

1 EXECUTIVE COMMITTEE MEETING TO CONSIDER THE NOMINATIONS
2 OF PATRICIA MONTOYA TO BE COMMISSIONER ON CHILDREN, YOUTH
3 AND FAMILIES FOR THE DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES; AND DAVID WILLIAMS, TO BE INSPECTOR GENERAL FOR
5 THE DEPARTMENT OF TREASURY
6 THURSDAY, OCTOBER 9, 1998
7 U.S. Senate,
8 Committee on Finance,
9 Washington, DC.

10 The meeting was convened, pursuant to notice, at
11 10:12 a.m., in room S-216, The Capitol Building, Hon.
12 William V. Roth, Jr. (Chairman of the Committee)
13 presiding.

Gilmour

14 Also present: Senators Chafee, Hatch, D'Amato, Hatch,
15 Nickles, Mack, Moynihan, Baucus, Rockefeller, Breaux,
16 Conrad, Graham, and Kerrey.

17 Also present: Franklin G. Polk, Staff Director and
18 Chief Counsel; Mark A. Patterson, Minority Staff Director
19 and Chief Counsel.

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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 come to
6 order.

7 Since we now have a quorum present, if there are no
8 objections I would like the committee to go into
9 Executive Session, and I move that we report favorably
10 the nomination of Patricia Montoya to be Commissioner of
11 Children, Youth and Families for the Department of Health
12 and Human Services.

13 Senator Graham. So moved.

14 The Chairman. If there are no objections, I move
15 the nomination be reported on. All in favor, say aye.

16 [Chorus of ayes].

17 The Chairman. Those opposed, nay.

18 [No response].

19 The Chairman. The ayes have it.

20 Senator Breaux. Is a Tax Code amendment in order?

21 The Chairman. No.

22 Senator Nickles. Senator Breaux and I have an
23 amendment to cut payroll taxes two percent.

24 The Chairman. The nomination is going to be
25 reported. If there are no objections, I move David

1 Williams to be Inspector General for the Department of
2 the Treasury.

3 If there are no objections, I move that the
4 nomination be reported favorably to the Senate. All in
5 favor, say aye.

6 [Chorus of ayes].

7 The Chairman. Those opposed, say nay.

8 Senator Murkowski. Nay.

9 The Chairman. The ayes have it. The nomination is
10 ordered to be reported.

11 Senator Baucus. Thank you, Mr. Chairman.

12 The Chairman. Thank you.

13 Senator Moynihan. Mr. Chairman, I believe this is
14 the last meeting we will have in this Congress, and I
15 would like to make a motion of gratitude for the
16 courtesy, graciousness, thoughtfulness and intelligence
17 with which you have led us through this not-always-
18 agreeable Congress.

19 Senator Nickles. Is that a debatable motion?

20 [Laughter].

21 [Applause].

22 The Chairman. Thank you.

23 Senator Breaux. What about the extenders?

24 The Chairman. Well, the House is marking the bill
25 up and I expect they will report it.

1 Senator Kerrey. As I understand it, Chairman Archer
2 has been willing to take any of the things that we want
3 to add to it. We basically are going to rubber stamp the
4 Ways and Means Committee, or are we going to mark-up?

5 Senator Moynihan. Nothing.

6 The Chairman. Well, I think at this stage it would
7 be very hard to have a mark-up.

8 Senator Moynihan. Could we not amend and send it
9 back?

10 The Chairman. Pat, why don't you and I chat further
11 on this?

12 Senator Nickles. The amendment sent back?

13 Senator Breaux. Yes, sure. I hope we do that, put
14 it back on the calendar.

15 Senator Chafee. Mr. Chairman, what about the home
16 health problem that you were trying to straighten out?
17 It was not perfect, but there was some progress forward.

18 The Chairman. Well, we are still working at it, but
19 there are problems with the pay-for, as I understand it,
20 so we are running into problems. I think we came up with
21 a very good proposition, to be honest about it.

22 Senator Chafee. Are we working off of a House
23 document? Is that where things stand?

24 The Chairman. Well, the House has been working on
25 their own thing, but you have joint jurisdiction. You

1 have Commerce, and you have Ways and Means, and they have
2 not been too close together.

3 I think everybody that has looked at it thinks our
4 proposal is the one that makes sense.

5 Senator Chafee. Well, I just wanted to register
6 that it is a very serious matter.

7 The Chairman. Well, we have worked very, very hard
8 on it..

9 Senator Chafee. I appreciate that, but I would hope
10 we would not drop the ball now, since we are getting so
11 close to adjournment.

12 The Chairman. They are still working on it.

13 Senator Chafee. Thank you.

14 Senator Nickles. But the emphasis of it is on
15 delaying the 15 percent assessment until next year? It
16 is delayed after one year?

17 Senator Breaux. To make some adjustments.

18 Senator Nickles. Is there a problem on the pay for?

19 Senator Breaux. Oh. The pay-for is to extend the
20 same thing, nursing homes that we have for hospitals, on
21 the question of writing off bad debts----

22 The Chairman. I think this is a very----

23 Senator Breaux. [Continued]. With the intent of
24 it being the intent when we pay them the first time. So,
25 they should not be complaining about it.

1 Senator Nickles. The complaints on that cannot
2 compare to the complaints on home health.

3 Senator Murkowski. If you get the House to agree,
4 are we going to have a chance to vote it down then and
5 see where we are going?

6 The Chairman. No.

7 Senator Mack. My concern is that Chairman Archer
8 wants his proposal, because basically it told us to
9 forget the things that we are interested in. I am not
10 comfortable with that and I think that we ought to assert
11 our prerogatives in this battle.

12 [Chorus of hear, hear].

13 Senator Kerrey. I vote aye.

14 Senator Breaux. When will we have a chance to look
15 at it?

16 The Chairman. The two matters we have completed.
17 Thank you very much. I appreciate it.

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

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