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(8) RECOVERY OF SOCIAL SECURITY OVERPAYMENTS. Part A of title XI of the Social Security Act (42 U.S.C. 1386(a)(2)) is amended—

(A) by striking subsection (a)(1); and

(B) by inserting the following:

\" TITLE VII. \"—Sec. 1147A. Whenever the Commissioner of Social Security determines that more than the correct amount of any payment has been made under title II to an individual who is not receiving benefits under title VIII, the Commissioner may recover the amount incorrectly paid under title II by decreasing any amount which is payable to the individual under title VIII.\".

(9) REPRESENTATIVE PAYEE PROVISIONS OF TITLE XVI.—Section 1631(a)(2) of such Act (42 U.S.C. 1386a(a)(2)) is amended—

(A) in subparagraph (A)(iii), by inserting \"or \"807\" after \"205(j)\"; and

(B) in subparagraph (B)(iii)(I), by inserting \"title VIII\" before \"or \"807\"; and

(C) in subparagraph (B)(iii)(III), by inserting \"811\", before \"or \"1632\"; and

(D) in subparagraph (B)(iv)(IV)—

(i) in the designation of such person as a representative payee has been revoked pursuant to section 807(a), before \"and \"whether certification\"; and

(ii) by inserting \"title VIII\", before \"or \"this title\";

(E) in subparagraph (B)(v)(III), by inserting \"the designation of such person as a representative payee has been revoked pursuant to section 807(a), before \"and \"whether certification\"; and

(F) in subparagraph (D)(v)(IIa), by inserting \"or \"807\" after \"205(j)\".

(10) ADMINISTRATIVE OFFSET.—Section 3716(c)(3)(C) of title 31, United States Code, is amended—

(A) by striking \"sections (e) and (f)\" and inserting \"subsections (e) and (f)\";

(B) by striking \"either title II\" and inserting \"either title II, VIII\"; and

(C) by designating subsections (e) and (f) as subsections (d) and (e), respectively.

TITLE IV—TECHNICAL CORRECTIONS

SECTION 401. TECHNICAL CORRECTIONS RELATING TO AMENDMENTS MADE BY THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) Section 402(a)(1)(B)(iv) of the Social Security Act (42 U.S.C. 602(a)(1)(B)(iv)) is amended by striking \"Act\" and inserting \"section\".

(b) Section 409(a)(7)(B)(i)(II) of the Social Security Act (42 U.S.C. 609(a)(7)(B)(i)(II)) is amended by striking \"part\" and inserting \"section\".

(c) Section 413(g)(1) of the Social Security Act (42 U.S.C. 613(g)(1)) is amended by striking \"Act\" and inserting \"section\".

(d) Section 416 of the Social Security Act (42 U.S.C. 616) is amended by striking \"Opportunity Act\" and inserting \"Opportunity Reconciliation Act\".

(e) Section 431(a)(6) of the Social Security Act (42 U.S.C. 626(a)(6)) is amended—

(1) by inserting \"social security\"; and

(2) by inserting \"social security\".

(f) Sections 454(a)(7) and 466(c)(2)(A)(1) of the Social Security Act (42 U.S.C. 654(a)(7) and 656(c)(2)(A)(1)) are amended by striking \"Social Security\" and inserting \"social security\".

(g) Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

(1) by striking \"or\" at the end of each of paragraphs (6)(E)(i) and (19)(B)(i) and inserting \"and\"; and

(2) in paragraph (9), by striking the comma at the end of each of subparagraphs (A), (B), and (C) and inserting a semicolon; and

(h) Section 454(24)(B) of the Social Security Act (42 U.S.C. 654(24)(B)) is amended by striking \"Opportunity Act\" and inserting \"Opportunity Reconciliation Act\".

(i) Section 344(b)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2236) is amended to read as follows:

\"(A) in paragraph (1), by striking subparagraph (B) and inserting the following: \"(B) the State has distributed to families that formerly received assistance under the program under part A the State share of the amounts collected pursuant to section 464 that could have been retained as reimbursement for assistance paid to such families, then the State share otherwise determined for the fiscal year shall be increased by an amount equal to ¼ of the amount (if any) by which the State share for fiscal year 1999 exceeds the State share for the fiscal year (determined without regard to this subsection).\".

\"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective with respect to the second 4 quarters occurring during the period that begins on October 1, 1998, and ends on September 30, 2001.\"

\"(c) REPEAL.—Effective October 1, 2001, section 457 of the Social Security Act (42 U.S.C. 657) is amended—

(1) in subsection (a), by striking \"sections (e) and (f)\" and inserting \"subsections (e) and (f)\"; and

(2) by striking subsection (d);

(3) in subsection (e), by striking the second sentence; and

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.\"

GORTON AMENDMENT NO. 2798

Ms. COLLINS (for Mr. GORTON) proposed an amendment to the bill (S. 1488) to amend the Public Health Service Act to provide funding for the Secretary of Health and Human Services to develop a program to make automatic external defibrillators available to hospitals in areas where the population is at risk of cardiac arrest. The amendment was adopted by a vote of 99 to 0.

CARDIAC ARREST SURVIVAL ACT OF 1999

This Act may be cited as the \"Cardiac Arrest Survival Act of 1999\".
SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Each year more than 250,000 adults suffer cardiac arrest, usually away from a hospital. More than 95 percent of them will die, in many cases before cardiopulmonary resuscitation (“CPR”), defibrillation, and advanced life support are provided too late to reverse the cardiac arrest. These cardiac arrests occur primarily from occult underlying heart disease and from drowning, allergic or sensitivity reactions, or electrical shocks.

(2) Every minute that passes before returning the heart to a normal rhythm after a cardiac arrest causes the chance of survival to fall by 10 percent.

(3) In communities where strong public access to defibrillation programs have been implemented, survival from cardiac arrest has improved by as much as 20 percent.

(4) Survival from cardiac arrest requires successful early implementation of a chain of events, known as the chain of survival, which must be initiated as soon as the person sustains a cardiac arrest and must continue until the person arrives at the hospital.

(5) The chain of survival is the medical standard of care for treatment of cardiac arrest.

(6) A successful chain of survival requires the first person on the scene to take rapid and simple initial steps to care for the patient and to assure that the patient promptly enters the emergency medical services system. These steps include:

(A) recognizing an emergency and activating the emergency medical services system;

(B) beginning CPR; and

(C) using an automated external defibrillator (“AED”) if one is available at the scene.

(7) The first persons at the scene of an arrest are typically lay persons who are friends or family of the victim, fire services, public safety personnel, basic life support emergency medical services providers, teachers, coaches and supervisors of sports or other extracurricular activities, providers of day care, school bus drivers, lifeguards, attendants at public gatherings, coworkers, and other leaders within the community.

(8) The Department shall facilitate programs for the placement of AEDs in public buildings, including provisions regarding the training of personnel in CPR and AED use, integration of the emergency medical services system, and maintenance of the devices.

SEC. 3. RECOMMENDATIONS OF SECRETARY OF HEALTH AND HUMAN SERVICES REGARDING PLACEMENT OF AUTOMATED EXTERNAL DEFIBRILLATORS IN BUILDINGS.

Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following section:

"SEC. 247. (a) RECOMMENDATION FOR FEDERAL BUILDINGS.—

"(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Cardiac Arrest Survival Act of 1999, the Secretary shall assist in providing for an improvement in the survival rates of individuals who experience cardiac arrest in Federal buildings by publishing in the Federal Register for public comment the recommendations of the Secretary with respect to placing automatic external defibrillators in such buildings. The Secretary shall in addition assist Federal agencies in implementing the Secretary’s recommendations.

"(2) AGENCY ASSESSMENTS.—Not later than 180 days after the date on which the recommendations are published under paragraph (1), the Secretary shall make a report to the Congress regarding the implementation of the recommendations made under subsection (a).

"(b) ADDITIONAL RECOMMENDATIONS.—The Secretary shall publish any additional recommendations the Secretary believes are appropriate.

SEC. 4. IMMUNITY FROM CIVIL LIABILITY FOR EMERGENCY USE OF AUTOMATED EXTERNAL DEFIBRILLATORS.

Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following section:

"SEC. 248. (a) PERSONS USING AEDS.—Any person who provides emergency medical care through the use of an automated external defibrillator is immune from civil liability for personal injury or wrongful death resulting from the provision of such care, except as provided in section (c).

"(b) CERTAIN CRITERIA.—In making recommendations under subsections (a) and (b) the Secretary shall consider the following:

"(1) Criteria for selecting the public buildings, facilities and other venues in which automated external defibrillators should be placed, taking into account—

"(A) the typical number of employees and visitors in the buildings, facilities or venues;

"(B) the extent of the need for security measures regarding the buildings, facilities or venues;

"(C) buildings, facilities or other venues, or portions thereof, in which there are special circumstances such as high electrical voltage or extreme heat or cold; and

"(D) such other factors as the Secretary determines to be appropriate.

"(2) Criteria regarding the maintenance of such devices (consistent with the labeling for such device).

"(3) Criteria for coordinating the use of the devices in public buildings, facilities or other venues with providers of emergency medical care for the geographic areas in which the buildings, facilities or venues are located.”.\n
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“(B) This section does not waive any protection from liability for Federal officers or employees under Federal law.

“(1) section 224; or

“(ii) sections 1346(b), 2672 and 2679 of title
28, United States Code, or under alternative benefits provided by United States law.

“in the availability of such benefits precludes a remedy under section 1346(b) of title 28.

“(C) this section does not require that an automated external defibrillator be placed at any building or other location.

“(2) CIVIL ACTIONS UNDER FEDERAL LAW—

“(A) in general. the applicability of subsections (a) through (c) includes applicability to any action for civil liability described in subsection (a) that arises under Federal law.

“(B) FEDERAL AREAS ADOPTING STATE LAW.—If a geographic area is under Federal jurisdiction and is located within a State but out of the jurisdiction of the State, and if pursuant to Federal law, the law of the State applies in such area regarding matters for which there is no applicable Federal law, then an applicable law described in subsection (a) that in such area under the law of the State is subject to subsections (a) through (c) in lieu of any related State law that would apply in such area in the absence of this subparagraph.

TWENTY-FIRST CENTURY RESEARCH LABORATORIES ACT

HARKIN AMENDMENT NO. 2799

Ms. COLLINS (for Mr. HARKIN) proposed an amendment to the bill (S. 1292) to amend the Public Health Service Act to provide support for the modernization and construction of biomedical and behavioral research facilities and laboratory instrumentation; as follows:

On page 16, lines 14 and 15, strike "$250,000,000 for fiscal year 2000, $500,000,000" and insert "$250,000,000".

EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH JEFFERSON "SHOELESS JOE" JACKSON SHOULD BE APPROPRIATELY HONORED FOR HIS OUTSTANDING BASEBALL ACCOMPLISHMENTS

THURMOND AMENDMENT NO. 2800

Ms. COLLINS (for Mr. THURMOND) proposed an amendment to the resolution (S. Res. 134) expressing the sense of the Senate that Joseph Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments; as follows:

Strike all after the enacting clause and in sert:

SECTION 1. SENSE OF THE SENATE THAT "SHOELESS JOE" JACKSON SHOULD BE APPROPRIATELY HONORED FOR HIS OUTSTANDING BASEBALL ACCOMPLISHMENTS

SEC. 1. SENSE OF THE SENATE. The Senate应当PHONED FOR HIS BASEBALL ACCOMPLISHMENTS.

(a) FINDINGS.—The Senate finds the following:

(1) In 1919, the infamous “Black Sox” scandal erupted when an employee of a New York gambler allegedly bribed 8 players of the Chicago White Sox, including Joseph Jefferson “Shoeless Joe” Jackson, to throw the 1919 World Series against the Cincinnati Reds.

(2) In 1921, a criminal court acquitted “Shoeless Joe” Jackson of charges brought against him as a result of his participation in the 1919 World Series.

(3) Despite the acquittal, Commissioner Landis banned “Shoeless Joe” Jackson from Major League Baseball for life; Jackson fought back, conducting a hearing, receiving evidence of Jackson’s allegations, or giving Mr. Jackson a forum to rebut the allegations, issuing a summary punishment that fell far short of due process standards.

(4) During the 1919 World Series, Jackson’s performance was .375, the highest of any player from either team; he had 12 hits, setting a World Series record; he did not commit any errors; and he hit the only home run of the Series.

(5) Not only was Jackson’s performance during the 1919 World Series unmatched, but his accomplishments throughout his 13-year career in professional baseball were outstanding. Major League Baseball players to ever top the coveted mark of a .400 batting average is a season, and he earned a lifetime batting average of .356, the third highest of all time.

(6) “Shoeless Joe” Jackson’s career record clearly makes him one of our Nation’s top base baseball players of all time.

(7) Recognizing his lifetime ban from Major League Baseball, “Shoeless Joe” Jackson has been excluded from consideration for admission to the Major League Baseball Hall of Fame.

(8) “Shoeless Joe” Jackson passed away in 1951, and 80 years have elapsed since the 1919 World Series scandal erupted.

(9) Recently, Major League Baseball Commissioner Bud Selig took an important step by agreeing to investigate whether “Shoeless Joe” Jackson was involved in a conspiracy to alter the outcome of the 1919 World Series and whether he should be eligible for inclusion in the Major League Baseball Hall of Fame.

(10) Courts have exonerated “Shoeless Joe” Jackson, the 1919 World Series scandal erupted; therefore, Major League Baseball should appropriately honor the outstanding baseball accomplishments of Joseph Jefferson “Shoeless Joe” Jackson.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Joseph Jefferson “Shoeless Joe” Jackson should be appropriately honored for his outstanding baseball accomplishments.

GLACIER BAY FISHERIES ACT

BINGAMAN AMENDMENT NO. 2801

Mr. DASCHLE (for Mr. BINGAMAN) proposed an amendment to the bill (S. 501) to address resource management issues in Glacier Bay National Park, Alaska; as follows:

(a) STUDY.—Not later than one year after the date funds are made available, the Secretary, in consultation with the State, the National Marine Fisheries Service, the International Pacific Halibut Commission and other affected agencies shall develop a plan for a comprehensive multi-year research and monitoring program to evaluate the health of fisheries resources in the park’s marine waters, to determine the effect, if any, of commercial fishing in the outer waters of the park in accordance with existing Federal and State laws and any applicable international conservation and management treaties.

(b) MANAGEMENT PLAN.—The Secretary shall ensure that the plan includes consultation with local residents, shall undertake a study of sea gull egg collection under the authority with respect to the waters of the State of Alaska, the waters within Glacier Bay National Park and Preserve, or tidal or submerged lands.

(c) STUDY.—Not later than one year after the date funds are made available, the Secretary, in consultation with the State, the National Marine Fisheries Service, the International Pacific Halibut Commission and other affected agencies shall conduct a study to address the sustainability of fishery resources in such waters and park resources and values.

(2) The Secretary shall promptly notify the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives upon the completion of the plan.

(3) The Secretary shall complete the program set forth in the plan not later than seven years after the date the Congressional Committees are notified pursuant to paragraph (2), and shall submit the results of the program to such Committees on a biennial basis.

SEC. 4. SEA GULL EGG COLLECTION STUDY

(a) STUDY.—The Secretary, in consultation with local residents, shall conduct a study of sea gull eggs living within the park to assess whether sea gull eggs can be collected on a limited basis without impairing the biological sustainability of the sea gull population in the park. The study shall be completed no later than two years after the date funds are made available.

(b) RECOMMENDATIONS.—If the study referred to in subsection (a) determines that the limited collection of sea gull eggs can