The most fiercely opposed was inclusion of a medical savings account provision.

To back up a bit, I would like to read the language of an amendment that I offered, and that passed, during consideration of the bill by the Committee on Labor and Human Resources. Specifically, the committee added a sense of the committee that the establishment of medical savings accounts should be encouraged as part of any health insurance reform legislation passed by the Senate through the use of tax incentives relating to contributions to, the income growth of, and the qualified use of, such accounts.

Although the Labor Committee does not have jurisdiction over the Internal Revenue Code, this amendment articulated our support that MSAs should be a part of the final package. Furthermore, the Kassebaum-Kennedy legislation addressed the issue of medical savings accounts within its area of jurisdiction, the Public Health Service Act. The bill allows health maintenance organizations [HMO's] to offer deductibles in conjunction with a medical savings account. This was a necessary change to current law because the current HMO Act prohibits managed care plans from offering significant copayments and deductibles which would typify a catastrophic plan design. By including this language, the committee hoped to level the playing field for all health delivery systems in offering a medical savings account product. My own MSA legislation, introduced last year, also accomplishes this goal.

The medical savings account provisions included in the Health Insurance Portability and Accountability Act are much more narrow than the bill I introduced last year to establish MSA's. However, I believe the provision has much to offer the population it is directed toward: small employers and the self-employed. This population could greatly benefit from expanding their choices of affordable health plan options. In addition, it is worth encouraging individuals to become better consumers of their health care dollars. The MSA provision included in the Health Insurance Portability and Accountability Act attempts to accomplish this goal.

Mr. President, the Journal of the American Medical Association recently published a study by the RAND Corp. regarding medical savings accounts. RAND currently conducts the largest private program of health policy research in the United States. RAND has an exceptional program of health care research that has helped advance knowledge about how cost, quality, and access to care can be improved. Its research agenda has kept pace with the Nation's emerging health policy concerns and has helped shape the way policymakers, health professionals, and the public think about these issues.

We should note that the RAND study concludes that MSA's could prove attractive to some sick and lower income people as well as to the healthy and well-to-do. The report implies that this is an effort worth demonstrating—and certainly not poisonous—especially when we focus on extending the option to populations that now have difficulty finding affordable health care options.

Above all, the goal of the Health Insurance Portability and Accountability Act continues to be the implementation of the very basic reforms of portability and limits on pre-existing conditions. The Senate has debated both these issues for the past 6 years. The bills have even passed the Senate in previous years, but ultimately failed to become law. These reforms represent what we all support and are important to the many people who experience a sense of job-lock or pre-existing conditions. The General Accounting Office [GAO] estimates that 25 million people will benefit from this bill.

Yet, even once the MSA provision was resolved the group-to-individual portability provisions came under attack. We need to remember why health insurance reform legislation was pursued by this Congress. The goal of this bill has always been to insure that people who play by the rules will not be denied access to health insurance. That must be the litmus test for the ultimate success of this legislation. The conference agreement continues to insure that individuals who change or lose their jobs will have access to a choice of health insurance policies. The goal of portability remains strong in the bill.

Mr. President, this Congress has delivered on its promise to enact market-based insurance reforms that increase everyone's security that they will not lose their health insurance. I congratulate the majority leader, Senators KASSEBAUM and ROTH, and the other conferees for ultimately refusing to allow politics as usual to stand in the way of adopting these national rules.●

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from South Carolina is recognized.

Mr. THURMOND. I thank the Chair.

(The remarks of Mr. THURMOND pertaining to the introduction of S. 2074 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THURMOND. Mr. President, I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

FEDERAL TRADE COMMISSION REAUTHORIZATION ACT OF 1996

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of calendar No. 575, H.R. 3553.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3553) to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PRESSLER. Mr. President, H.R. 3553, the Federal Trade Commission Reauthorization Act of 1996, would reauthorize the Federal Trade Commission [FTC] for the next 2 fiscal years. The bill would authorize appropriations of $107 million in fiscal year 1997 and $111 million in fiscal year 1998. The expenditures authorized by this bill would be sufficient to permit the FTC to maintain existing staffing levels of 979 full-time equivalent employees.

H.R. 3553 is identical to S. 1840 which I introduced along with Senators GORTON, HOLLINGS, BRYAN, and SNOWE. Before we introduced S. 1840 on June 5, 1996, the Committee on Commerce, Science, and Transportation held a hearing on May 7, 1996, to review the FTC's activities. The Commerce Committee ordered the bill favorably reported during executive session on June 6, 1996. Because the House and Senate bills are identical, I am asking the Senate to adopt the House passed version so that we may send the bill to the President without the need for a conference.

The FTC was created as an independent regulatory agency in 1914 by the Federal Trade Commission Act. The agency is charged with the dual mission of consumer protection and antitrust enforcement.

Congress last authorized appropriations for the FTC in 1994. That authorization expires at the end of fiscal year 1996. The 1994 authorization followed a 12-year period in which appropriations to the FTC were not authorized. In that authorization act, significant changes were made to the FTC's authorizing statutes.

Mr. President, H.R. 3553, like its identical companion bill S. 1840, makes no further changes in the authorizing statutes. It is a simple authorization of appropriations and S. 1840 was in no way controversial during its committee consideration. I urge the Senate to pass H.R. 3553 as received from the House.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3553) was deemed read the third time and passed.

MEASURE READ FOR THE FIRST TIME—S. 2073

Mr. COVERDELL. Mr. President, I understand that S. 2073, introduced today by Senator NICKLES, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2073) to require the District of Columbia to comply with the 5-year time limit for welfare recipients, to prohibit any future waiver of such limit, and for other purposes.

Mr. COVERDELL. Mr. President, I now ask for its second reading, and I object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104–34

Mr. COVERDELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Constitution and Convention of the International Telecommunication Union [ITU], with annexes, signed at Geneva on December 22, 1992, Treaty Document No. 104–34, transmitted to the Senate by the President on September 13, 1996; that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Constitution and Convention of the International Telecommunication Union (ITU), with Annexes, signed at Geneva on December 22, 1992, and amendments to the Constitution and Convention, signed at Kyoto on October 14, 1994, together with declarations and reservations by the United States as contained in the Final Acts. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Constitution and Convention and the amendments thereto.

The 1992 Constitution and Convention replace the ITU Convention signed in Nairobi in 1982. Prior to the 1992 Constitution and Convention, the ITU Convention had been routinely replaced at successive Plenipotentiary Conferences every 5 to 10 years. The 1992 Constitution and Convention represent the first basic instruments of the ITU intended to be permanent. Basic provisions on the organization and structure of the ITU and fundamental substantive rules governing international telecommunications matters are embodied in the Constitution. The ITU Convention is comprised of provisions on the functioning of the ITU and its constituent parts.

The 1992 Constitution and Convention reflect the effort by ITU Member countries to restructure the ITU to make it more effective in responding to the changes taking place in telecommunications. The United States is pleased with the restructuring of the ITU. The changes adopted are expected to enable the ITU to meet challenges brought on by the dynamic telecommunications environment.

The 1994 ITU Plenipotentiary Conferences was convened less than 4 months after the entry into force of the Constitution and Convention to amend the 1992 Constitution and Convention. Recognizing that more time should be allowed to evaluate the extensive changes to the structure of the ITU, the Conference adopted only a few minor amendments, which were acceptable to the United States.

In signing the 1992 Constitution and Convention and the 1994 amendments, the United States made certain declarations and reservations. The specific declarations and reservations are discussed in the report of the Department of State.

The 1992 Constitution and Convention entered into force July 1, 1994, for states which, by that date, had notified the Secretary General of the ITU of their approval thereof and, in the same manner, the amendments to the Constitution and Convention entered into force on January 1, 1996.

Subject to the U.S. declarations and reservations mentioned above, I believe the United States should be a party to the ITU Constitution and Convention, as amended. They will improve the efficiency of management of the ITU and will allow it to be more responsive to the needs of the United States Government and private sector. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 13, 1996*.

AMENDING THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 570, S. 1983.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1983) to amend the Native American Graves Protection and Repatriation Act to provide for Native Hawaiian organizations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1983) was deemed read the third time and passed, as follows:

S. 1983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.

(a) WRITTEN CONSENT REQUIRED IF NATIVE AMERICAN REMAINS ARE EXCAVATED OR REMOVED FOR PURPOSES OF STUDY.—Section 3(c) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(c) is amended—

(1) in paragraph (3), by striking ''and'' at the end of the paragraph;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end of the following new paragraph:

''(5) in the case of any intentional excavation or removal of Native American human remains for purposes of study, such remains are excavated or removed after written consent is obtained from—

''(A) lineal descendants, if known or readily ascertainable; or

''(B) each appropriate Indian tribe or Native Hawaiian organization.''.

(b) REQUIREMENTS FOR INADVERTENT DISCOVERIES.—Section 3(d) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(d)) is amended—

(1) in paragraph (1), by striking ''with respect to tribal lands, if known or readily ascertainable'' and inserting ''. With respect to tribal lands, such notification shall be provided to each appropriate Indian tribe or Native Hawaiian organization,''; and

(2) in paragraph (2), by adding at the end the following: ''Any person or entity that disposes of or controls any such cultural item shall adhere to the applicable requirements of subsection (c).''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination on the Executive Calendar: No. 719, the nomination of Vice Adm. Dennis C. Blair, to be vice admiral.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed, as follows:

NAVY

The following named officer for reappointment to the grade of vice admiral in the