

Mr. Speaker, I ask my colleagues to please join me in this crusade for action.

HCFA INTERPRETATION OF THE BALANCED BUDGET ACT AND ITS EFFECTS ON THE HEALTH CARE INDUSTRY

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from Kentucky (Mr. FLETCHER) is recognized for 5 minutes.

Mr. FLETCHER. Madam Speaker, I appreciate the opportunity to speak after the gentlewoman from Connecticut (Mrs. JOHNSON), and I certainly concur with the things that she said.

I am getting ready to catch my flight back to Kentucky, actually, just in probably about an hour.

Madam Speaker, I just got a call from one of the nursing home companies back in Kentucky, and I have visited multiple of these nursing home units in Kentucky, as well as our rural hospitals and our teaching hospital at the University of Kentucky.

I think as we look at what interpretation HCFA has taken of the Balanced Budget Act of 1997, I think we have some critical problems that are facing our Nation, especially in the care of our elderly. We see that our rural hospitals are having trouble; several of them are looking at the possibility of closing their doors. We have nursing homes that are going bankrupt; even nursing homes that are run by faith-based organizations, church groups where they really have contributions in addition to what they receive from reimbursements from Medicare and Medicaid.

Yet we found that, with the very draconian interpretation of the Balanced Budget Act of 1997, we have such a reduction that even these operations that have operated very efficiently, not trying to defraud in any way, have been unable to really provide the services or to continue to provide the services that are needed for our senior citizens.

So I think it is incumbent upon us in Congress and to call upon HCFA and the President to make sure that they relook at the Balanced Budget Act of 1997 and HCFA's interpretation of that. I would also like to work with the Congress and make sure that we address this very critical problem, that we address the needs of our senior citizens.

As I talked to this one business owner who was very distraught, they have worked very hard at a family business to provide the kind of care that is needed for our senior citizens; and yet, when I see what a misinterpretation of the balanced budget has done in their capability of providing a business, they provide over 1,900 jobs in a business that has grown over several years to provide excellent health care in the long-term care business.

And I see that what the interpretation has done is caused the possibility

of driving that company into bankruptcy, affecting the care of a number of people, especially in my district, in the 6th district of Kentucky, and it has certainly affected their ability to provide the jobs and to provide the care that is needed.

Madam Speaker, I just wanted to take this opportunity to share my concerns that I certainly share with the gentlewoman from Connecticut that have been stated here previously.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GOODE (at the request of Mr. GEPHARDT) for today and August 2 on account of a death in the family.

Mr. LUTHER (at the request of Mr. GEPHARDT) for today on account of a family commitment.

Mr. ORTIZ (at the request of Mr. GEPHARDT) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. TANNER, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. TURNER, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. KASICH, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

ADJOURNMENT

Mr. FLETCHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, August 2, 1999, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3275. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Additional Option for Handler Diversion and Receipt of Diversion Credits [Docket No. FV99-930-1 FIR] received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3276. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interpretive Bulletin 99-1; Payroll Deduction Programs for Individual Retirement Accounts (RIN: 1210-AA70) received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3277. A letter from the Acting Director, Professional Responsibility Advisory Office, Department of Justice, transmitting the Department's final rule—Ethical Standards for Attorneys for the Government [AG Order No. 2216-99] received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3278. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 99-NM-113-AD; Amendment 39-11230; AD 99-15-10] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3279. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; deHavilland Inc. Models DHC-2 Mk. I, DHC-2 Mk. II, and DHC-2 Mk. III Airplanes [Docket No. 99-CE-05-AD; Amendment 39-11226; AD 99-15-07] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3280. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters, Inc (MDHI) Model 369D and E Helicopters [Docket No. 99-SW-40-AD; Amendment 39-11228; AD 99-13-09] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3281. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ottawa, KS [Airspace Docket No. 99-ACE-21] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3282. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D and Class E Airspace; Cannon AFB, Clovis, NM [Airspace Docket No. 99-ASW-02] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3283. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29642; Amdt. No. 1940] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3284. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29641; Amdt. No. 1939] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3285. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the

Department's final rule—Amendment to Class E Airspace; Harlan, IA [Airspace Docket No. 99-ACE-22] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3286. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Raton, NM [Airspace Docket No. 99-ASW-11] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3287. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Inner Harbor Navigation Canal, LA [CGD08-99-011] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3288. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, NY [CGD01-99-093] received July 22, 1999; to the Committee on Transportation and Infrastructure.

3289. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Anchorage Grounds; Hudson River, Hyde Park, NY [CGD01-97-086] (RIN: 2115-AA98) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3290. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace; Dallas NAS, Dallas, TX [Airspace Docket No. 99-ASW-08] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3291. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-200 and -300 Series Airplanes Equipped with General Electric CF6-80C2 Series Engines [Docket No. 98-NM-247-AD; Amendment 39-11227; AD 99-15-08] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3292. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 206L, 206L-1, 206L-3, and 206L-4 Helicopters [Docket No. 99-SW-23-AD; Amendment 39-11207; AD 99-13-12] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3293. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 98-CE-115-AD; Amendment 39-11231; AD 99-15-11] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3294. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: Gloucester Schooner Fest, Gloucester, MA [CGD01-99-104] (RIN: 2115-AA97) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3295. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Chesapeake Challenge, Patapsco River, Baltimore, Maryland [CGD 05-99-064] (RIN: 2115-AE46) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3296. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations and Safety Zone; Northern California Annual Marine Events [CGD11-99-007] (RIN: 2115-AE46) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3297. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Columbia River, OR [CGD13-99-007] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3298. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hackensack River, NJ [CGD01-98-091] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3299. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Steamboat Slough, WA [CGD13-99-019] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3300. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Mullica River, New Jersey [CGD05-99-034] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3301. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), Beaufort, South Carolina [CGD07-99-038] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3302. A letter from the Deputy Executive Secretary to the Department, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Adjustment in Payment Amounts for New Technology Intraocular Lenses Furnished by Ambulatory Surgical Centers [HCF A-3831-F] (RIN: 0938-AH15) received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURTON: Committee on Government Reform. H.R. 1442. A bill to amend the Federal Property and Administrative Services Act of 1949 to continue and extend authority for transfers to State and local governments of certain property for law enforcement, public safety, and emergency response purposes; with amendments (Rept. 106-275). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 2112. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; with an amendment (Rept. 106-276). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 1219. A bill to amend the Office of Federal Procurement Policy Act and the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects; with amendments (Rept. 106-277 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COBLE:

H.R. 2654. A bill to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL (for himself and Mr. METCALF):

H.R. 2655. A bill to restore the separation of powers between the Congress and the President; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. SCOTT, and Ms. WATERS):

H.R. 2656. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to withhold funds in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. FROST, Mr. TOWNS, Mr. MEEKS of New York, Mr. HILLIARD, Ms. LEE, and Mr. ACKERMAN):

H.R. 2657. A bill to amend section 204 of the National Housing Act to make HUD-owned single family properties available at a discount to individuals who teach in inner city schools; to the Committee on Banking and Financial Services.

By Mr. CROWLEY (for himself, Mrs. MALONEY of New York, Mr. MCNULTY, Ms. MCKINNEY, Mr. MCGOVERN, and Ms. LEE):

H.R. 2658. A bill to provide that the Commissioner of Food and Drugs shall by regulation require over the counter drug sunscreen products to include an expiration date and storage recommendations on their label; to the Committee on Commerce.

By Mr. CROWLEY (for himself, Mr. FROST, Mrs. MALONEY of New York, Mr. ACKERMAN, and Mr. PAYNE):