

through significant assistance, are capable of attending adult day care programs for integrated medical treatment that has been empirically recognized as effective for some severe cases of Alzheimer's and related dementia's. A close reading of current law does not preclude homebound beneficiaries from using adult day services, yet some fiscal intermediaries are establishing reimbursement policies that force beneficiaries to forgo needed adult day services in order to remain eligible for home health benefits.

The Home Health Protection Act states that absences for attendance in adult day care for health care purposes shall not disqualify a beneficiary. It is inappropriate and counterproductive to force seniors to choose between Medicare home health benefits and adult day care services in circumstances where both are needed as part of a comprehensive plan of care.

I have also heard from numerous beneficiaries who fear that absences from the home for family emergencies or religious purposes could disqualify them from the home health benefit. Current law attempts to address this situation by allowing for absences of infrequent or short duration. However, one Vermont senior, who suffers from multiple sclerosis and numerous complications, cannot leave the home without a wheelchair and a van equipped with a lift. She left the home once a week, for three hours at a time, to visit her terminally ill spouse in a nursing home and attend religious services there together. She was determined to be "not homebound."

There are more stories like this. At the same time, visiting nurses have identified individuals who are healthy enough to leave the home without difficulty, but because they never do, they retain home health benefits at the expense of the Medicare program. Our legislation specifically clarifies that absences from the home are allowed for religious services and visiting infirm and sick relatives. In a time of great need or family crisis, seniors should feel comforted that the government won't stand in their way.

Federally funded home health care is an often quiet but invaluable part of life for America's seniors. We in Congress have an obligation to make sure that the Medicare program lives up to its promise and that home health will be available to those who need it. I would like to thank my cosponsors, Senators REED and LEAHY for their dedication to this issue. We look forward to working with the rest of Congress to turn this legislation into law.

Mr. REED. Mr. President, I rise today to join my colleague, the junior Senator from Vermont, in introducing legislation that I hope will resolve an issue that has needlessly confined Medicare beneficiaries receiving home health benefits to their residences. Today, my colleague and I are introducing a revised version of a bill we introduced earlier this year. I am pleased

that this new legislation, the Home Health Care Protection Act, has the support of several national aging organizations, including the Alzheimer's Association, the National Council on Aging and the National Association for Home Care.

The Home Health Care Protection Act seeks to clarify the conditions under which a beneficiary may leave his or her home while maintaining eligibility for Medicare home health services. The Health Care Financing Administration (HCFA) requires that a beneficiary be "confined to the home" in order to be eligible for services. The current homebound requirement is supposed to allow beneficiaries to leave the home to attend adult day care services, receive medical treatment, or make occasional trips for non-medical purposes, such as going to the barber. However, the definition has been inconsistently applied, resulting in great distress for beneficiaries who are fearful that they will lose their benefit if they leave their home to attend events such as church services. Clearly, the intent of the rule is not to make our frail elderly prisoners in their own homes. The legislation we are introducing today seeks to bring greater clarity to the homebound definition so that they no longer are.

I am proud to have worked with my colleague, Senator JEFFORDS, on this issue and hope that we can get this legislation passed before the end of the session. Mr. President, the Home Health Care Protection Act seeks to provide some reasonable parameters that will enable beneficiaries suffering from Alzheimer's, among other chronic and debilitating diseases, to leave their home without worry. This modest legislation would make a real difference to home health beneficiaries in my state of Rhode Island as well as Medicare beneficiaries across the country and I would urge my colleagues to support it.

#### ADDITIONAL COSPONSORS

S. 178

At the request of Mr. INOUE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 178, a bill to amend the Public Health Service Act to provide for the establishment of a National Center for Social Work Research.

S. 459

At the request of Mr. BREAUX, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 1446

At the request of Mr. LOTT, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facili-

ties used for essential governmental functions.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 1726

At the request of Mr. MCCAIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1726, a bill to amend the Internal Revenue Code of 1986 to treat for unemployment compensation purposes Indian tribal governments the same as State or local units of government or as nonprofit organizations.

S. 2271

At the request of Mr. DEWINE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2271, a bill to amend the Social Security Act to improve the quality and availability of training for judges, attorneys, and volunteers working in the Nation's abuse and neglect courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 2272

At the request of Mr. DEWINE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2272, a bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 2290

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2290, a bill to amend the Internal Revenue Code of 1986 to clarify the definition of contribution in aid of construction.

S. 2434

At the request of Mr. L. CHAFEE, the names of the Senator from Virginia (Mr. ROBB), the Senator from Vermont (Mr. JEFFORDS), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. DEWINE), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2434, a bill to provide that amounts allotted to a State under section 2401 of the Social Security Act for each of fiscal years 1998 and 1999 shall remain available through fiscal year 2002.

S. 2580

At the request of Mr. JOHNSON, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2580, a bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

S. 2698

At the request of Mr. MOYNIHAN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2698, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 2714

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2714, a bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income.

S. 2731

At the request of Mr. FRIST, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2731, a bill to amend title III of the Public Health Service Act to enhance the Nation's capacity to address public health threats and emergencies.

S. 2764

At the request of Mr. KENNEDY, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Vermont (Mr. LEAHY), and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 2764, a bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes.

S. 2819

At the request of Mr. REED, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2819, to provide for the establishment of an assistance program for health insurance consumers.

S. 2963

At the request of Mr. BRYAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2963, a bill to amend title XIX of the Social Security Act to require the Secretary of Health and Human Services to make publicly available Medicaid drug pricing information.

S. 2967

At the request of Mr. MURKOWSKI, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2967, a bill to amend the Internal Revenue Code of 1986 to facilitate competition in the electric power industry.

S. 2969

At the request of Mr. GORTON, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2969, a bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets.

S. 2994

At the request of Mr. ROBB, the name of the Senator from California (Mrs.

FEINSTEIN) was added as a cosponsor of S. 2994, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage small business health plans, and for other purposes.

S. 3020

At the request of Mr. GRAMS, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3060

At the request of Mr. WELLSTONE, the names of the Senator from Hawaii (Mr. INOUE), the Senator from Wisconsin (Mr. KOHL), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. AKAKA), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Arizona (Mr. MCCAIN), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 3060, a bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

S. 3072

At the request of Mr. GRAMS, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3072, a bill to assist in the enhancement of the development of expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes.

S. CON. RES. 111

At the request of Mr. NICKLES, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Con. Res. 111, a concurrent resolution expressing the sense of the Congress regarding ensuring a competitive North American market for softwood lumber.

S. RES. 339

At the request of Mr. REID, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from California (Mrs. FEINSTEIN), the Senator from Virginia (Mr. ROBB), and the Senator from Delaware (Mr. ROTH) were added as cosponsors of S. Res. 339, a resolution designating November 18, 2000, as "National Survivors of Suicide Day."

S. RES. 340

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 340, a resolution designating December 10, 2000, as "National Children's Memorial Day."

#### AMENDMENTS SUBMITTED

#### AMERICAN COMPETITIVENESS IN THE TWENTY-FIRST CENTURY ACT OF 2000

#### CONRAD AMENDMENT NO. 4183

(Ordered to lie on the table.)

Mr. CONRAD submitted an amendment intended to be proposed by him to the bill (S. 2045) amending the Immigration and Nationality Act with respect to H-1B nonimmigrant aliens; as follows:

At the end of the bill, add the following:

#### SEC. . EXCLUSION OF CERTAIN "J" NON-IMMIGRANTS FROM NUMERICAL LIMITATIONS APPLICATION TO "H-1B NONIMMIGRANTS."

The numerical limitations contained in section 2 of this Act shall not apply to any nonimmigrant alien granted a waiver that is subject to the limitation contained in paragraph (1)(B) of the first section 214(l) of the Immigration and Nationality Act (relating to restrictions on waivers).

#### KENNEDY (AND OTHERS) AMENDMENT NO. 4184

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. REID, Mr. DURBIN, Mr. REED, Mr. GRAHAM, Mr. LEAHY, Mr. WELLSTONE, and Mr. DASCHLE) submitted an amendment intended to be proposed by them to the bill, S. 2045, supra; as follows:

At the appropriate place in the bill, insert the following:

#### TITLE —LATINO AND IMMIGRANT FAIRNESS ACT OF 2000

#### SEC. \_\_01. SHORT TITLE.

This title may be cited as the "Latino and Immigrant Fairness Act of 2000".

#### Subtitle A—Central American and Haitian Parity

#### SEC. \_\_11. SHORT TITLE.

This subtitle may be cited as the "Central American and Haitian Parity Act of 2000".

#### SEC. \_\_12. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS FROM EL SALVADOR, GUATEMALA, HONDURAS, AND HAITI.

Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in the section heading, by striking "NICARAGUANS AND CUBANS" and inserting "NICARAGUANS, CUBANS, SALVADORANS, GUATEMALANS, HONDURANS, AND HAITIANS";

(2) in subsection (a)(1)(A), by striking "2000" and inserting "2003";

(3) in subsection (b)(1), by striking "Nicaragua or Cuba" and inserting "Nicaragua, Cuba, El Salvador, Guatemala, Honduras, or Haiti"; and

(4) in subsection (d)—

(A) in subparagraph (A), by striking "Nicaragua or Cuba" and inserting "Nicaragua, Cuba, El Salvador, Guatemala, Honduras, or Haiti"; and

(B) in subparagraph (E), by striking "2000" and inserting "2003".

#### SEC. \_\_13. APPLICATIONS PENDING UNDER AMENDMENTS MADE BY SECTION 203 OF THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.

An application for relief properly filed by a national of Guatemala or El Salvador under the amendments made by section 203 of the Nicaraguan Adjustment and Central American Relief Act which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, shall, at the election of the applicant, be considered to be an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended by sections \_\_12 and \_\_15 of