

Tuesday, July 13, 1999

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8309–S8422

Measures Introduced: Ten bills were introduced, as follows: S. 1352–1361. **Page S8373**

Patients' Bill of Rights Act: Senate continued consideration of S. 1344, to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage, taking action on the following amendments proposed thereto:

Pages S8313–28, S8335–67

Adopted:

By 52 yeas to 48 nays (Vote No. 199), Nickles (for Frist) Amendment No. 1238 (to Amendment No. 1236), to make health care plans accountable for their decisions, enhancing the quality of patients care in America. **Pages S8344–59**

By 52 yeas to 48 nays (Vote No. 200), Nickles Amendment No. 1236, to protect Americans from steep health care cost increases, or loss of health care insurance coverage. **Pages S8318–25, S8359–60**

By 53 yeas to 47 nays (Vote No. 202), Nickles (for Santorum) Amendment No. 1234 (to Amendment No. 1233), to do no harm to Americans' health care coverage, and expand health care coverage in America. **Pages S8313, S8360–61**

Daschle (for Kennedy) Amendment No. 1233 (to Amendment No. 1232), to ensure that the protections provided for in the Patients' Bill of Rights apply to all patients with private health insurance.

Pages S8361–67

Rejected:

By 48 yeas to 52 nays (Vote No. 198), Kennedy (for Robb) Amendment No. 1237 (to Amendment No. 1236), to provide coverage for certain items and services related to the treatment of breast cancer and to provide access to appropriate obstetrical and gynecological care, and to accelerate the deductibility of health insurance for the self-employed.

Pages S8325–28, S8335–44

By 47 yeas to 53 nays (Vote No. 201), Graham Amendment No. 1235 (to Amendment No. 1233), to provide for coverage of emergency medical care.

Pages S8313–18, S8360

Pending:

Daschle Amendment No. 1232, in the nature of a substitute. **Pages S8313–28, S8335–67**

Dodd Amendment No. 1239 (to Amendment No. 1232), to provide coverage for individuals participating in approved clinical trials and for approved drugs and medical devices. **Pages S8361–67**

Senate will continue consideration of the bill on Wednesday, July 14, 1999.

Treasury Department/Postal Service Appropriations—Amendment Adopted: The following amendment to S. 1282, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, previously passed on July 1, 1999, was adopted during today's proceedings:

Page S8422

Jeffords (for Campbell) Amendment No. 1240, to reduce certain expenses within the Federal Buildings Fund of the General Services Administration, and to provide for an increase within salaries and expenses for the Bureau of Alcohol, Tobacco and Firearms.

Page S8422

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Extradition Treaty with Paraguay (Treaty Doc. 106–4).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **Page S8422**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report on the national emergency concerning weapons of mass destruction; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–47). **Page S8371**

Nominations Confirmed: Senate confirmed the following nominations:

T. John Ward, of Texas, to be United States District Judge for the Eastern District of Texas.

David L. Goldwyn, of the District of Columbia to be an Assistant Secretary of Energy (International Affairs).

James B. Lewis, of New Mexico, to be Director of the Office of Minority Economic Impact, Department of Energy.

Lewis Andrew Sachs, of Connecticut, to be an Assistant Secretary of the Treasury.

Stuart E. Eizenstat, of Maryland, to be Deputy Secretary of the Treasury. **Pages S8421–22**

Messages From the President: **Page S8371**

Messages From the House: **Page S8371**

Measures Referred: **Page S8371**

Communications: **Pages S8371–72**

Petitions: **Pages S8372–73**

Statements on Introduced Bills: **Pages S8373–86**

Additional Cosponsors: **Pages S8386–88**

Amendments Submitted: **Pages S8388–95**

Notices of Hearings: **Pages S8395–96**

Authority for Committees: **Page S8396**

Additional Statements: **Pages S8396–S8405**

Text of S. 1282, as Previously Passed:
Pages S8405–21

Record Votes: Five record votes were taken today. (Total—202) **Pages S8344, S8359–61**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:41 p.m., until 9:30 a.m., on Wednesday, July 14, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8422.)

Committee Meetings

(Committees not listed did not meet)

NEVADA LAND CONVEYANCES

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 1330, to give the city of Mesquite, Nevada, the right to purchase at fair mar-

ket value certain parcels of public land in the city; and S. 1329, to direct the Secretary of the Interior to convey certain land to Nye County, Nevada, after receiving testimony from Senator Reid; Larry Finfer, Assistant Director for Communications, Bureau of Land Management, Department of the Interior; Bryan Montgomery, City of Mesquite, Nevada; and Stephen Bradhurst, Nevada Science and Technology Center, Reno, Nevada.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Charles R. Wilson, of Florida, to be United States Circuit Judge for the Eleventh Circuit, William Haskell Alsup, to be United States District Judge for the Northern District of California, Adalberto Jose Jordan, to be United States District Judge for the Southern District of Florida, Carlos Murguia, to be United States District Judge for the District of Kansas, and Marsha J. Pechman, to be United States District Judge for the Western District of Washington, after the nominees testified and answered questions in their own behalf. Mr. Wilson and Mr. Jordan were introduced by Senators Graham and Mack, Mr. Alsup was introduced by Senator Boxer, Mr. Murguia was introduced by Senators Brownback and Roberts, and Ms. Pechman was introduced by Senators Gorton and Murray.

ELEMENTARY AND SECONDARY EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee resumed hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on safe and drug free schools, receiving testimony from Barry R. McCaffrey, Director, Office of National Drug Control Policy; William Modzeleski, Director, Safe and Drug-Free Schools Program, Department of Education; David S. Wolk, Rutland Public Schools, Rutland, Vermont; Rosalind Brannigan, Drug Strategies, Washington, D.C.; and Hope Taft, Columbus, Ohio. Hearings continue on Tuesday, July 20.

House of Representatives

Chamber Action

Bills Introduced: 13 public bills, H.R. 2488–2500; 2 private bills, H.R. 2501–2502; and 4 resolutions,

H. Con. Res. 151–153 and H. Res. 244, were introduced. **Pages H5455–56**

Reports Filed: Reports were filed today as follows:

H. Res. 245, providing for consideration of H.R. 1691, to protect religious liberty (H. Rept. 106-229);

H.R. 535, to direct the Secretary of the Interior to make corrections to a map relating to the Coastal Barrier Resources System (H. Rept. 106-230); and

H.R. 2490, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000 (H. Rept. 106-231). **Page H5455**

Recess: The House recessed at 9:27 a.m. and reconvened at 10:00 a.m. **Page H5372**

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

Technical Corrections to U.S. Code: H.R. 916, amended, to make technical amendments to section 10 of title 9, United States Code. Agreed to amend the title; and **Pages H5375-77**

Commending the U.S. Women's Soccer Team: H. Res. 244, expressing the sense of the House of Representatives with regard to the United States Women's Soccer Team and its winning performance in the 1999 Women's World Cup tournament. **Pages H5377-83**

Recess: The House recessed at 11:40 a.m. and reconvened at 2:34 p.m. **Page H5387**

Military Construction Appropriations Act: The House passed H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, by a yeas and nays vote of 418 yeas to 4 nays, Roll No. 280. **Pages H5387-96**

H. Res. 242, the rule that provided for consideration of the bill was agreed to earlier by voice vote. **Pages H5383-84**

Department of the Interior and Related Agencies Appropriations Act: The House completed general debate and began considering amendments to H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000. Consideration will resume on July 14. **Pages H5396-H5439**

Agreed to:

The George Miller of California amendment that increases funding for urban parks and recreation grant programs by \$4 million and reduces funding for the Commonwealth of the Northern Mariana Islands accordingly; **Pages H5429-30**

The Regula amendment that strikes language that amends the National Historic Preservation Act of 1966; **Page H5430**

The McGovern amendment that increases funding for the Land and Water Conservation Fund state-side grant program by \$30 million (agreed to by a recorded vote of 213 yeas to 202 noes, Roll No. 281);

Pages H5409-19, H5431-32

The Sanders amendment that increases Payment In Lieu of Taxes (PILT) funding by \$20 million, applies \$30 million to deficit reduction, and reduces fossil energy research and development funding by \$50 million (agreed to by a recorded vote of 248 yeas to 169 noes, Roll No. 282);

Page H5419-22, H5432-33

The George Miller of California amendment that prohibits funds to be used directly to construct timber access roads in the National Forest System;

Pages H5434-35

The Faleomavaega amendment that specifies conditions for a loan to be granted to the government of American Samoa with the repayment accomplished from the Tobacco Master Settlement Agreement and establishes a fiscal and managerial reform program for American Samoa; and **Pages H5436-37**

The Crowley amendment that specifies that the National Endowment for the Arts include urban minorities in the definition of "underserved populations". **Pages H5437-38**

Rejected:

The Gutknecht amendment that sought to make available \$250,000 for an indoor American Bald Eagle viewing and teaching facility; **Pages H5427-28**

The Coburn amendment that sought to reduce funding for the Fish and Wildlife Service by \$2 million (rejected by a recorded vote of 131 yeas to 287 noes, Roll No. 283); and **Pages H5425-26, H5433**

The Ney amendment that sought to reduce Department of the Interior travel funding by \$5 million. **Pages H5435-36**

Withdrawn:

The Coburn amendment was offered but subsequently withdrawn that sought to reduce funding for the Fish and Wildlife Service funding by \$5.1 million; **Pages H5423-24**

The Ehlers amendment was offered but subsequently withdrawn that sought to make available \$422,000 for Great Lakes Fish and Wildlife restoration activities; and **Pages H5426-27**

The Mica amendment was offered but subsequently withdrawn that sought to make available \$9 million for acquisition of land along the St. Johns River in Central Florida. **Page H5431**

H. Res. 243, the rule that is providing for consideration of the bill was agreed to earlier by voice vote. **Pages H5384-87**

Presidential Message—National Emergency Re Proliferation of Weapons of Mass Destruction:

Read a message from the President wherein he transmitted his periodic report on the national emergency declared in response to the threat posed by the proliferation of nuclear, biological, and chemical weapons—referred to the Committee on International Relations and ordered printed (H. Doc. 106-93).

Page H5439

Senate Messages: Message received from the Senate appears on page H5372.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H5456-59.

Quorum Calls—Votes: One yea and nay vote and three recorded votes developed during the proceedings of the House today and appear on pages H5395-96, H5431-32, H5432-33, and H5433. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 10:42 p.m.

Committee Meetings

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Ordered reported a measure making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000.

SECURITY AND FREEDOM THROUGH ENCRYPTION (SAFE) ACT

Committee on Armed Services: Held a hearing on H.R. 850, Security and Freedom through Encryption (SAFE) Act. Testimony was heard from the following officials of the Department of Justice: Janet Reno, Attorney General; and Louis J. Freeh, Director, FBI; William A. Reinsch, Under Secretary, Export Administration, Department of Commerce; and public witnesses.

COSTS OF TRANSITIONING TO SOLVENCY

Committee on the Budget: Social Security Task Force held a hearing on the Costs of Transitioning to Solvency. Testimony was heard from public witnesses.

DEPARTMENT OF ENERGY RESTRUCTURING

Committee on Commerce: Subcommittee on Energy and Power and the Subcommittee on Energy and Environment of the Committee on Science held a joint hearing on Restructuring the Department of Energy. Testimony was heard from Victor Rezendes, Director, Energy, Resources, and Science Issues, GAO; and public witnesses.

ELECTRONIC COMMERCE

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on Electronic Commerce: The Current Status of Privacy Protections for Online Consumers. Testimony was heard from the following officials of the FTC: Robert Pitofsky, Chairman; Orson Swindle, Sheila F. Anthony and Mozelle W. Thompson, all Commissioners; and public witnesses.

COMPREHENSIVE SCHOOL REFORM

Committee on Education and the Workforce: Held a hearing on Comprehensive School Reform: Current Status and Issues. Testimony was heard from Scott Jones, Coordinator of Student Learning, Department of Public Instruction, State of Wisconsin; and public witnesses.

ILLEGAL DRUGS—DECRIMINALIZATION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a hearing on Decriminalization of Illegal Drugs. Testimony was heard from the following officials of the State of New York: Charles J. Hynes, District Attorney, King's County; and Katherine Lapp, Director, Criminal Justice, Office of the Governor; Barbara Broderick, Director, Adult Probation, Supreme Court, State of Arizona; and public witnesses.

CAMPAIGN REFORM

Committee on House Administration: Continued hearings on Campaign Reform. Testimony was heard from Representatives Doolittle, Burton, Bereuter, Pitts, Goodling, Price of North Carolina, Paul and Watkins.

SECURITY AND FREEDOM THROUGH ENCRYPTION (SAFE) ACT

Committee on International Relations: Ordered reported, amended, H.R. 850, Security and Freedom through Encryption (SAFE) Act.

OVERSIGHT

Committee on Resources: Held an oversight hearing on upcoming meeting on the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Testimony was heard from Donald J. Barry, Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; Penelope Dalton, Assistant Administrator, Fisheries, NOAA, Department of Commerce; and Michael Lidsky, Assistant Director, Regulatory Coordination, Animal and Plant Health Inspection Service, USDA.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 1185, Timber-Dependent Counties Stabilization Act of 1999; and H.R. 2389, County Schools Funding Revitalization Act of 1999. Testimony was heard from Representative Boyd; Mike Dombeck, Chief, Forest Service, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following bills: H.R. 20, Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act of 1999; H.R. 748, to amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historical Parks Advisory Commission; H.R. 1695, Ivanpah Valley Airport Public Lands Transfer Act; and H.R. 1725, Miwaleta Park Expansion Act. Testimony was heard from Representatives Gilman, Stupak, Gibbons and DeFazio; the following officials of the Department of the Interior: Jacqueline Lowey, Deputy Director, National Park Service; and Tom Fry, Acting Director, Bureau of Land Management; and public witnesses.

RELIGIOUS LIBERTY PROTECTION ACT

Committee on Rules: Granted, by voice vote, a structured rule, providing one hour of debate on H.R. 1691, Religious Liberty Protection Act of 1999. The rule waives all points of order against consideration of the bill. The rule makes in order an amendment in the nature of a substitute if printed in the Congressional Record, if offered by Representative Conyers of Michigan or his designee, debatable for one hour equally divided between the proponent and an opponent. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Canady of Florida and Nadler.

IRAN NONPROLIFERATION ACT

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on H.R. 1883, Iran Nonproliferation Act. Testimony was heard from John Schumacher, Associate Administrator, External Relations, NASA; and public witnesses.

ESTUARIES AND COASTAL WATER QUALITY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Estuaries and Coastal Water Quality. Testimony was heard from Representatives Saxton, Shays, Lazio, Forbes, Ackerman, Deutsch and

Ros-Lehtinen; Michael Davis, Deputy Assistant Secretary of the Army, Policy and Legislation; Dana D. Minerva, Deputy Assistant Administrator, Water, EPA; Sally J. Yozell, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and public witnesses.

FINANCIAL FREEDOM ACT

Committee on Ways and Means: Began markup of H.R. 2488, Financial Freedom Act of 1999.

Will continue tomorrow.

ENCRYPTION BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Encryption. The Committee was briefed by departmental witnesses.

**COMMITTEE MEETINGS FOR WEDNESDAY,
JULY 14, 1999**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings on forward operating locations for counterdrug operations, 10 a.m., SD-192.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings on health care cost issues affecting rural hospitals, 10 a.m., SD-138.

Committee on Energy and Natural Resources: with the Committee on Indian Affairs, to hold joint oversight hearings on the General Accounting Office report on Interior Department's trust funds reform, 9:30 a.m., SH-216.

Committee on Environment and Public Works: to hold hearings on conformity issues relating to the Clean Air Act, 9:30 a.m., SD-406.

Committee on Finance: Subcommittee on International Trade, to hold hearings on managing global and regional trade policy without fast track negotiating authority, 3 p.m., SD-215.

Committee on Governmental Affairs: to hold hearings on S. 1214, to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, 3 p.m., SD-342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold oversight hearings on the implementation Family Medical Leave Act, 9:30 a.m., SD-430.

Committee on Indian Affairs: with the Committee on Energy and Natural Resources, to hold joint oversight hearings on the General Accounting Office report on Interior Department's trust funds reform, 9:30 a.m., SH-216.

Select Committee on Intelligence: closed business meeting; to be followed by a closed hearing on pending intelligence matters, 2 p.m., SH-219.

Committee on the Judiciary: to hold hearings to examine competition and consumer choice in high-speed internet services and technologies, 10 a.m., SD-628.

House

Committee on Appropriations, Subcommittee on Foreign Operations, Export Financing and Related Programs, to mark up appropriations for fiscal year 2000, 10 a.m., H-140 Capitol.

Subcommittee on the District of Columbia, to mark up appropriations for fiscal year 2000, 4 p.m., H-144 Capitol.

Committee on Armed Services, hearing on Department of Energy reorganization, 10 a.m., 2118 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Housing and Community Opportunity, hearing on the Aging Crisis and H.R. 202, Preserving Affordable Housing for Senior Citizens into the 21st Century Act, 2:30 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Oversight and Investigations, hearing on How Healthy Are the Government's Medicare Fraud Fighters? 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications, to mark up H.R. 2384, Corporation for Public Broadcasting Authorization Act of 1999, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to mark up H.R. 1102, Comprehensive Retirement Security and Pension Reform Act, 10:30 a.m., 2175 Rayburn.

Committee on International Relations, hearing on the Treatment of Israel by the United Nations, 10 a.m., 2172 Rayburn.

Committee on Rules, to consider the following: a measure making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000; H.R. 2415, American Embassy Security Act of 1999; and H.R. 434, African Growth and Opportunity Act, 1 p.m., H-313 Capitol.

Committee on Science, Subcommittee on Basic Research, hearing on the Networking and Information Technology Research and Development Act, 2 p.m., 2318 Rayburn.

Committee on Ways and Means, to continue markup of H.R. 2488, Financial Freedom Act of 1999, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, hearing on Encryption, 10 a.m., 2212 Rayburn.

Next Meeting of the SENATE
9:30 a.m., Wednesday, July 14

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, July 14

Senate Chamber

Program for Wednesday: After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 10 a.m.), Senate will continue consideration of S. 1344, Patients' Bill of Rights Act.

House Chamber

Program for Wednesday: Complete consideration of H.R. 2466, Department of the Interior and Related Agencies Appropriations Act, 2000 (open rule); and Consideration of H.R. 1691, Religious Liberty Protection Act (structured rule, one hour of general debate).

Extensions of Remarks, as inserted in this issue

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