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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 28, 1995, at 12:30 p.m.

Senate

MONDAY, MARCH 27, 1995

The Senate met at 10:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Let us pray:

Almighty God, Sovereign of this Senate and Lord of our lives, as we begin a new week filled with opportunities masquerading as complex problems, we claim Your promise, "Call on Me, and I will answer you, and show you great and mighty things which you do not know."—Jeremiah 33:3. So we press on with confidence to the work ahead. Irrespective of the intensity of our problems, You are with us. The bigger the problems, the more of Your abiding presence we will receive. The more complex the problems, the more advanced will be the wisdom You offer. Equal to the strain of each problem, will be the strength You release.

We ask for a fresh anointing of Your spirit. Our talents, training, and experience are insufficient to deal with the problems we face. We need Your x-ray discernment into the potential blessing wrapped up in what we call problems. Endow us with vision to see clearly the solutions we would not have discovered without Your help. Give us courage to follow Your guidance. Make us lodestar leaders who are on fire with enthusiasm. Set us ablaze with greater patriotism for our country and deeper commitment to our calling to be courageous problem-solvers by Your grace and guidance. Then make us compelling communicators who are able to

share Your solutions and inspire others.

Thank you, Lord, for a week filled with serendipities, Your interventions to help us live at full potential for Your glory. Through Jesus Christ our Lord. Amen

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

SCHEDULE

Mr. DOLE. Mr. President, I want to announce to my colleagues that there will be a period for morning business until the hour of 11:30 a.m. with Senators permitted to speak therein for up to 5 minutes each. Senator THOMAS will be recognized for up to 10 minutes.

At 11:30 we will begin 6 hours of debate on the subject of S. 219, the moratorium bill. There will be no votes during today's session, though I hope, if Members on either side have amendments which might be acceptable, that they will come to the floor and offer those amendments. Otherwise, there will be general debate.

Then on tomorrow at 10 o'clock we will be back on S. 219, the moratorium bill.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order the Senator from Wyoming [Mr. THOMAS] is recognized to speak for up to 10 minutes.

Mr. THOMAS. Thank you very much, Mr. President.

SELF-EMPLOYMENT TAX CREDIT

Mr. THOMAS. Mr. President, I rise to talk a little bit about the self-employment health insurance tax credit that was passed last Friday. This was the right thing to do. This was something that we needed to do and need to continue so that it will be retroactive for this tax year.

But I want to make the point that we have not finished yet. Last Friday was simply a reinstatement of what we have had in the past. But we need to go further. Last Friday's bill reinstates the 25-percent tax deduction for premiums on health care insurance for 1994 and increases the deduction to 30 percent for tax years beginning in 1995 and thereafter.

This is a very important issue, a very important item to Americans, and a very important item to health care. There are 12 million self-employed business men and women across this country, 19,000 of whom reside in Wyoming. These business men and women can now proceed with the filing of their 1994 tax returns knowing that a portion

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



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of their health insurance can be deducted. April 15th is grim enough, of course, with Uncle Sam digging deeper and deeper into the pockets of the American people. At least Congress can make it a deduction that is retroactive and finally make it permanent. That is the least that can be done because self-employed business owners, owners who put their families and hard-earned savings on the line in pursuit of the American dream, are treated unfairly and are treated without equity.

The Tax Code says people who strive to be their own boss are only permitted to deduct a small percentage of health insurance with after-tax dollars. However, if you are a large corporation, you are permitted to deduct 100 percent with before-tax dollars. After-tax dollars is a critical item because it makes basic medical care twice as expensive as if it were provided by the employer. Taxes must be paid first on what a self-employed person makes, and then health insurance can be bought with what is left over.

If last year's health care debate was really about expanding health care coverage, then Congress should take the opportunity to promote tax fairness among businesses large and small whether it is one employee or several hundred. There are 2.8 million uninsured self-employed proprietors in this country who could quickly purchase coverage if it was made affordable. Providing 100 percent health insurance tax deduction is at issue. The result of that would be coverage for another one-third of the population, not through Government takeover, not through price controls or employer mandates, but through a means of fairness in the Tax Code.

Last Friday's action on health care should not be the final action. This body should continue to pursue changes in our national health care infrastructure to supplement the self-employed health insurance tax credit. Vital changes such as portability, prohibiting the use of preexisting conditions, and the pooling of small businesses must also be included. The result will be the elimination of job lock and exorbitant premiums for Americans.

Malpractice liability reform and regulatory reform for health care providers must be included as we move forward on the list of health care costs that are ever increasing. This includes tax regulations as well as future regulations because we should be footing the bill for the unfunded mandates and will continue to do that. With the constraints facing us, Congress needs to move forward with health care reform, not in the form that we talked about last year, but to do those incremental things that we can do to make health care more affordable and more acceptable to Americans throughout the country.

This is a move in the right direction to provide fairness and to provide equity. Last Friday was the beginning.

I urge my colleagues to move forward with health care. It is not going to resolve everything, but there have been advances made in the private sector for the first time in 15 years and the cost to employers has gone down some. On the other hand, of course, Medicare and Medicaid continue to go up at an unacceptable rate. We have to do something about that.

So, Mr. President, I am pleased with the action of last Friday in this body. I look forward to continued reform in health care. I remain committed to working for that reform.

The PRESIDENT pro tempore. No response from the audience.

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. NICKLES. Mr. President, what is the regular order?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. DEWINE). Morning business is now closed.

REGULATORY TRANSITION ACT OF 1995

The PRESIDING OFFICER. Under the previous order, there will now be 6 hours for general debate on the subject of S. 219.

Mr. NICKLES. Mr. President, I rise today to talk about Federal regulations. We are going to be on Senate bill S. 219. I want to compliment Senator ROTH and the Governmental Affairs Committee for reporting this bill out. I also want to compliment the House of Representatives for their move in trying to make some progress on reining in the cost of excessive regulations. Federal regulations are estimated to cost about \$581 billion, by some sources. It is hard to figure what that means, but per household, that is over \$6,000—actually \$6,100 per household for the cost of Federal regulations. That increases the cost of everything we buy. Whether you are talking about your automobile or your home or your electric bill or the price that you pay for gasoline, regulations are involved in all these and have inflated the costs on every single thing that we buy.

Many of us feel these regulations have been excessive and they have not been well thought out, or in some cases they are too expensive. I might mention, I guess almost all are probably well intended, and I do not fault anyone's intentions, whether it be the people who passed the legislation authorizing the regulations or the regulators.

They may be well intended, but in many cases, the regulations have gone too far and they are far too expensive.

So we have several measures that are working their way through this body and through the Congress to try to limit excessive regulations.

The House passed a couple of measures. One was a measure called regulation moratorium. A similar bill was reported out of the Governmental Affairs Committee. That is the bill we have on the floor of the Senate today. I, along with my colleague and friend from Nevada, Senator REID, will be offering an amendment in the form of a substitute to that bill. I will discuss that in a moment.

Also the Governmental Affairs Committee has reported out a comprehensive bill dealing with regulation overhaul. I compliment them for that effort. I think it is a giant step in the right direction. Senator DOLE, myself, and others have introduced a very comprehensive bill. Likewise, I believe there is a markup scheduled in the Judiciary Committee on that bill as well.

I compliment Senator DOLE for his leadership because I think it makes sense. We should have regulations where the benefits exceed the costs. We should make sure we use real science. That is the purpose of both Senator ROTH's bill and Senator DOLE's bill that we will be considering on the floor my guess is sometime after the April recess.

But the bill we have before us many people support—the regulation moratorium bill, S. 219. I am a sponsor of that bill. I believe we have 36 sponsors. This is a bill that people have labeled a "moratorium." I even have heard some people mislabel it, including the President, who said it was a "moratorium on all regulations," good and bad regulations. I take issue with that because we had a lot of exceptions for good regulations and we had a lot of exceptions for regulations which people felt were necessary to go forward with, those regulations that dealt with imminent health and safety and regulations that dealt with ordinary administrative practices. The committee added more exceptions. The Committee on Governmental Affairs limited it to significant regulations. So we reduced the scope substantially.

Why was that bill introduced? That bill was introduced because on November 14, the administration announced or published in the Federal Register that they were working on 4,300 different regulations that were in progress and that would be finalized in the year 1995 and beyond. Many of us were concerned. That looked like an explosion of regulations. Many of those regulations had been held up during the previous year. It happened to be an election year, and they were held up and published in the Federal Register on November 14.

So we wanted to stop those or at least we wanted to have a chance to