

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8323–S8383

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 1310–1315, and S. Res. 179–180. **Pages S8357–58**

Measures Passed:

Trauma Care Systems Planning and Development Act: Senate passed S. 239, to amend the Public Health Service Act to add requirements regarding trauma care. **Pages S8377–78**

National Museum of African American History and Culture Act: Committee on Rules and Administration was discharged from further consideration of S. 1157, to establish within the Smithsonian Institution the National Museum of African American History and Culture, and the bill was then passed. **Pages S8378–80**

Senate Legal Representation: Senate agreed to S. Res. 179, to authorize testimony and legal representation in *State of New Hampshire v. Donald Johnson*. **Page S8380**

Prescription Drug and Medicare Improvement ACT: Senate resumed consideration of S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, taking action on the following amendments proposed thereto: **Pages S8323–56**

Withdrawn:

Bingaman Amendment No. 933, to eliminate the application of an asset test for purposes of eligibility for premium and cost-sharing subsidies for low-income beneficiaries. **Pages S8338–40, S8343–45**

Pending:

Graham (FL) Amendment No. 956, to provide that an eligible beneficiary is not responsible for paying the applicable percent of the monthly national average premium while the beneficiary is in the coverage gap and to sunset the bill. **Page S8323**

Kerry Amendment No. 958, to increase the availability of discounted prescription drugs. **Page S8323**

Lincoln Modified Amendment No. 934, to ensure coverage for syringes for the administration of insu-

lin, and necessary medical supplies associated with the administration of insulin. **Page S8323**

Lincoln Amendment No. 935, to clarify the intent of Congress regarding an exception to the initial residency period for geriatric residency or fellowship programs. **Page S8323**

Lincoln Amendment No. 959, to establish a demonstration project for direct access to physical therapy services under the Medicare program. **Page S8323**

Baucus (for Jeffords) Amendment No. 964, to include coverage for tobacco cessation products. **Page S8323**

Baucus (for Jeffords) Amendment No. 965, to establish a Council for Technology and Innovation. **Page S8323**

Nelson (FL) Amendment No. 938, to provide for a study and report on the propagation of concierge care. **Page S8324**

Nelson (FL) Amendment No. 936, to provide for an extension of the demonstration for ESRD managed care. **Page S8324**

Baucus (for Harkin) Amendment No. 967, to provide improved payment for certain mammography services. **Page S8324**

Baucus (for Harkin) Amendment No. 968, to restore reimbursement for total body orthotic management for nonambulatory, severely disabled nursing home residents. **Page S8324**

Baucus (for Dodd) Amendment No. 969, to permit continuous open enrollment and disenrollment in Medicare Prescription Drug plans and Medicare Advantage plans until 2008. **Page S8324**

Baucus (for Dodd) Amendment No. 970, to provide 50 percent cost-sharing for a beneficiary whose income is at least 160 percent but not more than 250 percent of the poverty line after the beneficiary has reached the initial coverage gap and before the beneficiary has reached the annual out-of-pocket limit. **Page S8324**

Baucus (for Cantwell) Amendment No. 942, to prohibit an eligible entity offering a Medicare Prescription Drug plan, a Medicare Advantage Organization offering a Medicare Advantage plan, and other health plans from contracting with a pharmacy benefit manager (PBM) unless the PBM satisfies certain requirements. **Page S8324**

Rockefeller Amendment No. 975, to make all Medicare beneficiaries eligible for Medicare prescription drug coverage. **Pages S8324–25**

Rockefeller Amendment No. 976, to treat costs for covered drugs as incurred costs without regard to whether the individual or another person, including a State program or other third-party coverage, has paid for such costs. **Pages S8324–30**

Akaka Amendment No. 980, to expand assistance with coverage for legal immigrants under the Medicaid program and SCHIP to include citizens of the Freely Associated States. **Pages S8330–31**

Akaka Amendment No. 979, to ensure that current prescription drug benefits to Medicare-eligible enrollees in the Federal Employees Health Benefits Program will not be diminished. **Pages S8330–31**

Pryor Amendment No. 981, to provide equal access to competitive global prescription medicine prices for American purchasers. **Pages S8331–35, S8341–43**

Bingaman Amendment No. 984, to carve out from payments to Medicare+Choice and MedicareAdvantage organizations amounts attributable to disproportionate share hospital payments and pay such amounts directly to those disproportionate share hospitals in which their enrollees receive care. **Pages S8335–36**

Bingaman Amendment No. 972, to provide reimbursement for Federally qualified health centers participating in medicare managed care. **Pages S8336–37**

Bingaman Amendment No. 973, to amend title XVIII of the Social Security Act to provide for the authorization of reimbursement for all Medicare part B services furnished by certain Indian hospitals and clinics. **Page S8337**

Baucus (for Edwards) Amendment No. 985, to strengthen protections for consumers against misleading direct-to-consumer drug advertising. **Pages S8340–41**

Baucus (for Lautenberg) Amendment No. 986, to make prescription drug coverage available beginning on July 1, 2004. **Page S8341**

Murray Amendment No. 990, to make improvements in the MedicareAdvantage benchmark determinations. **Pages S8345–47**

Harkin Amendment No. 991, to establish a demonstration project under the Medicaid program to encourage the provision of community-based services to individuals with disabilities. **Pages S8347–48**

Dayton Amendment No. 957, to provide that prescription drug benefits for any Member of Congress who is enrolled in a health benefits plan under chapter 89 of title 5, United States Code, may not exceed the level of prescription drug benefits passed in the 1st session of the 108th Congress. **Page S8348**

Dayton Amendment No. 960, to require a streamlining of the Medicare regulations. **Page S8348**

Dayton Amendment No. 977, to require that benefits be made available under part D on January 1, 2004. **Pages S8348–50**

Baucus (for Stabenow) Amendment No. 992, to clarify that the Medicaid statute does not prohibit a State from entering into drug rebate agreements in order to make outpatient prescription drugs accessible and affordable for residents of the State who are not otherwise eligible for medical assistance under the Medicaid program. **Page S8350**

Baucus (for Dorgan) Amendment No. 993, to amend title XVIII of the Social Security Act to provide for coverage of cardiovascular screening tests under the Medicare program. **Page S8350**

Grassley Amendment No. 974, to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs. **Pages S8351–52**

Durbin Amendment No. 994, to deliver a meaningful benefit and lower prescription drug prices. **Pages S8352–56**

A unanimous-consent agreement was reached providing that at 11 a.m., on Tuesday, June 24, 2003, Senate proceed to vote on or in relation to Rockefeller Amendment No. 976 (listed above), to be followed by a vote on or in relation to Bingaman Amendment No. 984 (listed above); and that at 2:15 p.m., Senate proceed to vote on or in relation to Baucus (for Dodd) Amendment No. 969, following 10 minutes of debate. **Page S8356**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Tuesday, June 24, 2003. **Page S8381**

Nominations Confirmed: Senate confirmed the following nominations:

Frank Libutti, of New York, to be Under Secretary for Information Analysis and Infrastructure Protection, Department of Homeland Security. (New Position)

18 Air Force nominations in the rank of general.

5 Coast Guard nominations in the rank of admiral.

A routine list in the Coast Guard. **Page S8383**

Executive Communications: **Page S8357**

Additional Cosponsors: **Pages S8358–59**

Statements on Introduced Bills/Resolutions: **Pages S8359–67**

Additional Statements: **Pages S8356–57**

Amendments Submitted: **Pages S8367–77**

Adjournment: Senate met at 2 p.m., and adjourned at 7:42 p.m., until 9:30 a.m., on Tuesday, June 24, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8381.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 12 public bills, H.R. 2556–2558, 2560–2568; and; 1 resolution, H. Con. Res. 226, were introduced. **Page H5713**

Additional Cosponsors: **Pages H5713–14**

Reports Filed: Reports were filed today as follows:

H. Res. 260, requesting the President to transmit to the House of Representatives not later 14 days after the date of the adoption of this resolution documents or other materials in the President's possession relating to Iraq's weapons of mass destruction, adverse, amended (H. Rept. 108–168);

H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004 (H. Rept. 108–169);

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2003 (H. Rept. 108–170);

Report on the Suballocation of Budget Allocations for Fiscal Year 2004 (H. Rept. 108–171);

A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records (H. Rept. 108–172);

H.R. 2559, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004 (H. Rept. 108–173);

H. Res. 292, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–174); and

H. Res. 293, providing for consideration of H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004 (H. Rept. 108–175). **Page H5713**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bishop to act as Speaker Pro Tempore for today. **Page H5667**

Recess: The House recessed at 12:33 p.m. and reconvened at 2 p.m. **Page H5667**

Recess: The House recessed at 3:06 p.m. and adjourned at 6:30 p.m. **Page H5679**

Presidential Messages: Read the following messages from the President:

Six Month Report on the National Emergency re Western Balkans: Message wherein he transmitted a 6-month report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001—referred to the Committee on International Relations and ordered printed (H. Doc. 108–86); and **Page H5668**

Continuation of the Western Balkans Emergency Beyond June 26, 2003: Message wherein he transmitted a notice stating that the Western Balkans emergency is to continue in effect beyond June 26, 2003—referred to the Committee on International Relations and ordered printed (H. Doc. 108–87). **Page H5668**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing Sympathy for the Victims of the Earthquake that struck Algeria: H. Res. 264, expressing sympathy for the victims of the devastating earthquake that struck Algeria on May 21, 2003 (agreed to by 2/3 yea-and-nay vote of 382 yeas to 1 nay, Roll No. 297); **Pages H5668–69, H5679–80**

Commending the Democratic Elections in Kenya: H. Res. 177, amended, commending the people of the Republic of Kenya for conducting free and fair elections, for the peaceful and orderly transfer of power in their government, and for the continued success of democracy in their nation since that transition (agreed to by 2/3 yea-and-nay vote of 380 yeas with none voting "nay", Roll No. 298); **Pages H5669–71, H5680–81**

Commending the Signing of the United States-Adriatic Charter: H. Con. Res. 209, amended, commending the signing of the United States-Adriatic Charter, a charter of partnership among the United States, Albania, Croatia, and Macedonia (agreed to by 2/3 yea-and-nay vote of 381 yeas to 1 nay, Roll No. 299); and **Pages H5671–73, H5681**