

(2) commends the President on the issuance of his proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities that publicly reaffirm our gratitude and respect for older Americans.

Mr. CRAIG. Mr. President, I rise today to submit a resolution honoring May as Older Americans' Month.

I am here today to celebrate May as Older Americans' Month. Since 1963, May has been the official month during which we pay tribute to the contributions of our 47 million older Americans. It is during this month that we, as a Nation, recognize older Americans for their service, hard work and sacrifice that helped assure us the freedom and security which we continue to cherish.

This year's theme of "Aging Well, Living Well" reflects the lifestyle and attitude of today's older Americans. Not only should we take this time to show our appreciation and respect for America's seniors, but also to acknowledge that seniors of today and tomorrow will continue making significant contributions to our communities through their wisdom and experience, in the workplace, in civic leadership and in our homes. They gave, they give, and they will continue to give to this country.

I am committed to working hard on behalf of our seniors. As the Chairman of the Senate Special Committee on Aging, we have pursued an ambitious agenda. The committee has examined issues including the Medicare law, long-term care policy, internet fraud, Social Security, assistive technology, the Older Americans Act, and healthy aging.

In addition, this year I believe we have special reason to celebrate. Last year, Congress passed the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. I am especially pleased that we are now able to provide prescription drug benefits to those seniors most in need. This is an important step in putting Medicare on a more modern and secure footing as the 77-million-strong Baby Boomer generation moves closer to retirement age.

Our commitment to America's seniors must continue beyond this one month of special recognition. With reauthorization of the Older Americans' Act on the horizon, we have an opportunity to focus on the needs of today's seniors, and the challenges that the baby boomer generation will bring. It is also an opportunity to design an act that promotes seamlessness and one that works well with other programs and initiatives to promote non-institutional care, maximizing successful outcomes, and empower older Americans to optimize autonomy and independence and one that promotes "Aging Well and Living Well."

Seniors are living longer, healthier, and more productive lives than any other time in our history. In the tradition of Older Americans' Month, I am submitting a resolution in the Senate

calling on the people of the United States to observe the month of May 2004 as Older Americans' Month and to encourage all Americans to promote awareness through ceremonies, programs, and other activities that promote respect acknowledgment, gratitude, and respect for American seniors.

I ask all of you to celebrate with me Older Americans' Month this May.

SENATE RESOLUTION 354—EXPRESSING THE SENSE OF THE SENATE THAT THE ABU GHRAIB PRISON MUST BE DEMOLISHED TO UNDERSCORE THE UNITED STATES' ABHORRENCE OF THE MISTREATMENT OF PRISONERS IN IRAQ

Mr. CRAIG (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the Abu Ghraib prison was used by Saddam Hussein to execute and torture thousands of men, women, and children;

Whereas Saddam and his Special Security Organization oversaw the execution of thousands of political prisoners;

Whereas the Abu Ghraib prison is notoriously known as a death chamber by the Iraqi people;

Whereas the Abu Ghraib prison is arguably the largest and most feared prison in the Arab world;

Whereas it is widely known that one of Saddam's sons, in one day, ordered the execution of 3000 prisoners at the prison;

Whereas the recent reports of atrocities and abhorrent mistreatment of Iraqi prisoners at the Abu Ghraib prison are un-American, do not represent our values, and have sent the wrong message about the United States' intentions in Iraq;

Whereas the American people will not tolerate the mistreatment of Iraqi prisoners;

Whereas the American people view this prison as a symbol of evil, and where past cruel torture and mistreatment occurred;

Whereas the American people would like to rid the world of this evil place where past, and unfortunately current reported mistreatment has occurred; Now, therefore, be it

Resolved, That it is the sense of the Senate that the Abu Ghraib prison, also known as the Baghdad Central Detention Center, be completely demolished as an expression and symbolic gesture that the American people will not tolerate the past and current mistreatment of prisoners.

SENATE RESOLUTION 355—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 355

Whereas, the Committee on Commerce, Science, and Transportation has been conducting an inquiry into the potential use of banned performance-enhancing drugs by U.S. Olympic sport athletes;

Whereas, the Committee has received requests from both the U.S. Olympic Committee and the U.S. Anti-Doping Agency that the latter gain access to records of the Committee's inquiry;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Commerce, Science, and Transportation, acting jointly, are authorized to provide to the U.S. Anti-Doping Agency the documents subpoenaed by the Committee regarding the potential use of banned performance-enhancing drugs by U.S. Olympic sport athletes.

SENATE CONCURRENT RESOLUTION 104—EXPRESSING THE SENSE OF CONGRESS THAT KIDS LOVE A MYSTERY IS A PROGRAM THAT PROMOTES LITERACY AND SHOULD BE ENCOURAGED

Ms. MIKULSKI (for herself and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 104

Whereas knowledge, wisdom, and children are the greatest assets of a democracy;

Whereas books enable one generation to pass on its knowledge and wisdom to the next;

Whereas learning to read is one of the greatest privileges the Nation extends to its children;

Whereas children most often choose mysteries as their favorite books;

Whereas the Mystery Writers of America sponsors Kids Love a Mystery, an outreach program designed to bring mystery writers and children together to encourage literacy and the love of reading; and

Whereas the Mystery Writers of America recognizes the value in celebrate the importance of reading for children: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) Kids Love a Mystery is a program that helps promote literacy and reading and should be supported and encouraged; and

(2) the President should issue a proclamation encouraging the people of the United States and interested groups to promote Kids Love a Mystery with appropriate programs and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3119. Mr. GRASSLEY proposed an amendment to the bill S. 622, to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children, and for other purposes.

SA 3120. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation

rules of the United States, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3119. Mr. GRASSLEY proposed an amendment to the bill S. 622, to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; AMENDMENTS TO SOCIAL SECURITY ACT; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Family Opportunity Act of 2004” or the “Dylan Lee James Act”.

(b) **AMENDMENTS TO SOCIAL SECURITY ACT.**—Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Social Security Act.

(c) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; amendments to Social Security Act; table of contents.
- Sec. 2. Opportunity for families of disabled children to purchase medicaid coverage for such children.
- Sec. 3. Treatment of inpatient psychiatric hospital services for individuals under age 21 in home or community-based services waivers.
- Sec. 4. Development and support of family-to-family health information centers.
- Sec. 5. Restoration of medicaid eligibility for certain SSI beneficiaries.

SEC. 2. OPPORTUNITY FOR FAMILIES OF DISABLED CHILDREN TO PURCHASE MEDICAID COVERAGE FOR SUCH CHILDREN.

(a) **STATE OPTION TO ALLOW FAMILIES OF DISABLED CHILDREN TO PURCHASE MEDICAID COVERAGE FOR SUCH CHILDREN.**—

(1) **IN GENERAL.**—Section 1902 (42 U.S.C. 1396a) is amended—

(A) in subsection (a)(10)(A)(ii)—

(i) by striking “or” at the end of subclause (XVII);

(ii) by adding “or” at the end of subclause (XVIII); and

(iii) by adding at the end the following new subclause:

“(XIX) who are disabled children described in subsection (cc)(1);” and

(B) by adding at the end the following new subsection:

“(cc)(1) Individuals described in this paragraph are individuals—

“(A) who have not attained 18 years of age;

“(B) who would be considered disabled under section 1614(a)(3)(C) but for having earnings or deemed income or resources (as determined under title XVI for children) that exceed the requirements for receipt of supplemental security income benefits; and

“(C) whose family income does not exceed such income level as the State establishes and does not exceed—

“(i) 250 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; or

“(ii) such higher percent of such poverty line as a State may establish, except that—

“(I) any medical assistance provided to an individual whose family income exceeds 250 percent of such poverty line may only be provided with State funds; and

“(II) no Federal financial participation shall be provided under section 1903(a) for any medical assistance provided to such an individual.”.

(2) **INTERACTION WITH EMPLOYER-SPONSORED FAMILY COVERAGE.**—Section 1902(cc) (42 U.S.C. 1396a(cc)), as added by paragraph (1)(B), is amended by adding at the end the following new paragraph:

“(2)(A) If an employer of a parent of an individual described in paragraph (1) offers family coverage under a group health plan (as defined in section 2791(a) of the Public Health Service Act), the State shall—

“(i) require such parent to apply for, enroll in, and pay premiums for, such coverage as a condition of such parent’s child being or remaining eligible for medical assistance under subsection (a)(10)(A)(ii)(XIX) if the parent is determined eligible for such coverage and the employer contributes at least 50 percent of the total cost of annual premiums for such coverage; and

“(ii) if such coverage is obtained—

“(I) subject to paragraph (2) of section 1916(h), reduce the premium imposed by the State under that section in an amount that reasonably reflects the premium contribution made by the parent for private coverage on behalf of a child with a disability; and

“(II) treat such coverage as a third party liability under subsection (a)(25).

“(B) In the case of a parent to which subparagraph (A) applies, a State, subject to paragraph (1)(C)(ii), may provide for payment of any portion of the annual premium for such family coverage that the parent is required to pay. Any payments made by the State under this subparagraph shall be considered, for purposes of section 1903(a), to be payments for medical assistance.”.

(b) **STATE OPTION TO IMPOSE INCOME-RELATED PREMIUMS.**—Section 1916 (42 U.S.C. 1396o) is amended—

(1) in subsection (a), by striking “subsection (g)” and inserting “subsections (g) and (h)”; and

(2) by adding at the end the following new subsection:

“(h)(1) With respect to disabled children provided medical assistance under section 1902(a)(10)(A)(ii)(XIX), subject to paragraph (2), a State may (in a uniform manner for such children) require the families of such children to pay monthly premiums set on a sliding scale based on family income.

“(2) A premium requirement imposed under paragraph (1) may only apply to the extent that—

“(A) in the case of a disabled child described in that paragraph whose family income does not exceed 250 percent of the poverty line, the aggregate amount of such premium and any premium that the parent is required to pay for family coverage under section 1902(cc)(2)(A)(i) does not exceed 7.5 percent of the family’s income; and

“(B) the requirement is imposed consistent with section 1902(cc)(2)(A)(ii)(I).

“(3) A State shall not require prepayment of a premium imposed pursuant to paragraph (1) and shall not terminate eligibility of a child under section 1902(a)(10)(A)(ii)(XIX) for medical assistance under this title on the basis of failure to pay any such premium until such failure continues for a period of not less than 60 days from the date on which the premium became past due. The State may waive payment of any such premium in any case where the State determines that requiring such payment would create an undue hardship.”.

(c) **CONFORMING AMENDMENT.**—Section 1903(f)(4) (42 U.S.C. 1396b(f)(4)) is amended in the matter preceding subparagraph (A), by inserting “1902(a)(10)(A)(ii)(XIX),” after “1902(a)(10)(A)(ii)(XVIII).”.

(d) **RULE OF CONSTRUCTION.**—Notwithstanding any other provision of law, nothing

in the amendments made by this section shall be construed as permitting the application of the enhanced FMAP (as defined in section 2105(b) of the Social Security Act (42 U.S.C. 1397ee(b))) to expenditures that are attributable to disabled children provided medical assistance under section 1902(a)(10)(A)(ii)(XIX) of such Act (42 U.S.C. 1396a(a)(10)(A)(ii)(XIX)) (as added by subsection (a) of this section).

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to medical assistance for items and services furnished on or after October 1, 2006.

SEC. 3. TREATMENT OF INPATIENT PSYCHIATRIC HOSPITAL SERVICES FOR INDIVIDUALS UNDER AGE 21 IN HOME OR COMMUNITY-BASED SERVICES WAIVERS.

(a) **IN GENERAL.**—Section 1915(c) (42 U.S.C. 1396n(c)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting “, or would require inpatient psychiatric hospital services for individuals under age 21,” after “intermediate care facility for the mentally retarded”; and

(B) in the second sentence, by inserting “, or would require inpatient psychiatric hospital services for individuals under age 21” before the period;

(2) in paragraph (2)(B), by striking “or services in an intermediate care facility for the mentally retarded” each place it appears and inserting “services in an intermediate care facility for the mentally retarded, or inpatient psychiatric hospital services for individuals under age 21”; and

(3) in paragraph (2)(C)—

(A) by inserting “, or who are determined to be likely to require inpatient psychiatric hospital services for individuals under age 21,” after “, or intermediate care facility for the mentally retarded”; and

(B) by striking “or services in an intermediate care facility for the mentally retarded” and inserting “services in an intermediate care facility for the mentally retarded, or inpatient psychiatric hospital services for individuals under age 21”; and

(4) in paragraph (7)(A)—

(A) by inserting “or would require inpatient psychiatric hospital services for individuals under age 21,” after “intermediate care facility for the mentally retarded,”; and

(B) by inserting “or who would require inpatient psychiatric hospital services for individuals under age 21” before the period.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) apply with respect to medical assistance provided on or after October 1, 2006.

SEC. 4. DEVELOPMENT AND SUPPORT OF FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501 (42 U.S.C. 701) is amended by adding at the end the following new subsection:

“(c)(1)(A) For the purpose of enabling the Secretary (through grants, contracts, or otherwise) to provide for special projects of regional and national significance for the development and support of family-to-family health information centers described in paragraph (2)—

“(i) there is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated—

“(I) \$3,000,000 for fiscal year 2006;

“(II) \$4,000,000 for fiscal year 2007; and

“(III) \$5,000,000 for fiscal year 2008; and

“(ii) there is authorized to be appropriated to the Secretary, \$5,000,000 for each of fiscal years 2009 and 2010.

“(B) Funds appropriated or authorized to be appropriated under subparagraph (A) shall—