

1 EXECUTIVE COMMITTEE MEETING TO MARK UP S. 331, THE WORK
2 INCENTIVES IMPROVEMENT ACT OF 1999, AND S. 494, THE
3 NURSING HOME RESIDENTIAL SECURITY ACT OF 1999
4 THURSDAY, MARCH 4, 1999
5 U.S. Senate,
6 Committee on Finance,
7 Washington, DC.

Gilmour
27 pp.

8 The meeting was convened, pursuant to notice, at
9 10:12 a.m., in room SD-215, Dirksen Senate Office
10 Building, Hon. William V. Roth, Jr. (Chairman of the
11 Committee) presiding.

12 Also present: Senators Chafee, Grassley, Hatch,
13 Nickles, Jeffords, Moynihan, Baucus, Breaux, Conrad,
14 Graham, and Robb.

15 Also present: Mark Prater, Chief Tax Counsel; Lindy
16 Paull, Chief of Staff, Joint Committee on Taxation; Dr.
17 Alexander Vachon, Chief, Social Security and Welfare; and
18 Jennifer Baxendell, Professional Staff Member.

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1 OPENING STATEMENT OF THE HON. WILLIAM V. ROTH, JR., A
2 U.S. SENATOR FROM DELAWARE, CHAIRMAN, COMMITTEE ON
3 FINANCE

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5 The Chairman. The committee will please be in
6 order.

7 We are here today for our first health care mark-up
8 of the 106th Congress. The first bill we will take up
9 today will be S. 331, the Work Incentives Act of 1999.
10 It represents a strong, bipartisan, bicameral effort to
11 accomplish a very, very important goal, removing barriers
12 to work confronting millions of Americans with
13 disabilities.

14 Together with Senators Moynihan, Jeffords, Kennedy,
15 and I, the Work Incentives Act was introduced earlier
16 this year to help disabled Americans who want to go to
17 work without loss of their health insurance.

18 Now, the bill is familiar to members of the
19 committee. We held a hearing on S. 331 one month ago.
20 At that hearing, Bob Dole joined us to endorse the
21 legislation. It has been supported by over 70 national
22 disability provider and insurance groups, such as the
23 Paralyzed Veterans of America, the American Nurse's
24 Association, and the American Council of Life Insurance.

25 The bill is also supported by members of this

1 committee. Sixteen committee members are co-sponsors, as
2 are now 60 of our Senate colleagues. I will not read all
3 their names now, but I would ask that my statement in its
4 entirety be included as if read.

5 [The prepared statement of Chairman Roth appears in
6 the appendix.]

7 The Chairman. Just let me point out that the Worker
8 Incentive Act is intended to resolve a Catch-22 that
9 people with disabilities face today, a choice between
10 working and a choice of losing their Medicaid or Medicare
11 benefits. This is a choice no one, but no one, should
12 have to make, but even modest earnings can result in a
13 loss of eligibility for Medicaid or Medicare.

14 The fear of losing health insurance contributes
15 significantly to an unemployment rate of nearly 75
16 percent among working-age adults with disabilities. Our
17 bill creates new options, Pat, as you well know, as one
18 who helped write the legislation. Our bill creates new
19 options to solve the work versus health care dilemma.

20 Now, I am hopeful that we can all work together to
21 get this legislation through. Momentum is beginning to
22 spill over into the House through the leadership of our
23 colleagues on the Commerce and Ways and Means Committee.
24 In his State of the Union address, President Clinton
25 endorsed the bill. So, I hope we can move forward today.

1 I look forward to your remarks, Senator Moynihan.

2 Senator Moynihan. Mr. Chairman, there is nothing
3 that I could add that would please you more and be more
4 succinct than to tell you that Senators Biden and
5 Lautenberg have just announced that they would like to
6 co-sponsor S. 331, such that we now have 62 co-sponsors,
7 a number not without consequences on the floor of the
8 U.S. Senate.

9 The Chairman. Very good. That is good news,
10 indeed, Senator Moynihan.

11 Because we do have seven here, I am anxious to
12 proceed as rapidly as possible. We will have a walk-
13 through.

14 Would you start, Jennifer, with the walk-through,
15 please?

16 Ms. Baxendell. Thank you, sir. I will be very
17 brief. I will go through Title I of the bill. Title I
18 of S. 331 expands the availability of health care
19 services for individuals with disabilities.

20 Section 101 of the bill creates two new Medicaid
21 options for the States. The first of these new options
22 builds on a change enacted in the Balanced Budget Act of
23 1997. This provision allows individuals who meet
24 supplemental security income definitions of disabilities,
25 except for earnings, to buy into the Medicaid program.

1 The new option lifts a 250 percent of poverty cap on the
2 buy-in set forth in the Balanced Budget Act.

3 The second new Medicaid option in the bill is
4 available to those States that take up the first new
5 option. Under the second option, a State may prevent
6 individuals eligible for Medicaid under the previous
7 option to retain their eligibility if they experience
8 medical improvement, but still have a severe, medically
9 determinable impairment and they are employed.

10 Under either option, States would be free to require
11 cost sharing on a sliding fee scale basis and may require
12 individuals with incomes in excess of 250 percent of the
13 poverty level to pay the full premium cost.

14 Section 102 of the bill relates to Medicare. For the
15 next 10 years, the Work Incentives Improvement Act
16 essentially lengthens the current 36-month period of
17 extended eligibility for SSDI beneficiaries returning to
18 work. It would extend this 36-month period to 10 years.

19 During this 10-year period, working SSDI
20 beneficiaries would continue to receive Medicare Part A
21 coverage without paying the premiums. After eight years,
22 the General Accounting Office would undertake an
23 evaluation to make recommendations about the
24 effectiveness of the option.

25 Section 103 of the bill creates a grant program to

1 provide support to States in their efforts to develop new
2 systems of care for the working disabled.

3 The final health care section of the bill, Section
4 104, establishes a limited demonstration program to test
5 whether providing individuals with potentially severe
6 disabilities early access to insurance coverage can
7 delay, or even prevent, the onset of a fully disabling
8 condition.

9 Then Title II.

10 Dr. Vachon. Mr. Chairman, I will briefly present
11 the key elements of Titles II, III, and IV, beginning on
12 page eight of the mark-up document

13 Title II, Subpart A would establish a Ticket to Work
14 program at the Social Security Administration. Under
15 this program, most individuals receiving disability
16 benefits would be eligible for, and could initiate,
17 vocational rehabilitation services to return to work.

18 Beneficiaries would be permitted to choose from a
19 variety of rehabilitation providers, in addition to State
20 vocational rehabilitation agencies. The commissioner of
21 Social Security would have new flexibility in making
22 payments for rehabilitation services.

23 Subpart B of Title II would address two disincentives
24 to working disabled beneficiaries. Subpart B would
25 establish substantial gainful activity as a standard for

1 work-related continuing disability reviews by the
2 commissioner for long-term disability beneficiaries, and
3 would provide for a longer period of expedited
4 reinstatement of benefits.

5 Subpart C of Title II would authorize funding for two
6 small discretionary grant programs to improve information
7 and access to work incentives by disabled beneficiaries.

8 Title III would reauthorize Social Security's
9 demonstration authority, which has expired.

10 Title IV contains five miscellaneous or technical
11 amendments, including new restrictions on benefits to
12 prisoners and the opportunity for clergy to join the
13 Social Security program. That concludes the walk-through
14 of Titles II through IV.

15 The Chairman. Mark?

16 Mr. Prater. Mr. Chairman, Title V contains the
17 revenue offsets for the bill. The first one is a
18 reduction of the current law carry-back period for
19 foreign tax credits from two to one year, and an
20 extension of that period from five to seven years. That
21 provision would be effective for credits arising in
22 taxable years beginning after December 31, 2001.

23 The second measure would limit the non-accrual
24 experience method of accounting to qualified professional
25 services. That measure would be effective for taxable

1 years ending after date of enactment.

2 The third provision would extend the current IRS user
3 fees, which are scheduled to expire on September 30, 2003
4 for three years, through September 30, 2006.

5 The Chairman. Thank you. I see, Senator Moynihan,
6 we have a quorum here.

7 Senator Moynihan. Yes, sir. In that case, I would
8 like to move that we report the bill.

9 Senator Nickles. Mr. Chairman?

10 The Chairman. Yes.

11 Senator Nickles. I have reservations about the
12 bill. First, I want to compliment you and Senator
13 Moynihan. I think you have made the bill much more
14 responsible than at least some of the drafts that were
15 being kicked around last Congress. So, I compliment you
16 for that.

17 The cost of the bill is about \$4 billion over 10
18 years. I can tell my colleagues, it is not paid for. It
19 has a pay-for in it that we have passed two or three
20 times that has never passed the House, and will not pass
21 the House in all likelihood. So, I would just let that
22 be known. It is all right.

23 We used one pay-for last year in two or three
24 different bills. It would qualify under that. Of
25 course, this would be a tax bill and would be blue-

1 slipped, in all likelihood, in the House. Or it could
2 be. I do not know whether or not it would be.

3 But my real complaint is on the substance of some of
4 the changes, but not all of the changes. Again, I
5 compliment the staff because I think they made the bill
6 much, much more responsible and more affordable than at
7 least was proposed earlier.

8 But a couple of points, at least, I want to raise. I
9 know I do not have the votes. I am not sure I will push
10 it to a vote. But I want to raise these concerns,
11 because I think they are fairly valid concerns.

12 One, on the Medicaid portion of the bill. Under the
13 Balanced Budget Act of 1997, we passed a lot of Medicaid
14 changes. We also said, well, for disabled, States could
15 have a buy-in program for individuals up to 250 percent
16 of poverty. And maybe they could not get insurance.
17 They could buy in and buy Medicaid.

18 Well, we are talking about taking the cap off. Now,
19 in Medicaid, Medicaid is a program targeted to low-income
20 people. Every element of Medicaid is directed towards
21 low-income people. We are talking about taking the cap
22 off. I think that is a mistake. We are talking about
23 giving benefits to people that make a lot more money than
24 a lot of other taxpayers.

25 I think there should be some cap. I have an

1 amendment that says, let us make the cap 350 percent of
2 poverty. That would be, for a family of four, \$57,000, a
3 family of three, \$47,000. I may not have the votes right
4 now, but I have that amendment. I would hope that it
5 would pass. I think it is a mistake, taking Medicaid, a
6 low-income program, and say we are not going to have a
7 cap.

8 Now, I understand and I appreciate the fact that we
9 said we are not mandating on States. States have the
10 option to pay 100 percent. That is positive. But the
11 element in my amendment is, if there is a federal
12 contribution, that there should be some income cap. So,
13 I have that amendment and I would like for it to be
14 considered.

15 Then the second portion that I want to deal with is
16 on Medicare. Senator Breaux is here. He has been
17 working more hours than you can imagine on trying to help
18 fix or save Medicare. This is a big Medicare expansion
19 for Medicare disability.

20 Present law, and correct me if I am wrong, Alex, and
21 I may be, for Medicare disabled right now, if they go
22 back to work, they lose their cash assistance after a few
23 months, but they can receive Medicare for nine months,
24 and then three years. So for a total of 44 months, is
25 that correct? Forty-five months?

1 Dr. Vachon. Let me defer to Jennifer on that.

2 Senator Nickles. All right. Jennifer? Excuse me.

3 Ms. Baxendell. That is correct, sir.

4 Senator Nickles. So we are talking about expanding
5 that to 10 years. So, in addition to the trial nine
6 months, which makes great sense, because if somebody is
7 disabled well prior to eligibility to Medicare under age
8 65, they are disabled sometime during their working life
9 and they recoup their ability to get work, they have a
10 nine-month trial period so they can continue their
11 Medicare, and an additional three years. So their
12 Medicare is paid for by the Federal Government, 100
13 percent. Right now, I think it is a cost of \$309 per
14 month. Pretty significant.

15 This bill would expand that to 10 years. That is
16 expensive. It costs a couple of billion dollars, or \$1.9
17 billion. I might confuse the two. It would cost \$1.3
18 billion over the 10 years. Well, we expand that benefit
19 from 3 years to 10 years.

20 I have an amendment that would expand it from three
21 years to five years. If we want to look at it again two
22 years from now, Senator Breaux, we could look at it and
23 decide to expand it then. Why do we need to expand it
24 for seven years right now? That is pretty expensive.

25 It is an entitlement. It means that the Federal

1 Government will be paying their Medicare expenses for 10
2 years, somebody that is back at work. And I think it is
3 great, and we want to encourage back to work.

4 So, Mr. Chairman, do not misinterpret my comments one
5 iota. I join you in the goal, I compliment you in the
6 goal, and Senator Moynihan and others who have been
7 working on this.

8 We want to encourage disabled people to stay in the
9 work force, to get in the work force, to be productive
10 taxpayers and continue making very positive contributions
11 for themselves, for their families, for the economy. I
12 applaud that. But I somewhat question the wisdom of
13 expanding the Medicare eligibility basically from 3 years
14 to 10 years. So I have an amendment that would be
15 limited to five.

16 I also am considering an amendment that surely there
17 should be some cap, who is going to be eligible for that.
18 I said, well, maybe if you have income above the Social
19 Security base, maybe that additional seven years would
20 not apply if you had income above \$72,400. That is
21 another amendment to try to make sure that we use scarce
22 resources very well.

23 We all know, everybody around this table, that we
24 have big problems in Medicare. We are getting ready to
25 have a big expansion in a part of the Medicare program

1 that most people have not spent a whole lot of time with.
2 Again, I am very sympathetic with the laudable goals of
3 this legislation. I am concerned about its cost, I am
4 concerned about the precedent that it sets as far as
5 taking income caps off of Medicaid expansion.

6 So, Mr. Chairman, I raise those two points. I would
7 love to see you adopt a couple of my amendments, and I
8 would be much more excited about this legislation.

9 The Chairman. Well, I would say to my distinguished
10 colleague that this piece of legislation, I think,
11 addresses an extraordinarily important concern. That is
12 to give the opportunity to the disabled to join the work
13 force. The fact is, polls show that something like
14 roughly 75 percent of those disabled want to go to work.
15 That is a desirable goal. That is, in many ways, what
16 the Republican Party is all about, is putting people to
17 work.

18 Senator Moynihan. And the Democrats share that.
19 [Laughter].

20 The Chairman. Is there a second party? [Laughter].
21 But you are exactly right, Pat. It is a basic goal of
22 both parties, and of the American people. We have been
23 involved in considerable negotiations on this piece of
24 legislation.

25 As you well know, any negotiated agreement contains

1 compromises. All the compromises may not be the ones
2 that you and I would like 100 percent, but I think the
3 important fact to recognize and understand is that we
4 have an agreement here that I think can move us ahead on
5 this goal of giving people an opportunity to go to work.
6 They do not have to choose between work or loss of health
7 benefits. That is an impossible situation that should
8 not arise. That is what we seek here to correct.

9 I understand and hear you. But at the same time, I
10 would urge you not to try to amend this language because
11 this is language, as I said, that has been carefully
12 crafted to try to bring a broad consensus together. I
13 think, when you stop and think that there are 62 members
14 of the Senate who have co-sponsored that, Democrats and
15 Republicans, we have accomplished that goal.

16 Senator Grassley. He does not have the votes,
17 anyway. So why do we not just vote on it, or vote the
18 amendments down, and move on?

19 The Chairman. I accept that. [Laughter]. Kent?

20 Senator Conrad. Mr. Chairman, if I might inquire.
21 My understanding is that, while the caps are removed with
22 respect to the level of poverty, that States could impose
23 caps. It would be to their option, is that not correct?

24 The Chairman. That is correct.

25 Senator Conrad. I think that addresses it.

1 Frankly, I share the Senator's concern on that matter and
2 I do think if the States have the ability to deal with
3 that issue, that makes sense.

4 There is another part----

5 The Chairman. If I could just make one observation,
6 though, Kent. There was a point I was going to raise.
7 But States have a lot at stake, too. It costs them. So,
8 as one who believes in State rights, that is the whole
9 key to this legislation. We are giving the States the
10 authority to select the kind of option that best fits
11 their needs. Go ahead.

12 Senator Conrad. If I could, there is another
13 amendment that I understand Senator Nickles has pending
14 that I think does deserve the committee's attention.
15 That is with respect to the question of scaling back
16 benefits once an individual achieves some earnings level.

17 I mean, I think what Senator Nickles said is exactly
18 right. Senator Breaux and the commission have been
19 struggling with what to do about Medicare. Are we really
20 going to say that somebody does not have to pay anything
21 if they make a half a million dollars a year? They do
22 not have to pay any premium to Medicare? As I read this
23 legislation, that is what happens here.

24 As I understand what Senator Nickles is saying, it
25 is, look, if somebody does go over some earnings level,

1 that they should pay the Medicare premium. Is my
2 understanding correct?

3 Senator Nickles. The Senator is correct. Let me
4 just mention, present law says that if somebody is on
5 Social Security disability and they go to work, they can
6 continue receiving Medicare for three years and nine
7 months. The bill says it could go to 10 years and 9
8 months.

9 So I have two proposals, one of which would scale
10 back the 10 years to 5 years. So we would increase it
11 from three to five, then we could take another look at
12 it.

13 Another element would be, we should have some cap.
14 If somebody is disabled and on Medicare and then goes
15 back to work, and let us say they go to work for a
16 brokerage house and they start making \$500,000 a year,
17 under this bill they could receive Medicare payments for
18 10 years, the full cost, 100 percent. Not a State share.
19 The State pays nothing. This is 100 percent federal. I
20 think that is a mistake. How many times would it happen?
21 Who knows.

22 So, I propose that we say if they had income levels
23 above the Social Security base, which is \$72,000, then
24 they would pay their Medicare premium. So, again, that
25 is one of the amendments that I have, that I would

1 appreciate your favorable consideration of.

2 The Chairman. Senator Jeffords?

3 Senator Jeffords. Mr. Chairman, we have checked
4 into this question with the realization that people would
5 be concerned. We discussed it with HCFA. First of all,
6 they presume that there would be like 100 people,
7 possibly, throughout the country that might be affected.
8 Setting up the mechanism to trace and find out who those
9 100 people are would far exceed any cost to the
10 government.

11 Second, people still, when they are in that category,
12 would not be able to purchase private insurance because
13 they are actually considered uninsurable, regardless of,
14 practically, the cost. So, for that reason I think that
15 I would oppose the amendment.

16 The Chairman. Let me just make this observation.
17 In a very real sense, what we are talking about here is
18 means testing. Now, perhaps that is the direction reform
19 may or may not want to go, but I do not think this is the
20 time and place to move ahead on that. We will let our
21 chairman of the----

22 Senator Breaux. I am chairman of the paying
23 commission. [Laughter].

24 The Chairman. But what I am saying is----

25 Senator Breaux. This is the no paying committee.

1 The Chairman. What I am saying is, this is a
2 piecemeal approach. I do not think it is appropriate at
3 this time to move in that direction.

4 Senator Moynihan. Mr. Chairman, we have an
5 important legislative initiative which has been with us
6 for decades, that I know. Not two weeks ago, our former
7 Majority Leader and chairman of this committee, Senator
8 Dole, came forward and said this bill will help people
9 break their dependency on cash benefits. That is what we
10 are about. We have such a strong consensus. I hope we
11 can go forward together, feeling good about this. This
12 is not a dependency, this is an independent proposal.

13 Senator Conrad. Mr. Chairman, if I might just make
14 one other observation. I agree this is important
15 legislation. I also believe that we do have a very
16 serious problem in Medicare. I must say, I am reluctant
17 to set the standard that it does not matter what somebody
18 earns, they get the benefit and do not have the pay the
19 premium.

20 I really do not know how I would justify that. I do
21 not care if it is only one person. I hope it happens. I
22 hope somebody is able to make a quarter of a million
23 dollars a year, or a half a million dollars a year. But,
24 if they do, they ought to pay the premium. I just do not
25 think that is at all unreasonable.

1 We are extending here a benefit, and it is for a
2 very, very good purpose. But, boy, I really do not see
3 the logic of extending it to somebody who is making a
4 whole lot of money, and turn around and have a working
5 family is paying the tab.

6 Senator Breaux. Mr. Chairman?

7 The Chairman. I will call on you, Senator Breaux.
8 I would like to urge, after you address the group, that
9 we use regular order and go ahead and move the bill.

10 Senator Breaux?

11 Senator Breaux. Just a short comment, maybe in the
12 form of a question as well. I mean, there is a
13 legitimate concern here about providing a benefit to
14 people who do not need it.

15 If a person has been disabled and he become able to
16 go back to work in the private sector, and the concern is
17 if he is making so much money should we be subsidizing
18 him with Medicare, I presume that, in most cases, as a
19 person goes back to work, say, for a brokerage firm or a
20 job that gives him a substantial salary, they are also
21 going to provide private health insurance, in which case
22 he would not be eligible for Medicare. Medicare would be
23 a secondary provider of insurance.

24 If the person is making a good bit of money, he is
25 going to buy a private policy through his employer or

1 somewhere else. Medicare is not a good deal in
2 comparison to private policies.

3 So, I am not sure we have a problem here, because
4 people in a higher income category are going to have
5 access to private insurance through their employer. The
6 last thing they would want to do is to substitute good
7 private insurance for a Medicare program. So, I do not
8 really think it is a problem.

9 Senator Nickles. Mr. Chairman, just a couple of
10 quick comments. One, this affects a whole lot more
11 people than just 100. It costs \$1.2 billion. So, it is
12 an expensive provision. There are a lot of people.
13 Also, when you extend the benefits and rewards you are
14 going to find out more people will be eligible, in my
15 opinion. I make those points.

16 Mr. Chairman, I am not going to push my amendments to
17 votes. I know I do not have the votes at this point. I
18 do want to get your attention, I want to get everybody's
19 attention, on Medicaid. We have always had an income
20 limit, and we are getting ready to expand it without an
21 income limit. I do not plan on letting that happen
22 easily. I think that is a mistake. So that is something
23 we need to address. Medicaid has always had an income
24 means test. It is a low-income program. Right now,
25 without any cap, we do not have it. I do not have the

1 votes right now, but at some point maybe we will be able
2 to convince people that we can.

3 Also, on Medicare. I think the program that we have
4 that allows people to work for nine months and three
5 years and continue to have Medicare is fine. I am
6 willing to say let us expand that two years. To expand
7 it to 10 years, who knows how much that is going to cost?
8 I think it is going to cost something.

9 Well, as a matter of fact, CBO says it is going to
10 cost \$1.3 billion over 10 years. That is not an
11 insignificant amount. So I make those points, Mr.
12 Chairman. I am not going to push the amendments at this
13 point.

14 Senator Moynihan. Mr. Chairman, I move the adoption
15 of the bill and ask that the yeas and nays be recorded.

16 The Chairman. So ordered. The Clerk will call the
17 roll.

18 The Clerk. Mr. Chafee?

19 Senator Chafee. Aye.

20 The Clerk. Mr. Grassley?

21 Senator Grassley. Aye.

22 The Clerk. Mr. Hatch?

23 Senator Hatch. Aye.

24 The Clerk. Mr. Murkowski?

25 The Chairman. Aye, by proxy.

1 The Clerk. Mr. Nickles?
2 Senator Nickles. No.
3 The Clerk. Mr. Gramm of Texas?
4 The Chairman. Pass.
5 The Clerk. Mr. Lott?
6 Senator Lott. No.
7 The Clerk. Mr. Jeffords?
8 Senator Jeffords. Aye.
9 The Clerk. Mr. Mack?
10 The Chairman. Aye, by proxy.
11 The Clerk. Mr. Thompson?
12 Senator Thompson. [No response].
13 The Clerk. Mr. Moynihan?
14 Senator Moynihan. Aye.
15 The Clerk. Mr. Baucus?
16 Senator Baucus. Aye.
17 The Clerk. Mr. Rockefeller?
18 Senator Moynihan. Aye, by proxy.
19 The Clerk. Mr. Breaux?
20 Senator Breaux. Aye.
21 The Clerk. Mr. Conrad?
22 Senator Conrad. Aye.
23 The Clerk. Mr. Graham, of Florida?
24 Senator Graham. Aye.
25 The Clerk. Mr. Bryan?

1 Senator Moynihan. Aye, by proxy.

2 The Clerk. Mr. Kerrey?

3 Senator Moynihan. Aye, by proxy.

4 The Clerk. Mr. Robb?

5 Senator Robb. Aye.

6 The Clerk. Mr. Chairman?

7 The Chairman. Aye.

8 Senator Nickles. Mr. Chairman, Senator Lott votes
9 no by proxy.

10 The Clerk. The votes are 16 yeas, 2 nays.

11 The Chairman. The legislation is agreed to and
12 reported out.

13 Now we will proceed to the second one.

14 Senator Moynihan. Sir, may I just say that it is a
15 positive thing that we have done. We have done it
16 together. There is just some disagreement, there always
17 is, and that is appropriate, too. But the committee has
18 acted on the first health measure in the year, early in
19 the year. I think we should be pleased by that, and I
20 hope Senator Jeffords will send our regards to his
21 committee, and thank them for their cooperation.

22 Senator Jeffords. Thank you. Mr. Chairman, may I
23 just say a couple of words?

24 The Chairman. Sure.

25 Senator Jeffords. Being the primary author of the

1 bill, I just want to thank everyone for the tremendous
2 cooperation that I have had in helping put this together.
3 Obviously, the chairman of this committee, as well as the
4 Ranking Member, have meant a huge difference with the
5 number of co-sponsors.

6 This is a great opportunity now for people with
7 disabilities to finally open that door so they can go out
8 and get work which they so want to do. This is an
9 opportunity that we will be very proud of and can feel
10 good about. Thank you.

11 The Chairman. I would like to move quickly to the
12 second bill, because we still have 11 members. S. 494,
13 the Nursing Home Residential Security Act of 1999 has its
14 origins in work initiated several months ago by Senator
15 Bob Graham, and by Representatives Mike Bilirakis and Jim
16 Davis in response to the eviction of Florida nursing home
17 residents dependent on Medicaid.

18 I will ask that my statement be included as if read,
19 because we do not want to lose our quorum.

20 [The prepared statement of Chairman Roth appears in
21 the appendix.]

22 Senator Moynihan. Mr. Chairman, I think Senator
23 Graham has done a superb job in this. I am sure he will
24 not mind if I move to adopt the measure and ask for the
25 yeas and nays.

1 The Chairman. I would just want to point out, it is
2 a bipartisan effort.

3 Senator Moynihan. Bipartisan effort.

4 The Chairman. And we appreciate that.

5 The Clerk will call the roll.

6 The Clerk. Mr. Chafee?

7 Senator Chafee. Aye.

8 The Clerk. Mr. Grassley?

9 Senator Grassley. Aye.

10 The Clerk. Mr. Hatch?

11 Senator Hatch. Aye.

12 The Clerk. Mr. Murkowski?

13 The Chairman. Aye, by proxy.

14 The Clerk. Mr. Nickles?

15 Senator Nickles. Aye.

16 The Clerk. Mr. Gramm, of Texas?

17 The Chairman. Aye, by proxy.

18 The Clerk. Mr. Lott?

19 The Chairman. Pass.

20 The Clerk. Mr. Jeffords?

21 Senator Jeffords. Aye.

22 The Clerk. Mr. Mack?

23 The Chairman. Aye, by proxy.

24 The Clerk. Mr. Thompson?

25 Senator Thompson. Pass.

1 The Clerk. Mr. Moynihan?
2 Senator Moynihan. Aye.
3 The Clerk. Mr. Baucus?
4 Senator Baucus. Aye.
5 The Clerk. Mr. Rockefeller?
6 Senator Moynihan. Aye, by proxy.
7 The Clerk. Mr. Breaux?
8 Senator Breaux. Aye.
9 The Clerk. Mr. Conrad?
10 Senator Conrad. Aye.
11 The Clerk. Mr. Graham, of Florida?
12 Senator Graham. Aye.
13 The Clerk. Mr. Bryan?
14 Senator Moynihan. Aye, by proxy.
15 The Clerk. Mr. Kerrey?
16 Senator Moynihan. Aye, by proxy.
17 The Clerk. Mr. Robb?
18 Senator Robb. Aye.
19 The Clerk. Mr. Chairman?
20 The Chairman. Aye.
21 The Clerk. The votes are 18 yeas, 0 nays.
22 The Chairman. By a vote of 18 to nothing, the
23 legislation is reported out. I congratulate both sides
24 for working together in this second critically important
25 piece of legislation.

1 Senator Moynihan. Mr. Chairman, we thank you.

2 Senator Graham. If I could just extend my
3 appreciation to you and Senator Moynihan for your
4 assistance. I appreciate the expeditious consideration
5 of this legislation. Thank you.

6 Senator Moynihan. But, sir, what are we going to do
7 for the rest of the morning? [Laughter].

8 The Chairman. Well, come back to my office and I
9 will tell you. [Laughter].

10 Senator Jeffords. You all can put statements in the
11 record.

12 The Chairman. Everyone can put statements in the
13 record.

14 Senator Jeffords. Thank you.

15 The Chairman. Gentlemen, thank you. The committee
16 is in recess.

17 [Whereupon, at 10:46 a.m., the meeting was
18 concluded.]

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