

the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 1281) was deemed read the third time and passed.

# INDIAN HEALTH CARE IMPROVEMENT TECHNICAL CORRECTIONS ACT OF 1996

Mr. LOTT. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on (H.R. 3378) to amend the Indian Health Care Improvement Act to extend the demonstration program for direct billing of Medicare, Medicaid, and other third party payors.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert:

## SECTION 1. SHORT TITLE; REFERENCE.

(a) *SHORT TITLE.*—This Act may be cited as the “Indian Health Care Improvement Technical Corrections Act of 1996”.

(b) *REFERENCES.*—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Indian Health Care Improvement Act.

## SEC. 2. TECHNICAL CORRECTIONS IN THE INDIAN HEALTH CARE IMPROVEMENT ACT.

(a) *DEFINITION OF HEALTH PROFESSION.*—Section 4(n) (25 U.S.C. 1603(n)) is amended—

(1) by inserting “allopathic medicine,” before “family medicine”; and

(2) by striking “and allied health professions” and inserting “an allied health profession, or any other health profession”.

(b) *INDIAN HEALTH PROFESSIONS SCHOLARSHIPS.*—Section 104(b) of their Indian Health Care Improvements Act (25 U.S.C. 1613a(b)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking the matter preceding clause (i) and inserting the following:

“(3)(A) The active duty service obligation under a written contract with the Secretary under section 338A of the Public Health Service Act (42 U.S.C. 2541) that an individual has entered into under that section shall, if that individual is a recipient of an Indian Health Scholarship, be met in a full-time practice, by service—

(ii) by striking “or” at the end of clause (iii); and

(iii) by striking the period at the end of clause (iv) and inserting “; or”;

(B) by redesignating subparagraph (B) and (C) as subparagraphs (C) and (D), respectively;

(C) by inserting after subparagraph (A) the following new subparagraph:

(B) At the request of any individual who has entered into a contract referred to in subparagraph (A) and who received a degree in medicine (including osteopathic or allopathic medicine), dentistry, optometry, podiatry, or pharmacy, the Secretary shall defer the active duty service obligation of that individual under that contract, in order that such individual may complete any internship, residency, or other advanced clinical training that is required for the practice of that health profession, for an appropriate period (in years, as determined by the Secretary), subject to the following conditions:

“(i) No period of internship, residency, or other advanced clinical training shall be

counted as satisfying any period of obligated service that is required under this section.

“(ii) The active duty service obligation of that individual shall commence not later than 90 days after the completion of that advanced clinical training (or by a date specified by the Secretary).

“(iii) The active duty service obligation will be served in the health profession of that individual, in a manner consistent with clauses (i) through (v) of subparagraph (A).”;

(D) in subparagraph (C), as so redesignated, by striking “prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m) by service in a program specified in subparagraph (A)” and inserting “described in subparagraph (A) by service in a program specified in that subparagraph”; and

(E) in subparagraph (D), as so redesignated—

(i) by striking “Subject to subparagraph (B).” and inserting “Subject to subparagraph (C).”; and

(ii) by striking “prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m)” and inserting “described in subparagraph (A)”;

(2) in paragraph (4)—

(A) in subparagraph (B), by striking the matter preceding clause (i) and inserting the following:

“(B) the period of obligated service described in paragraph (3)(A) shall be equal to the greater of—”;

(B) in subparagraph (C), by striking “(42 U.S.C. 254m(g)(1)(B))” and inserting “(42 U.S.C. 2541(g)(1)(B))”;

(3) in paragraph (5), by adding at the end the following new subparagraphs:

“(C) Upon the death of an individual who receives an Indian Health Scholarship, any obligation of that individual for service or payment that relates to that scholarship shall be canceled.

“(D) The Secretary shall provide for the partial or total waiver or suspension of any obligation of service or payment of a recipient of an Indian Health Scholarship if the Secretary determines that—

“(i) it is not possible for the recipient to meet that obligation or make that payment;

“(ii) requiring that recipient to meet that obligation or make that payment would result in extreme hardship to the recipient; or

“(iii) the enforcement of the requirement to meet the obligation or make the payment would be unconscionable.

“(E) Notwithstanding any other provision of law, in any case of extreme hardship or for other good cause shown, the Secretary may waive, in whole or in part, the right of the United States to recover funds made available under this section.

“(F) Notwithstanding any other provision of law, with respect to a recipient of an Indian Health Scholarship, no obligation for payment may be released by a discharge in bankruptcy under title 11, United States Code, unless that discharge is granted after the expiration of the 5-year period beginning on the initial date on which that payment is due, and only if the bankruptcy court finds that the non-discharge of the obligation would be unconscionable.”.

(c) *CALIFORNIA CONTRACT HEALTH SERVICES DEMONSTRATION PROGRAM.*—Section 211(g) (25 U.S.C. 1621(g)) is amended by striking “1993, 1994, 1995, 1996, and 1997” and inserting “1996 through 2000”.

(d) *EXTENSION OF CERTAIN DEMONSTRATION PROGRAM.*—Section 405(c)(2) (25 U.S.C. 1645(c)(2)) is amended by striking “September 30, 1996” and inserting “September 30, 1998”.

(e) *GALLUP ALCOHOL AND SUBSTANCE ABUSE TREATMENT CENTER.*—Section 706(d) (25 U.S.C. 1665(d)) is amended to read as follows:

“(d) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated, for each of fiscal years 1996 through 2000, such

sums as may be necessary to carry out subsection (b).”.

(f) *SUBSTANCE ABUSE COUNSELOR EDUCATION DEMONSTRATION PROGRAM.*—Section 711(h) (25 U.S.C. 1665j(h)) is amended by striking “1993, 1994, 1995, 1996, and 1997” and inserting “1996 through 2000”.

(g) *HOME AND COMMUNITY-BASED CARE DEMONSTRATION PROGRAM.*—Section 821(i) (25 U.S.C. 1680k(i)) is amended by striking “1993, 1994, 1995, 1996, and 1997” and inserting “1996 through 2000”.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate concur in the House amendment to the Senate amendments.

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

## AMENDING TITLE XIX OF THE SOCIAL SECURITY ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 3632, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3632) to amend title XIX of the Social Security Act to repeal the requirement for annual resident review for nursing facilities under the Medicaid Program and to require resident reviews for mentally ill or mentally retarded residents when there is a significant change in physical or mental condition.

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. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time, 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. 3632) was deemed read the third time and passed.

## GENERAL ACCOUNTING OFFICE ACT OF 1996

Mr. LOTT. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 3864 and, further, the Senate proceed to its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3864) to amend laws authorizing auditing, reporting, and other functions by the General Accounting Office.

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. DOMENICI. Mr. President, I rise in support of H.R. 3864, the General Accounting Office Management Reform Act of 1996. The Congress has reduced spending for GAO by 25 percent over

1996-97. H.R. 3864 will allow GAO to make the best use of limited resources by modifying or terminating a number of activities and reporting requirements that are no longer central to their mission.

For example, section 102(d) of H.R. 3864 will eliminate a requirement placed on GAO by the Balanced Budget and Emergency Deficit Control Act of 1985, also known as Gramm-Rudman. Gramm-Rudman currently requires GAO to report whether the final sequestration order from the Office of Management and Budget complies with the law. GAO has issued their report every year, even though in the 10 years since Gramm-Rudman has been enacted large-scale sequestrations have only been a concern in two of those years. H.R. 3864 would make this report contingent upon request of the Budget Committees, who no doubt would request such a report if the situation warranted.

Although section 102(d) is clearly within the jurisdiction of the Budget Committee, I will not object because the Budget Committee supports the change that is being made. I congratulate the chairman and ranking member of the Governmental Affairs Committee for producing a bill that will encourage efficiency in GAO operations and urge that the bill do pass.

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

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

The bill (H.R. 3864) was deemed read the third time and passed.

#### PROVIDING FOR EMERGENCY DROUGHT RELIEF

Mr. LOTT. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 3910 with regard to drought relief for Corpus Christi and, further, that the Senate proceed to its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: A bill (H.R. 3910) to provide emergency drought relief to the city of Corpus Christi, Texas, and the Canadian River Municipal Water Authority, Texas, 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. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and 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. 3910) was deemed read the third time and passed.

Mr. LOTT. Finally, I believe, Mr. President—not finally, others are coming. Agreements are wonderful. We keep reaching them right up to the end here.

#### AUTHORIZING PERIOD OF STAY FOR CERTAIN NURSES

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2197, which was introduced earlier today by Senators FAIRCLOTH and MOSELEY-BRAUN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2197) to extend the authorized period of stay within the United States for certain nurses.

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

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

AMENDMENT NO. 5432

Mr. LOTT. Mr. President, Senators HATCH and KENNEDY have an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. HATCH, for himself and Mr. KENNEDY, proposes an amendment numbered 5432.

The amendment is as follows:

Add at the end of the bill the following:

#### SEC. 2. TECHNICAL CORRECTION.

Effective on September 30, 1996, subtitle A of title III of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended—

(1) in section 306(c)(1), by striking “to all final” and all that follows through “Act and” and inserting “as provided under section 309, except that”;

(2) in section 309(c)(1), by striking “as of” and inserting “before”; and

(3) in section 309(c)(4), by striking “described in paragraph (1)”.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be considered and agreed to.

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

The amendment (No. 5432) was agreed to.

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

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

The bill (S. 2197), as amended, was deemed read the third time and passed, as follows:

S. 2197

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

#### SECTION 1. EXTENSION OF AUTHORIZED PERIOD OF STAY FOR CERTAIN NURSES.

(a) ALIENS WHO PREVIOUSLY ENTERED THE UNITED STATES PURSUANT TO AN H-1A VISA.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the authorized period of stay in the United States of any nonimmigrant described in paragraph (2) is hereby extended through September 30, 1997.

(2) NONIMMIGRANT DESCRIBED.—A nonimmigrant described in this paragraph is a nonimmigrant—

(A) who entered the United States as a nonimmigrant described in section 101(a)(15)(H)(i)(a) of the Immigration and Nationality Act;

(B) who was within the United States on or after September 1, 1995, and who is within the United States on the date of the enactment of this Act; and

(C) whose period of authorized stay has expired or would expire before September 30, 1997 but for the provisions of this section.

(3) LIMITATIONS.—Nothing in this section may be construed to extend the validity of any visa issued to a nonimmigrant described in section 101(a)(15)(H)(i)(a) of the Immigration and Nationality Act or to authorize the re-entry of any person outside the United States on the date of the enactment of this Act.

(b) CHANGE OF EMPLOYMENT.—A nonimmigrant whose authorized period of stay is extended by operation of this section shall not be eligible to change employers in accordance with section 214.2(h)(2)(i)(D) of title 8, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(c) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall issue regulations to carry out the provisions of this section.

(d) INTERIM TREATMENT.—A nonimmigrant whose authorized period of stay is extended by operation of this section, and the spouse and child of such nonimmigrant, shall be considered as having continued to maintain lawful status as a nonimmigrant through September 30, 1997.

#### SEC. 2. TECHNICAL CORRECTION.

Effective on September 30, 1996, subtitle A of title III of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended—

(1) in section 306(c)(1), by striking “to all final” and all that follows through “Act and” and inserting “as provided under section 309, except that”;

(2) in section 309(c)(1), by striking “as of” and inserting “before”; and

(3) in section 309(c)(4), by striking “described in paragraph (1)”.

Mr. FAIRCLOTH. Mr. President, today the Senate passed a bill which I cosponsored with my colleague from Illinois, Senator MOSELEY-BRAUN. It is designed to address a serious problem facing health care providers and patients in rural and inner city areas. Specifically, the legislation provides a 1-year visa extension for foreign nurses under the expired H-1A Program. It is supported by the American Nurses Association, the American Hospital Association, the American Health Care Association, and the American Business Council for Fair Immigration Reform.

In 1989, Congress passed the Immigrant Nursing Relief Act which created the H-1A Visa Program to address a nationwide nursing shortage which existed at that time. The H-1A Visa Program expired in September 1995. As a result, many rural and inner city hospitals, nursing homes, and other health care facilities will lose the valuable services of foreign nurses who enable