

H.R. 4251. An act to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfer to North Korea, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-9079. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; OPSAIL 2000, Port of Hampton Roads, VA (CGD05-99-068)" (RIN2115-AA97) (2000-0019), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9080. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Tall Ships Delaware, Delaware River, Wilmington, DE (CGD05-00-008)" (RIN2115-AA97) (2000-0018), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9081. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; OPSAIL 2000, Port of Baltimore, MD (CGD05-99-097)" (RIN2115-AA97) (2000-0017), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9082. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Chelsea Street Bridge, Chelsea River, Chelsea, MA (CGD01-00-123)" (RIN2115-AA97) (2000-0013), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9083. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; OPSAIL 2000/International Naval Review (INR2000), Port of New York/New Jersey (CGD01-99-050)" (RIN2115-AA97) (2000-0020), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9084. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Atlantic Ocean, Virginia Beach, VA (CGD05-00-013)" (RIN2115-AA97) (2000-0015), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9085. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Port Graham, Cook Inlet, AK (COTP Western Alaska 00-003)" (RIN2115-AA97) (2000-0014), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9086. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Drawbridge Regulations; Upper Mississippi River (CGD08-00-009)" (RIN2115-AE47) (2000-0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9087. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Upper Mississippi River (CGD08-00-009)" (RIN2115-AE47) (2000-0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9088. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; OPSAIL 2000, Port of San Juan, PR (CGD07-00-014)" (RIN2115-AE46) (2000-0003), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9089. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Emergency Control Measures for Tank Barges (USCG-1948-4443)" (RIN2115-AF65) (2000-0001), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9090. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model 717-200 Series Airplanes; Docket No. 2000-NM-99 [5-5/5-18]" (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9091. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas DC-9 Series and Model MD-88 and MD-90-30 Airplanes; Docket No. 97-NM-244 [5-9/5-18]" (RIN2120-AA64) (2000-0266), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9092. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-8 Series Airplanes; Docket No. 99-NM-338 [5-3/5-18]" (RIN2120-AA64) (2000-0262), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9093. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 and MD-11F Series Airplanes; Docket No. 99-NM-265 [5-14/5-18]" (RIN2120-AA64) (2000-0251), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9094. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-270 [5-14/5-18]" (RIN2120-AA64) (2000-0250), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9095. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-269 [5-14/5-18]" (RIN2120-AA64) (2000-

0249), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9096. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-268 [5-14/5-18]" (RIN2120-AA64) (2000-0248), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9097. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-266 [5-14/5-18]" (RIN2120-AA64) (2000-0255), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9098. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 and MD-11F Series Airplanes; Docket No. 99-NM-267 [5-14/5-18]" (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9099. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-264 [5-5/5-18]" (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9100. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-263 [5-14/5-18]" (RIN2120-AA64) (2000-0252), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9101. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-8 Series Airplanes; Docket No. 2000-NM-01 [5-2/5-18]" (RIN2120-AA64) (2000-0261), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC-9102. A communication from the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated May 11, 2000; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Foreign Relations; Appropriations; the Budget; Energy and Natural Resources; Banking, Housing, and Urban Affairs; and Environment and Public Works.

EC-9103. A communication from the Office of Management and Budget, Executive Office of the President transmitting, pursuant to law, a report relative to the appropriation to the National Transportation Safety Board for salaries and expenses for fiscal year 2000; to the Committee on Appropriations.

EC-9104. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Authority Relating to Utility Privatization" (DFARS Case 99-D309), received May 19, 2000; to the Committee on Armed Services.

EC-9105. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-9106. A communication from the Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC-9107. A communication from the Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the status of the Oxford House Project; to the Committee on Armed Services.

EC-9108. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC-9109. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Norway, Ukraine, Russia and the United Kingdom; to the Committee on Foreign Relations.

EC-9110. A communication from the Government Printing Office, transmitting the annual report for fiscal year 1999; to the Committee on Governmental Affairs.

EC-9111. A communication from the Federal Election Commission, transmitting the annual report for calendar year 1999; to the Committee on Rules and Administration.

EC-9112. A communication from the John F. Kennedy Center for the Performing Arts transmitting, pursuant to law, the annual report for fiscal year 1999; to the Committee on Rules and Administration.

EC-9113. A communication from the Assistant Secretary of the Interior, Indian Affairs transmitting, pursuant to law, a report relative to the use and distribution of the settlement funds that are being held in trust for the Menominee Indian Tribe of Wisconsin; to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-524. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to the collection of certain kinds of information from patients in a home health care setting; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 20

Whereas, the quality of health care for home health agency patients is highly desired, the health care provided by the home health agency needs to be examined in order to ascertain whether improvements are necessary, and to determine what aspects to improve; and

Whereas, the Balanced Budget Act of 1997 created a new Medicare payment system to improve the existing payment system, and must be in place by October 2000. The Health Care Financing Administration (HCFA) will force home health care agencies to collect and report personal and medical information; and

Whereas, this sensitive personal information will be collected and used, without the consent of the patients, not only to create the new Medicare payment system, but also to improve quality of care, and eliminate fraud; and

Whereas, home health care agencies participating to Medicare and Medicaid are collecting patient information, and data transmission from the states to HCFA has commenced; and

Whereas, the Outcome and Assessment Information Set (OASIS) survey is the 19-page conduit required by HCFA to collect a range of medical and personal questions from more than 9,000 Medicare certified home health care providers to complete in order to assess more than 4,000,000 patients; and

Whereas, patients who receive federal benefits must disclose personal information including physical, mental, and functional information: patients' medical history; living arrangements; sensory status; medications; and emotional status through behavioral and psychological profiles. Home health care patients who do not collect federal benefits must also disclose personal information in a scaled back version of the OASIS survey; and

Whereas, the American Civil Liberties Union (ACLU) asserts that the database will be used to perform outcomes research on home-care patients; and

Whereas, the ACLU is concerned with HCFA's collection of data because it cannot justify overriding the Fourth Amendment of the U.S. Constitution, the requirements of medical ethics, and the federal regulations on research involving human subjects, which asserts that any research using fully identified information requires fully informed consent; and

Whereas, HCFA is unwilling to allow patients to opt out of this data collection system; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That due to HCFA's intrusion of government bureaucracy into private transactions that take place outside of a federal program into personal liberty and privacy, New Hampshire urges Congress to block HCFA's intrusive regulations, and to work to protect the personal liberty and privacy of every American; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to the Speaker of the United States House of Representatives, to the President of the United States Senate, and to the governor of each state.

POM-525. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Medicare coverage for immunosuppressive drugs; to the Committee on Finance.

SENATE RESOLUTION NO. 153

Whereas, The medical community has made remarkable advancements in the effectiveness of immunosuppressive drugs that are used to prevent organ rejection in transplant patients. This has contributed to the great strides that have occurred in the field of organ transplantation; and

Whereas, While these drugs are expensive, the quality of life they afford and the more costly health procedures they can avoid make immunosuppressive medicines a worthwhile investment. In many instances, people previously disabled for long periods of time are able to return to work and live a full life as productive citizens; and

Whereas, Under current law, Medicare will provide for immunosuppressive drugs for up to three years following a transplant. It has become apparent to those in the medical community working with patients receiving kidneys, hearts, and livers that this limit puts transplant recipients at risk and is counterproductive. In contrast to the limited coverage for the immunosuppressive drugs, for example, a patient needing kidney dialy-

sis can receive coverage for that procedure indefinitely. Costs for dialysis are significantly higher than for most immunosuppressive regimens. A successful transplant patient is more likely to return to work than many dialysis patients; and

Whereas, Congress is presently considering measures that would extend Medicare coverage for immunosuppressive drugs. This step is a most appropriate response to the needs of transplant patients and a more effective long-term approach to a serious health-care issue; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to remove the time limit for Medicare coverage for immunosuppressive drugs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-526. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the responsible use of agricultural biotechnology for the benefit of Hawaii's people; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION NO. 37

Whereas, biotechnology refers to any technique that uses living organisms or parts thereof to make or modify a product or plants, animals, or microorganisms for specific uses; and

Whereas, traditional biotechnology, primarily breeding and selection, has been used by humankind for thousands of years for the improvement of plants, animals, and microorganisms; and

Whereas, in the last three decades scientific advances in molecular biology have resulted in what is known as recombinant DNA technology or "genetic engineering" with the ability to readily move genetic material between more distantly related organisms; and

Whereas, the key components of modern biotechnology are genomics, the molecular characterization of all genes and gene products of a species; bioinformatics, the assembly of data from genomic analysis into accessible and usable forms; transformation, the introduction of single genes conferring useful traits into plants, livestock, fish, tree species, etc.; the identification and evaluation of useful traits in breeding by the use of marker-assisted selection; diagnostics, the more accurate and quicker identification of disease-causing agents, or pathogens, by using new diagnostic techniques based on the molecular characterization of pathogens; and vaccine technology, the use of modern immunology to develop recombinant DNA vaccines for improved control against lethal diseases; and

Whereas, the papaya industry in Hawaii survived the risks of disease and pest infestations with transgenic seeds made possible from advances in biotechnology; and

Whereas, organisms improved, or "transformed," through modern biotechnology are commonly referred to as "genetically-modified" or "bioengineered organisms"; and

Whereas, modern biotechnology has several advantages over traditional biotechnology including the ability to transfer a single, specific gene providing a useful trait to a target organism, the more rapid development of varieties containing new and desirable traits, the knowledge that a specific gene or set of genes produce a desired trait, and the availability of the entire span of genetic capabilities among all organisms; and