cut is making it difficult for home health agencies to secure lines of credit and is discouraging investment in advanced technologies and staff benefits; and

Whereas, sixty-five members of the United States Senate have joined in a bipartisan letter that recommends the elimination of the 15% cut; and

Whereas, one hundred thirteen members of the United States House of Representatives have joined in a bipartisan letter that recommends the elimination of the 15% cut; and

Whereas, the Budget Committee of the United States Senate has voted to set aside the funds necessary to do away with the 15% cut; and

Whereas, the Medicare Payment Advisory Commission (MedPAC), the group established by the Congress to advise on Medicare policy, has called upon the Congress to permanently eliminate the 15% cut in the Medicare home health benefit; and

Whereas, MedPAC has reported that there are three factors that can lead to a cost increase for rural home health providers; travel, volume of services and lack of sophisticated management and patient care procedures; and

Whereas, Medicare home health services are delivered to a large rural population in Pennsylvania which often lives miles apart, increasing the cost of providing home health services; Therefore be it

*Resolved,* That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress to permanently eliminate the 15% cut in the Medicare home health benefit AND EXTEND THE 10% RURAL ADD-ON TO MEDICARE HOME HEALTH PROVIDERS; And be it further

*Resolved,* That the House of Representative urge the President to support the Congress in eliminating the 15% cut in the Medicare home health benefit AND EXTEND THE 10% RURAL ADD-ON TO MEDICARE HOME HEALTH PROVIDERS; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives and to each member of Congress from Pennsylvania.

POM-356. A joint resolution adopted by the General Assembly of the State of California relative to home health care; to the Committee on Finance.

#### ASSEMBLY JOINT RESOLUTION NO. 49

Whereas, California's home health care industry has suffered a loss of over one-third of licensed home health agencies since 1998; and