

the boardroom who have been using flexible work approaches for a long time.

I am very grateful to the chairman of the Labor Committee, the Senator from Vermont, and to the chairman of the subcommittee, the Senator from Ohio, for their excellent work in this respect. I look forward to the debate.

This is not a pay reduction bill. I kind of get the idea that those who oppose this bill know that it is not, because this is a way for people to take time off without taking the pay cut. I kind of get the idea that those who oppose this bill feel like a good offense must be their best defense because, frankly, to suggest that this is a pay cut bill is to misrepresent it in terms of the thing that makes it most strong, and that is this is the ability of people to meet the needs of their families, without sacrificing their pay in order to do so.

It is with that in mind that I look forward to the debate next week and to the ultimate passage of this measure by the U.S. Senate. It, indeed, would be the very single best Mother's Day gift that this Government could extend to the people of America.

I yield the floor.

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to proceed for 10 minutes.

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

Mr. HUTCHINSON. Mr. President, I want to commend the Senator from Missouri for his eloquent, compassionate statement on behalf of the families of America and on behalf of the Mothers of America. I appreciate his leadership on this bill.

#### EXPANDED PORTABILITY AND HEALTH INSURANCE COVERAGE ACT

Mr. HUTCHINSON. Mr. President, yesterday, I introduced legislation that I believe is desperately needed by millions of uninsured Americans who are employed by small businesses.

The problem of the uninsured—both children and adults—is largely a problem of small businesses lacking access to affordable health insurance.

When I first came to Congress in 1993 on the House side, health insurance coverage and accessibility was at the forefront of public debate. This year, it seems as if all of the attention is focused upon health insurance coverage for children—a very important topic indeed.

If we can provide access for millions of adults in this country, we can extend access to health care for millions of children. We know that there are more than 40 million uninsured Americans, and that 10 million of those 40 million Americans are children. It is these children who are the most vul-

nerable in our society. If we do not provide these children with quality health care in their early years, we will find the cost of providing health care for them as they grow older to be ever higher. Not providing quality health care for our children translates into higher health costs for all of us.

A closer examination reveals that 80 percent of these individuals—that is the 40 million who are uninsured—live in families with an employed worker who is likely to work for a small employer, or who is self-employed. That is, they are drawing a paycheck. And, yet, they don't have health insurance.

In fact, only 26 percent of the workers in companies of 10 employees or less receive health insurance through their employer, while nearly all workers in Fortune 500 companies have health insurance available to them. This, of course, is because many small employers simply cannot afford high health premiums and the high administrative costs associated with health insurance today.

So, if you work for a small business with 10 employees or less, the odds are three to one that you don't have health insurance.

If we can solve this problem so that millions of Americans who are working for small businesses can obtain health insurance, we will have taken a huge step toward providing health insurance for all Americans.

According to a February General Accounting Office study, while many employers remain committed to providing employee and family coverage, the percentage of people with private coverage is declining in America. At the very time that we want to expand health insurance for millions of children in this country, at the very time that we have a goal of providing universal health coverage to all Americans, we are finding that the percentage of people with health coverage is declining. One of the primary reasons for this decline is eroding financial support. Each year between the late 1980's and 1994, increases in employers' cost to provide health insurance to their employees and their employees' families outpaced inflation, with cost growth of 18 percent in one single year.

With the surge in health insurance premium costs, many employers have reevaluated their commitment to provide health coverage to employees and their families. It is understandable. With health care inflation, increasing at as much as 18 percent a year in certain instances, it is little wonder that employers are reevaluating whether they are going to be able to afford to provide health coverage to their employees and to their employees' families. Some employers—particularly smaller employers—have dropped their health care coverage altogether. Many employers that have chosen to continue to offer benefits, have been forced to raise employees' premiums, creating more out of pocket expenses for their employees—which is essentially a pay cut.

The percentage of Americans with private health insurance dropped from 75 percent in 1989 to 71 percent in 1995. During the same time period, private health insurance coverage for children under the age of 18 decreased from 73 percent to 66 percent. If private coverage levels had not decreased, it is estimated that about 5 million more children and 5 million more adults would have private health insurance.

To my colleagues, I say that we are actually losing ground in our efforts to provide health insurance for all Americans.

Small employers also cannot afford costly State mandated benefit requirements, which studies show can add up to 30 percent of health care costs. According to a December 1996 study by Blue Cross-Blue Shield, the number of State mandated benefit requirements has soared over the past 20 years. For example, the State of Florida had enacted only two insurance related mandates in 1976. In just 20 years, the number of State insurance mandates in the State of Florida has increased to 36. In my home State of Arkansas, the number has more than quintupled over the same 20-year period. State mandates are increasing exponentially all over the Nation.

It is important to realize that while the number of people with private insurance has declined, the number of people with Medicaid coverage has increased. Unless the decline in private coverage abates, taxpayers may face increased costs for health care as we see more and more people enroll in the Medicaid system.

The Expanded Portability and Health Insurance Coverage Act, which I introduced yesterday, will help alleviate the problem of the uninsured by removing barriers that prevent small businesses from providing health insurance to their employees. Most small businesses want to provide these benefits, but they find that there are innumerable, costly barriers that prevent them from doing so. This legislation will give associations and franchise networks the opportunity to form multistate purchasing groups under a single set of national rules, through the Employment Retirement Income Security Act, ERISA. The EPHIC bill will make health insurance more affordable for small employers in several important ways.

First, it will lower administrative costs. Second, it will provide greater bargaining power to smaller employers to negotiate better agreements with health plans and providers. Finally, it will eliminate the need for small businesses to comply with costly State-mandated benefit requirements which, as I mentioned, studies indicate amount to 30 percent in additional cost.

To put this in this perspective, just last week, a constituent came into my office and told me the following story. He is an employer with about 150 employees in Little Rock, AR. He shopped

around for health insurance for his employees, and generously agreed to pay 90 percent of their health insurance premiums. Just last year, he was faced with a 25-percent increase in his health care costs—a 25-percent increase. Now, his only choices are to drastically decrease the amount of benefits provided to his employees, or raise the premiums for his employees and the portion they pay, or, as so many small businesses are doing today, drop coverage altogether.

The EPHIC bill will help millions of employers who, like my constituent in Little Rock, AR, really want to provide health benefits to their employees.

While expanding insurance coverage to American workers and their families, the EPHIC bill also contains important consumer safeguards that would apply to multigroup plans that self-insure. They include mandatory stop-loss insurance, reserve requirements, solvency indemnification standards, and strict fiduciary responsibilities, and nondiscrimination requirements.

The EPHIC bill is supported by a broad coalition of over 100 organizations, and has bipartisan support in both the House of Representatives and the Senate. There are over 100 cosponsors of this bill in the House of Representatives.

I am very pleased that Senator LOTT, Senator HOLLINGS, Senator BROWNBACK, Senator ROBERTS, and Senator LANDRIEU have joined as original cosponsors of this very, very important legislation.

I urge the rest of my colleagues to join in support of this legislation as well.

Thank you, Mr. President. I yield the floor.

Mr. HOLLINGS. Mr. President, last Congress we were able to enact some important reforms to greatly improve access to health care for millions of Americans. The Kennedy-Kassenbaum Health Insurance Portability and Accountability Act improved the insurance marketplace so workers with pre-existing medical conditions or who were at risk of losing health insurance when they changed jobs are more likely to have coverage.

We were successful because we applied certain principles learned in the experience with President Clinton's Health Care Security Act. In the Senate, we worked in a bipartisan manner to fix a targeted number of our Nation's problems in a way that does not completely overhaul our current health care system. Because we did not fix the whole system, there is still work to be done. Today, Senator HUTCHINSON and I are proposing the next step in an incremental approach. We hope that the Senate can continue to work in a bipartisan way to achieve additional reforms to improve our citizens' access to what many say is the finest health care system in the world—if you have a ticket to get in.

The Expanded Portability and Health Insurance Coverage Act that we intro-

duced yesterday focuses on improving the health insurance market place so that workers in small businesses and their families can enjoy the health benefits and freedom from fear of a catastrophic illness as employees of large businesses.

Many of us are greatly concerned about the 40 million or so Americans who currently have no health insurance, 10 million of them children. Looking closely at the problem, you see that over 80 percent of those uninsured live in a family with an employed worker who is likely to work for a small employer or be self-employed. Only 26 percent of workers in companies of 10 or less employees get health insurance through their employer, while virtually all workers in Fortune 500 companies do so. This leads to the inevitable conclusion that, in order to get a handle on the problem of the uninsured, we have to address the health insurance marketplace for small employers.

A recent study by the National Federation of Independent Businesses, entitled "Small Business Problems and Priorities," ranked the cost of health insurance as the No. 1 problem that small businesses face today. The great majority of small business owners want to provide coverage for their workers and families but they do not have affordable coverage options currently available to them.

Our bill seeks to address this problem by allowing small businesses to form multi-state purchasing groups under a single set of national rules. This is done through the Employee Retirement Income Security Act. Such a change in law will make health insurance more affordable for small businesses in several important ways:

First, it will lower the administrative costs of health care coverage for small employers.

Second, it will give greater bargaining power to small employers so they can negotiate better deals with the health plans and providers, and

Third, it will eliminate the need for small businesses to have to comply with some costly benefits mandated in some States.

Administrative costs account for nearly 30 percent of health insurance premiums, so lowering administrative costs will result in decreased premiums. A study by the Congressional Research Service and the Ways and Means Committee of the House of Representatives shows that the administrative costs of insurance for small employers are up to 30 percent higher than for large employers due to the fact that it costs insurers and health plans more to market to these small groups. The per-person cost of processing claims and the general management of benefits is also much higher. Costs are dramatically lower for larger groups. Allowing small employers to form large groups will result in lower administrative costs.

The bill, in permitting the formation of multi-state purchasing groups under

ERISA, will give small employers much greater purchasing power than they have under current law. It will be far easier and safer for the small businesses to self-insure through a purchasing group. Enabling small employers to do this will give the groups the opportunity to get better value for each health care dollar spent. They will be able to act like large employers and directly contract with health plans and providers. In negotiating with health plans and providers like larger companies, they will be able to actively negotiate lower prices in exchange for a large group of users. This will make health insurance more affordable.

That mandated benefits significantly add to the cost of providing health insurance was documented in an August 1996 GAO Report, "Health Insurance Regulation, Varying State Requirements Affect the Cost of Insurance." Also, a study by the NFIB Education Foundation shows that State-mandated benefits can add up to 30 percent to the cost of health insurance premiums. Essentially the bill levels the playing field so that small employers can operate health plans under the same set of rules as large employers. Allowing small businesses to operate under a single set of national rules will eliminate the need for such groups to have to comply with each State's list of rules regarding benefit packages, claims and solvency. Instead, the groups will need to follow one set of rules under the ERISA. The rules are changed so that consumer protections and safeguards will apply to these multi-state purchasing groups. For example, only a legitimate association that is certified by the U.S. Department of Labor could become a purchasing group. They are subject to strict standards concerning sponsor eligibility, nondiscrimination, fiduciary, solvency, reporting, disclosure and plan termination standards. States would be permitted to enforce these Federal standards.

While it is difficult to predict exactly how much coverage will increase through this legislation, at a hearing held by the House Education and Workforce Committee last year, the National Business Coalition on Health and the National Association of Manufacturers predicted about 20 million uninsured adults and children could be covered as a result of this legislation. The Employee Benefit Research Institute estimates that 55 percent of uninsured children have a parent who works full time for the entire year. So a great majority of the uninsured children are likely to benefit from this bill as well. And, the beauty of this legislation is that it enables millions of currently uninsured people to have health care through the private sector, so no new entitlements involving huge costs to the Government are involved.

The Expanded Portability and Health Insurance Coverage Act gives us an opportunity to enact essential reform to strengthen our current health care system. It is an important step forward in

the effort to find solutions to our Nation's health care problems and I encourage my colleagues to support this legislation.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER (Mr. AL-LARD). The Senator from Vermont.

Mr. LEAHY. Mr. President, I would like to take 10 minutes under the procedure that we now have, and I do not expect that I will require more time than that. If I do, I will take a few minutes off the bill on this side.

The PRESIDING OFFICER. The Senator has that right.

Mr. LEAHY. I thank the Chair.

#### JACK BARRY, A VERMONT TREASURE

Mr. LEAHY. Mr. President, in Vermont, you have to wait until May to see signs of life, signs of spring. But this May has been unseasonably cold, and got a little colder earlier this week when Vermont lost Jack Barry—one of the true, enduring treasures of the most special State in the Union.

Jack Barry left us on Sunday, May 4, at the age of 70, after a long struggle with cancer. He was in his third year as a senator, he was my first press secretary when I came to Washington as a 34-year-old Senator. But most of all he was an extraordinary and beloved broadcaster on radio and television whose ubiquitous presence on the Vermont airwaves has made thousands of Vermonters feel as though Jack Barry has been a member of the family.

In fact, he really was a member of thousands of Vermont families, and more welcome in their homes than just about anybody else.

Jack achieved legendary status among Vermont broadcasters. As an interviewer, he had an unparalleled ability to get to the essence of a person and an issue.

Jack's life in radio and television makes any review of his achievements read like a broadcasting directory. As you might expect, Jack had an on-air personality and voice to die for, and he was the same off the air, as fresh and genuine as the Green Mountains that he loved.

He hosted call-in shows where civility and common sense were the standard, he moderated and produced several public affairs programs where he was the most prepared person there. And he was a popular master of ceremonies for a wide range of nonprofit and public interest causes. He was Vermont's Sportscaster of the Year in 1972 and the Vermont Association of Broadcasters gave him the Distinguished Broadcasting Award in 1981 and, to make sure that everyone knew, they installed him into their Hall of Fame in 1995. He was the Rutland Herald's Vermonter of the Year in 1991. He lent his considerable talents to many community organizations including St. Michael's College—his alma mater, and mine—the Vermont Special Olympics, United Way, and the Vermont Cancer Society. He

was past chairman of the Vermont Heart Association and was serving on the national board of the American Heart Association. For the last 3 years he served in the Vermont Senate, where, as Senate President pro tempore Peter Shumlin puts it, Jack "was like a kid in a candy shop."

He loved people. He truly loved people—all people—just as he truly loved politics. And he did not shrink from controversy to act on his convictions. He embraced controversy, if need be, because he never gave up his convictions, as when he forcefully argued against the popular rush to criminalize the rare instances of flag burning. And our State agreed with him.

I want to put into the RECORD at the end of my remarks a selection of the many news accounts, columns, and editorials this week that recite so many more of his achievements. But first I want to recount some of the personal recollections about Jack from his friends and colleagues that have come my way since Sunday.

George Goldring, who works at WVMT, recalls the days when he and Jack broadcasted University of Vermont football—Jack, for WVMT, and George, for WJOY.

He fondly remembers one night after a game in Pennsylvania, when they were sitting around a hotel room with a couple of other Vermont broadcasters. Nobody went to bed. The night dissolved into morning as Jack regaled them with story after story and joke after joke, keeping everyone in stitches all night long.

Mr. President, having been one of those fortunate enough to have sat in on one of these evenings—you do not want the night to end. It is the best of Irish storytelling.

George says that Jack was a professional's professional in front of a microphone. He was never at a loss for words.

John Goodrow of my staff and Jack both worked at WJOY in Burlington in different eras. Last November, the station threw a party to mark its 50th anniversary, and through the evening all the former on-air personalities were introduced. But when Jack Barry was introduced, the applause was the loudest and the longest, the most fervent, the most heartfelt.

John's father, Goody Goodrow, recalls getting to know Jack while Goody was a student at St. Michael's College after serving in the Navy in the Second World War. He was one of the many St. Mike's students who would phone in music requests to Jack's radio show. Goody himself was a musician who once played piano in Artie Shaw's military band, and he made a living in the Burlington area as a musician—in fact, as a young student, I danced some of those times he played—including stints, after those years at St. Mike's, playing the piano on Jack's radio shows on WJOY.

Joel Najman engineered Jack's show at WJOY for years, and he now works

at WDEV. He tells about Jack's natural curiosity about the world. He was a sponge for information and ideas. Joel said he had time to read just one newspaper before Jack's morning show, but before airtime, Jack already had read four or five newspapers, and from personal experience I know he committed them virtually to memory.

Ken Horseman was an executive producer at Vermont ETV—public television in Vermont—and also produced Jack's radio show for a time. And Ken's fondest memories of Jack center on the old Vermont ETV auction which Ken produced and Jack hosted. Jack would hold forth through 10 hours of live television, and he would do this for 10 straight days. He would prime the pump for the station's coffers, and people all over the State and in nearby Canada and everywhere else would tune in to see Jack Barry.

Jerry Lewis has nothing on Jack Barry as a telethon maestro. More than 3,000 Vermonters volunteered during the auction over those 10 days. To them and to the viewing audience, Jack was the auction's symbol. I was fortunate enough to have had a chance to be on some of those auctions as a volunteer, as was, I think, the whole Vermont congressional delegation at one time or another, because Jack would just grab everybody. You could be the person who runs the gas station; you could be the Governor of the State. Jack Barry would say: "Now here is the time you are going to auction," and you would.

He thrived on the unpredictability of live television. He was steady in the midst of chaos, as Ken remembers.

Mike Donoghue of the Burlington Free Press grew up in Vermont listening to Jack on the radio. Like all of us, he remembers his signature line at the end of every radio spot: "Don't forget to tell 'em Barry brought ya." Of course, that is exactly what people did.

Jack brought us the warmth of his smile. He nourished our sense of community and purpose in Vermont. And he brought us the gift of his friendship.

Last September, Marcelle and I attended Jack's surprise 70th birthday party at his son-in-law's camp in Jonesville, VT.

Mr. President, if there is any way that I would remember Jack, it was at this party. It was vintage. He was surrounded by the family he adored and who adored him even more. Politicians and political junkies were everywhere, from both parties, and, of course, Jack was at center stage holding forth and carrying the day. I took photograph after photograph, although in one way I did not need to because the memories are as clear as the photographs are. Everybody came in, and it would be like they were the one person there with Jack. He would hug them and they would hug him. And the children were around. It was chaotic and it was fun. It was very, very, very Irish. It is that sunny day in Jonesville that sticks most in my mind when I think of Jack.