SEC. 204. APPLICATION OF GENETIC NON-DISCRIMINATION REQUIREMENTS TO MEDIGAP PLANS.

(a) NONDISCRIMINATION.—Section 1882(c)(2) of the Social Security Act (42 U.S.C. 1395ss(c)(2)) is amended by adding at the end the following:

"(E) Each issuer of a medicare supplemental policy, and each such policy offered by such issuer, shall comply with the requirements under section 122 of the Bipartisan Patient Protection Act.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to each issuer of a medicare supplementary policy and each such policy for policy years beginning after October 1, 2002.

(c) TRANSITION PROVISIONS.—

(1) IN GENERAL.—If the Secretary of Health and Human Services identifies a State as requiring a change to its statutes or regulations to conform its regulatory program to the requirements under section 122 of the Bipartisan Patient Protection Act, the State regulatory program shall not be considered to be out of compliance with the requirements of section 122 of the Social Security Act (42 U.S.C. 1395ss) due solely to failure to make such change until the date specified in paragraph (4).

(2) EXTENSION.—If, not later than June 30, 2002, the National Association of Insurance Commissioners (in this subsection referred to as the "NAIC") modifies its NAIC Model Regulation relating to section 122 of the Social Security Act (referred to in such section as the 1991 NAIC Model Regulation, as subsequently modified) to conform to the amendment made by subsection (a), such revised regulation incorporating the modifications shall be considered to be the applicable NAIC model regulation (including the revised NAIC Model Regulation and the 1991 NAIC Model Regulation) for the purposes of such section.

(3) SECRETARY STANDARDS.—If the NAIC does not make modifications described in paragraph (2) within the period specified in such paragraph, the Secretary of Health and Human Services shall, not later than October 1, 2002, make the modifications described in such paragraph and such revised regulation incorporating the modifications shall be considered to be the applicable NAIC model regulation (including the revised NAIC Model Regulation and the 1991 NAIC Model Regulation) for the purposes of such section.

(4) DATE SPECIFIED.—

(A) IN GENERAL.—Subject to subparagraph (B), the date specified in this paragraph for a State is the earlier of—

(i) the date the State changes its statutes or regulations to conform its regulatory program to the changes made by this section; or

(ii) October 1, 2002.

(B) ADDITIONAL LEGISLATIVE ACTION REQUIRED.—In the case of a State which the Secretary identifies as—

(i) requiring State legislation (other than legislation appropriating funds) to conform its regulatory program to the amendment made by subsection (a); but

(ii) having a legislature which is not scheduled to meet in 2002 in a legislative session in which such legislation may be considered, the date specified in this paragraph is the first day of the first calendar quarter beginning after the close of the first legislative session of the State legislature that begins on or after July 1, 2002. For purposes of the previous sentence, in the case of a State that has a legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.
June 28, 2001

CONESSIONAL RECORD—SENATE 12417
disease for 10 more years (5 reports). Sponsor: Senator ROCKEFELLER.
S. 490: Provides for Department of Defense use of chapter 31 educational benefits by surviving members of persons who were payable to the survivors of veterans who served on active duty in the military forces of the United States after the date of enactment and who were killed in action or died of wounds suffered in the line of duty in the armed forces of the United States; to extend the authority to the Secretary to transfer entitlement to MGIB to the estate of a veteran whose death was not due to a service-connected disability; and to allow them to receive the payment equivalent of 10 percent, disability compensation (or, if they only received a pension, the basic benefit of MGIB) pegged to educational inflation. Sponsor: Senator HUTCHISON.
S. 228: Provides for Department of Defense use of chapter 31 educational benefits by surviving members of persons who were payable to the survivors of veterans who served on active duty in the military forces of the United States after the date of enactment and who were killed in action or died of wounds suffered in the line of duty in the armed forces of the United States; to extend the authority to the Secretary to transfer entitlement to MGIB to the estate of a veteran whose death was not due to a service-connected disability; and to allow them to receive the payment equivalent of 10 percent, disability compensation (or, if they only received a pension, the basic benefit of MGIB) pegged to educational inflation. Sponsor: Senator HUTCHISON.
S. 409: To clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses and to extend Persian Gulf compensation presumption. Sponsor: Senator HUTCHISON.
S. 457: To establish a presumption of service connection for certain veterans with hepatitis C. Sponsor: Senator ROCKEFELLER.
S. 912: To increase burial benefits for veterans from $300 to $1,135 and from $1,500 to $3,713, and plot allowances from $150 to $670. Also, to index future increases to the CPI. Sponsor: Senator MIKULSKI.
S. 957: To permit the relevant Secretary to transfer entitlement to MGIB educational assistance from members of the Armed Forces to their dependents for up to 18 months of benefits, and allow them to receive the payment as an accelerated payment for a term/semester (solely upon the discretion of the Secretary). Sponsor: Senator CLELAND.

The PRESIDING OFFICER. Without objection, it is so ordered.
SPECIAL COMMITTEE ON AGING
Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Thursday, June 28, 2001, from 10 a.m.–12 p.m. in Dirksen 226 for the purpose of conducting a hearing.
The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE
Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine of the Committee on Commerce, Science, and Transportation be authorized to meet on June 28, 2001, at 2:30 p.m., on Surface Transportation Board Rail Merger Rules, the PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT
AGREEMENT—S. 1077
Mr. REID. Mr. President, I ask unanimous consent that at 1 p.m., Monday, July 9, the Senate proceed to the consideration of Calendar No. 76, S. 1077, the supplemental appropriations bill; that the bill be considered under the following limitations: that any listed amendments in order other than a managers' amendment be the following list which is at the desk; that all listed amendments must be offered by 6 p.m. Monday, July 9, with the exception of the managers' amendment; that the managers on the bill be authorized to offer any listed first-degree amendment in order for that amendment to qualify under the deadline; that any listed first-degree amendment be subject to relevant second-degree amendments; that any time limitation for debate on a first-degree amendment specified in this agreement then a second-degree amendment to that amendment would be accorded the same time limit; further, that upon disposition of the above amendments, the bill be advanced to third reading and the Senate then proceed to the consideration of Calendar No. 77, H.R. 2216; that all after the enacting clause be stricken and the text of S. 1077, as amended, be inserted in lieu thereof: that the bill be advanced to third reading and the Senate then vote on passage of the bill, with no intervening action or debate; finally, I ask unanimous consent that S. 1077 be returned to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.
The list of amendments is as follows:
Biden amendment re: Relevant,
Bond amendment re: Department of Defense,
Bond amendment re: Corp of Engineers,
Boxer amendment re: Sudden Oak Death,
Boxer amendment re: Path 15,
Byrd amendment re: Relevant,
Byrd amendment re: Relevant to any on list,
Cleland amendment re: B-1 bomber transportation,
Conrad amendment re: Turtle Mountain Indian Reservation,
Conrad amendment re: Devil’s Lake,
Conrad amendment re: Relevant,
Craig amendment re: Relevant,
Daschle amendment re: Relevant,
Daschle amendment re: Relevant to any on list,
Feingold amendment re: Relevant,
Feingold amendment re: Klamath Basin,
Feinstein amendment re: Klamath Basin,
Hutchinson (AR) amendment re: AR ice storms,
Inouye amendment re: Relevant,
Johnson amendment re: Relevant,
Lott amendment re: Relevant,
Lott amendment re: Relevant to any on list,
McCaIN amendment re: Defense,
McCain amendment re: Dept. of Defense with a time limit of 2 hours equally divided and controlled,
Nickles amendment re: Relevant,
Miller amendment re: Relevant,
Roberts amendment re: B-1 bombers,
Schumer amendment re: IRS,
Schumer amendment re: Relevant,
Smith (OR) amendment re: Klamath Falls,
Stevens amendment re: Relevant,