



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, MONDAY, APRIL 5, 2004

No. 46

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 20, 2004, at 2 p.m.

### House

CORRECTION TO THE CONGRESSIONAL RECORD OF FRIDAY APRIL 2, 2004 AT PAGE H2133

The following Dispensing With Calendar Wednesday Business was inadvertently given the wrong date.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 7, 2004

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday April 7, 2004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

OMISSION FROM THE CONGRESSIONAL RECORD OF FRIDAY APRIL 2, 2004 AT PAGE H2133

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 21, 2004

Ms. HARRIS. Mr. Speaker, I ask unanimous consent that business in

order under the Calendar Wednesday rule be dispensed with on Wednesday, April 21, 2004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

### Senate

MONDAY, APRIL 5, 2004

The Senate met at 1 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

#### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Merciful God, enthroned far above all other powers, You bestowed upon us the royal dignity of being called Your sons and daughters. Thank You for the masterpiece of another day.

Lord, our hearts ache because of the pain in our world. We see the anger, the violence, the deaths, the tears, and the despair. We hear the questions, the bullets, the moans, the sirens, and the sobs. Forgive us when we forget that

You are still on the throne and that the hearts of humanity are in Your hands. Remind us that Your power is far above any conceivable command, authority, or control.

Guide our Senators with Your sovereignty as they make their contributions to peace in our time. Bless those who support them in their work. Give wisdom to our military leaders as they face the fog of armed conflict.

We pray this in Your strong Name. Amen.

#### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

#### SCHEDULE

Mr. FRIST. Mr. President, today the Senate will be in a period of morning business for Senators to make statements and to introduce legislation. There will be no rollcall votes during

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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today's session, and tomorrow the Senate will resume debate on the motion to proceed to S. 2207, the Pregnancy and Trauma Care Access Prevention Act of 2004. Last week I filed a cloture motion on that motion to proceed, and that vote will occur at 2:15 on Wednesday. That cloture vote will be the first rollcall vote during this week.

I had hoped to reach agreement for us to begin this medical liability bill, but there was an objection from the other side of the aisle which has made this cloture necessary. I know Chairman GREGG and others will want to speak to the issue tomorrow, and I encourage all Members to listen closely to the debate.

The whole issue of medical malpractice reform and medical liability has reached crisis proportions in this country, as will be discussed tomorrow. You can't go to any community that is not affected by the unnecessary and frivolous lawsuits that have been filed, which results in a poor quality of care, with less access, with physicians moving from communities—in fact, some physicians leaving their specialty or leaving the practice of medicine altogether.

This week we will also try to finish the bill that has to do with manufacturing and jobs and taxation, a bill called the JOBS bill or a bill that is known as the FSC/ETI legislation. This is a very important bill that is directed at putting in sync our trade policy with what is actually carried out today in trade.

We continue to have discussions on how to finish this legislation. Unfortunately, there are an inordinate number of amendments that keep coming from the other side of the aisle. Given the importance of this bill and the timeliness of it, it is imperative we find a way to complete the measure as quickly as we possibly can without having to consider an additional 30 or 40 amendments.

Today I will offer a second cloture motion so we can have a vote this week to determine if Members are prepared to bring this bill to a conclusion.

The House passed the conference report to accompany the Pension Funding Equity Act. That conference report should be arriving today, and we must act on that conference report. I will be talking to the Democratic leader about scheduling the pension bill this week. I understand there is a payment deadline on April 15 and, therefore, there is urgency for us to act quickly and to act this week before we will be on our recess next week. Again, there is a payment deadline of April 15, and thus I want to act on this pension bill this week.

On yet another subject, the Commerce Committee is to file the legislation which is known as the indecency legislation. The House has acted, and we would like to expedite consideration of this bill as soon as we possibly can.

Lastly, I remind everyone we have been working for some time on asbes-

tos litigation. We will be bringing that bill to the floor after the Easter recess. I hope Senators will allow us to proceed to that measure and debate the underlying bill, an important bill that recognizes the asbestos litigation system is out of control today and people who should be compensated are not receiving their just compensation because of a lack of reform. It is an issue we have talked a lot about, an issue that has been addressed in committee, and an issue we should address and will address in the Senate.

In a few moments I will be addressing issues surrounding health care security for our seniors.

#### ADJOURNMENT OF THE HOUSE AND SENATE OVER THE EASTER HOLIDAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 404, the adjournment resolution, the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 404) was agreed to, as follows:

##### H. CON. RES. 404

*Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, April 2, 2004, it stand adjourned until 2 p.m. on Tuesday, April 20, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Wednesday, April 7, 2004, Thursday, April 8, 2004, or Friday, April 9, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 19, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

#### MEDICARE PRESCRIPTION DRUG BENEFIT

Mr. FRIST. Mr. President, last night, I called my mother-in-law in Fort Worth, TX, just to get her perspective on Medicare and health care security for seniors, and to ask her what she, a long way from Washington, DC, understood in terms of the important Medicare legislation we passed on this floor in a bipartisan way—a Medicare bill that was signed by the President of the United States on December 8, 4 months ago. We had a good conversation.

I asked a little bit in a personal way about her own experience with buying

prescription drugs. She, like most seniors who are having to buy prescription drugs on their own—because, remember, until December of this past year, 4 months ago, prescription drugs were outside of Medicare. So many seniors are dependent on prescription drugs for a whole range of illnesses, or to prevent illnesses, whether it is arthritis, diabetes, heart disease, or cancer. Those prescription drugs have been out of reach, or at least must be obtained outside of the Medicare system but indeed no longer.

It was clear to me that there is a lot of confusion by what people see in the press, what people see on television, comments that are made by opponents to that legislation. So I want to take a few minutes to comment on the importance of this legislation, but equally important, on what this legislation is doing and can do and will do for individuals with disabilities and seniors. I am speaking about 40 million people who will potentially be touched by this legislation we passed 4 months ago.

The first point. Already, seniors are benefiting. The legislation was signed December 8, and already seniors are benefiting because of the new bill and the reforms in that bill. Health care plans are getting an extra boost. As a result, seniors who are enrolled in Medicare health plans, Medicare private health plans, are already receiving better benefits at lower, what we call out-of-pocket costs. Already, these seniors are receiving more benefits at lower out-of-pocket costs.

In fact, the Centers for Medicare and Medicaid Services—when you hear CMMS, that means Centers for Medicare and Medicaid Services, which is the Government organization, or entity, the center in charge of managing and administering Medicare. They report that 3.7 million seniors are already receiving increased benefits, just 4 months after signing the bill, and 2 million have received lower cost sharing. That means when they actually have a benefit delivered, they pay less for that benefit; 1.9 million have seen their premiums go down; and it is less than 4 months after the President signed the bill. That is, the monthly premium seniors are paying has already gone down for 1.9 million seniors.

Let me share with you just one specific example. Aetna has eliminated copayments for a whole broad range of preventive services. That includes routine physical examinations. It is interesting; until this Medicare legislation, routine physical examinations were not part of Medicare. They eliminated copayments for routine physical exams; they eliminated copayments for bone mass measurements; they eliminated copayments for colorectal screening exams, prostate screening exams, mammograms, pelvic exams, and for routine hearing and vision exams for seniors enrolled in their Medicare Advantage plans.

Aetna has also slashed copayments for inpatient hospitalizations—that is