The Senate met at 9:30 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:
Gracious Father, You give us inner eyes to see You and Your truth. Today we celebrate the birthday of Helen Keller, born on this day in 1880. Thank You for her courageous life. With Your help she overcame tremendous obstacles of being born blind and deaf. We are grateful for people like Anne Sullivan who taught her to read braille so that later she could attend Radcliffe College and eventually become a prolific author.

Our spirits are lifted today as we ponder Helen Keller’s words, “I thank God for my handicaps, for, through them, I have found myself, my work, my God.” We intentionally adopt for our lives four things Helen Keller urged us to learn in life: “To think clearly without hurry or confusion; To love everyone sincerely; To act in everything with the highest motives; To trust God unhesitatingly.” And for our work, Keller’s words ring true: “Alone we can do so little; together we can do so much.” Thank You, Father, for the memory of this great woman. Help us today to use all that we have to do as much good as we can in as many circumstances and to as many people as we can. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE
The Honorable Hillary Rodham Clinton 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

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 tempe.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

BIPARTISAN PATIENT PROTECTION ACT
The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1052, which the clerk will report. The legislative clerk read as follows:

A 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. Pending:
Kyl amendment No. 818, to clarify that independent medical reviewers may not require coverage for excluded benefits and to clarify provisions relating to the independent determinations of the reviewer.
Allard amendment No. 817, to exempt small employers from certain causes of action.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be debate in relation to the Allard amendment, No. 817, prior to a vote on or in relation to the amendment.

The Senator from Nevada.

SCHEDULE
Mr. REID. On behalf of Senator Daschle, the Senate is advised that the Senate will resume consideration of the Patients’ Bill of Rights that has been called by the Chair. There is going to be an hour of debate on the Allard amendment and thereafter on the Kyl amendment. There will be votes on those two matters this morning.

Madam President, I have been advised by the managers of this bill that there has been progress made during the night. If things go as expected, we should be able to meet the deadline that has been set by the leadership; that is, we are going to finish this bill by the Fourth of July break and we can also do the supplemental bill and organizing resolution.

Mr. ALLARD. Will the Senator yield?

Mr. REID. I will be happy to yield.

Mr. ALLARD. My understanding is we have an hour for the Allard amendment equally divided between both sides; is that correct?

Mr. REID. That is true.

I would just say, Madam President, the managers of this legislation, the Senator from Arizona, Mr. MCCAIN, and the Senator from North Carolina, Mr. EDWARDS, and the Senator from Massachusetts, Mr. Kennedy, have done outstanding work. Senator Greggs and the people he has been working with have been very cooperative. I think this is a good sign for this legislation and movement of this legislation generally.

The ACTING PRESIDENT pro tempore. Who yields?

Mr. ALLARD. Madam President, I would like to yield 2 minutes to the senior Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Colorado. I will be very brief. I would just like to say to all my colleagues, on this issue I think we have made significant progress. Overnight we have the outlines of an agreement, thanks to Senators Snowe and DeWine, Nelson, Lincoln, and others, on the issue of employer liability. We hope we can get the final details of that ironed out soon. I thank those four Senators and others on this issue.

Mr. ALLARD. My understanding is we have an hour for the Allard amendment equally divided between both sides; is that correct?

Mr. REID. That is true.

I would just say, Madam President, the managers of this legislation, the Senator from Arizona, Mr. MCCAIN, and the Senator from North Carolina, Mr. EDWARDS, and the Senator from Massachusetts, Mr. Kennedy, have done outstanding work. Senator Greggs and the people he has been working with have been very cooperative. I think this is a good sign for this legislation and movement of this legislation generally.

The ACTING PRESIDENT pro tempore. Who yields?

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The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Colorado. I will be very brief. I would just like to say to all my colleagues, on this issue I think we have made significant progress. Overnight we have the outlines of an agreement, thanks to Senators Snowe and DeWine, Nelson, Lincoln, and others, on the issue of employer liability. We hope we can get the final details of that ironed out soon. I thank those four Senators and others on this issue.

On the issue of scope, I think we are close to an agreement on that major issue.

I thank all involved, including Senator Frist and many others, for the serious negotiations that have been ongoing.

We may end up with a couple of issues that simply require votes on the floor to resolve them and the majority of the Senate will prevail. But I am very hopeful, and frankly very pleased at the progress we have made. All parties are seriously negotiating. That is the only way you can resolve an issue that has this much detail and this much complexity associated with it.

Again, I echo the sentiments of the Senator from Nevada. I think we could easily complete this in the next couple of days with the kind of willingness that has been displayed so far.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. One thing I forgot to mention, Senator Kennedy and I, late last night, spoke to Senator Judd Gregg—well, it wasn’t late; it was in the evening. He indicated he would try today to get a list of amendments so we would have a finite list of amendments so we could work through those.

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.