

## SENATE—Wednesday, June 20, 2001

The Senate met at 10 a.m. and was called to order by the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of our Nation, Lord of our history and personal Friend to those who trust in You, we thank You that 14 days before the Declaration of Independence on this day, June 20, 1776, Abigail Adams, wife of John Adams, wrote these words to her husband, "I feel no anxiety at the large armament designed against us. The remarkable interpositions of heaven in our favor cannot be too gratefully acknowledged. He who fed the Israelites in the wilderness, who clothes the lilies of the field and who feeds the young ravens when they cry, will not forsake a people engaged in so right a cause, if we remember His loving kindness."

Father, help us to have a cause that is right and to remember Your loving kindness. The two go together. Help us to be sure of Your guidance for the problems we face today and to be equally sure of Your affirmation so that we can unashamedly ask for Your success in just causes You have led us to champion. You are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 20, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. CLINTON thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

### SCHEDULE

Mr. REID. Madam President, on behalf of Senator DASCHLE, the majority leader, I announce that today we are going to continue the consideration of the motion to proceed to the Patients' Bill of Rights. The debate on the motion will be divided in 30-minute increments, beginning right now, between the managers of the bill. The first speaker on our side will be Senator KENNEDY, the manager of the bill.

There will be a vote on the motion to proceed tomorrow morning at 9:30 a.m. to proceed to the Patients' Bill of Rights.

Madam President, Senator DASCHLE has asked that I again notify everyone that we are going to complete this legislation prior to the Fourth of July break. Everyone, including this Senator, has parades, and other things, during the Fourth of July festivities, but we should all make some calls home to make sure our staffs there indicate to those who are concerned that we may not be able to make it.

I was going home late last night, and I ran into one of the journalists. He said he had spoken to one of the Senators in the minority who thought this was just a bluff on Senator DASCHLE's part. Everyone should understand, Senator DASCHLE does not bluff. He has announced that we are going to finish this bill and that is the way it is. We all recognize there has been an effort to stall our going forward on this bill. It is not going to work. We are going to complete this bill prior to the Fourth of July recess.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. THOMAS. Madam President, I thank the Senator for this arrangement. I think alternating half hours is the way to do it. I hope the Presiding Officers will adhere to that.

Further, I want to say that one of the reasons for waiting to proceed to the bill is that it is relatively new to many people. It is something we need to talk more about. Certainly, we will be prepared, as we go through the day, to be able to move on to the bill tomorrow.

Thank you.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### BIPARTISAN PATIENT PROTECTION ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 1052, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the bill (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.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, I just want to say at the outset of this debate that this is not a new legislative proposal. We have had very extensive debates on the provisions which are included in the Patients' Bill of Rights. We have had good debates on the provisions when we passed the Frist bill about 2 years ago. And we had additional kinds of debates when we took up the Norwood-Dingell bill a little over a year ago. These matters have been before the Senate. They are matters that have been discussed repeatedly in this Chamber by a number of us over a very considerable period of time.

We want to point out at the outset of this debate, that the kinds of alterations, adjustments and changes that were made over the weekend were basically technical in nature. I went through those yesterday with the Senator from North Carolina. Maybe later in the day, if it is necessary, I might go through them again. But again, they were basically clarifications in response to questions that were raised about different language interpretations of the bill. These were issues that have been raised by the White House, and those who were opposed to the legislation. I think the most recent changes help clarify the language in our bill.

As we have said all along, we are always interested in hearing ideas, suggestions and recommendations, as long as they are consistent with the fundamental purpose of the legislation. Our purpose is protecting patients, and also assuring accountability by HMOs and insurance companies that are making medical decisions and, too often, overruling doctors, nurses, and trained personnel.

So I know there are some concerns. But the way to deal with those kinds of concerns is to engage in debate on these issues. I think if you look at the