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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 17, 2004, at 12:30 p.m.

Senate

FRIDAY, MAY 14, 2004

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

PRAYER

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

Let us pray.

Gracious and sovereign God who has carried us from the day of our birth, thank You for Your willingness to use us for Your unfolding plan. You are the blessed controller of all things. Thank You also for Your gracious intentions to bless us, to give us a future and a hope. Help us to remember that in everything You are working for the good of those who love You and are called according to Your purposes.

Guide our Senators today in each decision that they may be faithful to their calling to be guardians of freedom. Make even their disadvantages become but a backdrop for the movement of Your loving designs. Give each of us faith to look beyond the trials of the present and to know that neither life nor death can separate us from Your love. We pray this in Your awesome Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN CORNYN 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN CORNYN, a Senator from the State of Texas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. CORNYN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

SCHEDULE

Mr. SUNUNU. Mr. President, I ask unanimous consent to claim leadership time on behalf of the leadership for the following announcement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

dered. The Senator from New Hampshire.

Mr. SUNUNU. Today we will be in session for a period for morning business. We do not expect a lengthy session today. As the majority leader announced last night, no rollcall votes will occur today. This morning we are working on a couple of agreements, including a consent for the consideration of the bioshield bill. We hope to consider that bill on Monday, with a vote on passage of the bill occurring on Tuesday. Also, as a reminder to my colleagues, the next rollcall vote will occur on Monday afternoon.

Under the order from last night, we will begin the Department of Defense authorization bill on Monday at 2:30. Chairman WARNER is working with Senator LEVIN to consider amendments during Monday's session, and we expect to have an amendment scheduled for a vote Monday afternoon at approximately 5:30.

Next week, all Senators can anticipate a busy week as we continue consideration of defense authorization, the bioshield bill, the medals legislation, a number of nominations, and other items that can be cleared. Senators should adjust their schedules accordingly to prepare for full sessions throughout the week.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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



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The Senator from Hawaii.

THE UNINSURED

Mr. AKAKA. Mr. President, I rise today to address a growing problem in my home State of Hawaii and the Nation, individuals that do not have health insurance. The total number of uninsured people in the United States reached 43.6 million in 2002. Since 2000, the total number of uninsured has increased by 3.8 million. In the State of Hawaii, it is estimated that there are approximately 120,000 people who do not have health insurance.

The uninsured delay seeking medical treatment, which is likely to lead to more significant and more costly problems later on than if they had sought earlier, preventative treatment or proper disease management. Health insurance is essential to making sure that individuals can access health care services and properly manage their chronic diseases, such as diabetes. A tremendous amount of needless pain and suffering can be eliminated by ensuring that health insurance is universally available.

Everyone should have access to affordable health insurance. We must expand Medicaid and the State Children's Health Insurance Program, SCHIP, to provide essential access to health care for more people. In addition, we must take steps to help rein in health care costs in an attempt to keep coverage affordable. Providing additional resources for disease management programs and primary health care services will lead to long-term savings and benefits. Also, meaningful prescription drug patent law reforms need to be made to ensure that generic drugs can be brought to market in a timely manner.

We are also obligated to help provide support to health care providers that provide uncompensated care for the uninsured. In Hawaii, it is estimated that hospitals lost \$95 million for uncompensated care in 2002. However, while other states benefit from Medicaid disproportionate share hospital, DSH, payments designed to provide additional support to hospitals that treat large numbers of Medicaid and uninsured patients, Hawaii is left out of this important program.

The Balanced Budget Act of 1997, BBA, created specific DSH allotments for each state based on each of their actual DSH expenditures for fiscal year 1995. In 1994, the State of Hawaii implemented the QUEST demonstration program that was designed to reduce the number of uninsured and improve access to health care. The prior Medicaid DSH program was incorporated into QUEST. As a result of the demonstration program, Hawaii did not have DSH expenditures in 1995 and was not provided a DSH allotment.

The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 made further changes to the DSH program, which included the es-

tablishment of a floor for DSH allotments. However, States without allotments were again left out. Other States that have obtained waivers similar to Hawaii's have retained their DSH allotments. Only two States, Hawaii and Tennessee, do not have DSH allotments. I was disappointed that language similar to an amendment that I had offered, which was accepted as part of the manager's package for the Senate's prescription drug bill was not included in the conference report for H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003. The language that was finally included prevents Hawaii from obtaining its DSH allotment as long as the QUEST program remains in place.

Medicaid DSH funding is needed because our hospitals in Hawaii are struggling to meet the elevated demands placed upon them by the increasing number of uninsured people. DSH payments will help Hawaii hospitals meet the rising health care needs of our communities and reinforce our health care safety net. All 50 States need to have access to Medicaid DSH support.

While Hawaii continues to be denied this assistance, many States fail to fully utilize their DSH allotments. For fiscal year 1999, more than \$1.2 billion was returned to the Treasury because States failed to draw down their full Medicaid DSH allotments. More than \$800 million was returned to the Treasury for fiscal year 2000. It is unfair that while certain States are declining to use their full allocation, States with no or small allotments are being denied the use of these resources. A viable option to provide relief for Hawaii and other low-DSH States is to redistribute funding that other States have returned to the Treasury. It is not fair that States that either lack any DSH funding or have low-DSH allotments cannot have an opportunity to apply for these excess funds to help bolster their public health safety net.

I appreciate all of the work done by my colleague from New Mexico, Senator BINGAMAN, to help provide relief to low-DSH States. I look forward to continuing to work with my colleagues to help restore Medicaid DSH payments to Hawaii. Also, we must continue our efforts to improve access to health care so that everyone can obtain affordable, comprehensive, and quality health care coverage.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, this week our country observes National Police Week, a time to honor the men

and women who put their lives on the line every day to bring peace—and peace of mind—to America's cities, towns, and neighborhoods.

Tomorrow, Police Week culminates in Peace Officers Memorial Day, when we pay special honor to those officers who gave their lives in the line of duty.

This memorial has a long history. In 1789, a U.S. Marshal named Robert Forsyth was shot and killed in the line of duty.

Since then, over 14,000 law enforcement officers have given their lives to protect the liberties upon which America was founded.

Police officers have always served as the first line of protection for our communities. But 3 years ago, on September 11, our Nation gained a new appreciation both for the dangers they face and for the courage they routinely exhibit.

We owe our police officers a debt of gratitude that is immeasurable and unending.

Every year we honor those that lost their lives in the line of duty and carve their names into the Police Memorial so that future generations will know who they are, and that they lived, and died, as heroes.

This year, one of South Dakota's heroes will be honored and remembered.

Deputy Bill Davis joined the Moody County Sheriff's Office in 1982, where he served as deputy sheriff for 21 years.

Like so many of our officers, Deputy Davis's service to his community was bigger than his badge.

Bill Davis was a veteran of the U.S. Navy and the National Guard.

He embodied the values of community service and civic duty throughout his life. Last November, while investigating a car accident, Deputy Davis was struck by a car and killed.

As we commemorate the heroism of Deputy Bill Davis, and all those who lost their lives in the line of duty, we cannot help but acknowledge the risks undertaken each and every day by America's police officers.

Our police officers do not ask for reward or recognition, merely the tools they need to do their job. And in return for all they have given us, we have an obligation to ensure they have every available resource necessary to keep our neighborhoods safe.

Over the past year, I have spent a lot of time meeting with South Dakota's police officers, asking about the specific challenges they face, and what we can do here in the Senate to support them.

The most pressing issue for our Nation's law enforcement is the added responsibility and burden of being first responders in the event of terrorist attack. The complexity of this new role requires training and tools that no small local police department could be expected to have on its own.

That is why I am pleased that South Dakota recently received \$15 million in grants from the Department of Homeland Security to pay for new