

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL (for himself, Mr. DURBIN, Mr. BOND, Mr. HOLLINGS, Mr. KERRY, Mr. BUNNING, Mr. BIDEN, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. GRASSLEY, Mr. DOMENICI, Ms. COLLINS, Mr. BURNS, Mr. INHOPE, Mr. TALENT, Mr. BENNETT, Mr. JOHNSON, Mr. LUGAR, Ms. CANTWELL, Mr. CRAPO, Mr. DASCHLE, Mr. DAYTON, Mr. CORZINE, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. SMITH, Mr. FEINGOLD, Mr. ALLEN, Mr. INOUE, Mr. ENZI, Mr. LIEBERMAN, Mr. WYDEN, and Mr. DODD):

S. Res. 357. A resolution designating the week of August 8 through August 14, 2004, as "National Health Center Week"; to the Committee on the Judiciary.

By Mr. DASCHLE (for himself, Mr. GRAHAM of Florida, Mr. KENNEDY, Ms. STABENOW, Mr. KERRY, Mr. DURBIN, Mr. CORZINE, Mr. LAUTENBERG, Mrs. MURRAY, Mr. INOUE, Mr. DAYTON, Mr. JOHNSON, Mr. LEVIN, Mr. WYDEN, Mr. EDWARDS, Mrs. BOXER, Mr. FEINGOLD, Mr. JEFFORDS, Mr. BINGAMAN, and Mr. LEAHY):

S. Res. 358. A resolution expressing the sense of the Senate that no later than December 31, 2006, legislation should be enacted to provide every individual in the United States with the opportunity to purchase health insurance coverage that is the same as, or is better than, the health insurance coverage available to members of Congress, at the same or lower rates; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COLEMAN:

S. Res. 359. A resolution designating the week of April 11 through April 17, 2004, as "Free Enterprise Education Week"; considered and agreed to.

By Mr. LIEBERMAN:

S. Con. Res. 107. A concurrent resolution; considered and agreed to.

By Mr. LIEBERMAN (for himself, Mrs. LINCOLN, and Mr. WYDEN):

S. Con. Res. 108. A concurrent resolution supporting the goals and ideals of Tinnitus Awareness Week; considered and agreed to.

ADDITIONAL COSPONSORS

S. 983

At the request of Mr. CHAFEE, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 983, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 985

At the request of Mr. DODD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 985, a bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas, and for other purposes.

S. 1036

At the request of Mr. ALLARD, the name of the Senator from Minnesota

(Mr. COLEMAN) was added as a cosponsor of S. 1036, a bill to provide for a multi-agency cooperative effort to encourage further research regarding the causes of chronic wasting disease and methods to control the further spread of the disease in deer and elk herds, to monitor the incidence of the disease, to support State efforts to control the disease, and for other purposes.

S. 1420

At the request of Mr. CRAIG, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1420, a bill to establish terms and conditions for use of certain Federal land by outfitters and to facilitate public opportunities for the recreational use and enjoyment of such land.

S. 1645

At the request of Mr. CRAIG, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1645, a bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H-2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers, and for other purposes.

S. 1726

At the request of Mr. ALEXANDER, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1726, a bill to reduce the preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 1734

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1734, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the Medicaid and State children's health insurance programs, and for other purposes.

S. 1755

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1755, a bill to amend the Richard B. Russell National School Lunch Act to provide grants to support farm-to-cafeteria projects.

S. 1792

At the request of Mr. DOMENICI, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1792, a bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 1867

At the request of Mr. JEFFORDS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1867, a bill to amend the Solid Waste Disposal Act to encourage greater recycling of certain beverage containers through the use of deposit refund incentives.

S. 1909

At the request of Mr. COCHRAN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1909, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1934

At the request of Mr. NICKLES, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1934, a bill to establish an Office of Inter-country Adoptions within the Department of State, and to reform United States laws governing inter-country adoptions.

S. 2062

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2062, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

S. 2212

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2212, a bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries.

S. 2237

At the request of Mr. LEAHY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2237, a bill to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General, and for other purposes.

S. 2275

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2275, a bill to amend the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) to provide for homeland security assistance for high-risk nonprofit organizations, and for other purposes.

S. 2318

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2318, a bill to expand upon the Department of Defense Energy Efficiency Program required by section 317 of the National Defense Authorization Act of 2002 by authorizing the Secretary of Defense to enter into energy savings performance contracts, and for other purposes.

S. 2351

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2351, a bill to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council, and for other purposes.

S. 2363

At the request of Mr. HATCH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2363, a bill to revise and extend the Boys and Girls Clubs of America.

S. 2376

At the request of Mr. BUNNING, the names of the Senator from Illinois (Mr. FITZGERALD), the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2376, a bill to amend the Internal Revenue Code of 1986 to repeal the scheduled restrictions in the child tax credit, marriage penalty relief, and 10 percent rate bracket, and for other purposes.

S. RES. 349

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 349, a resolution recognizing and honoring May 17, 2004, as the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education of Topeka*.

AMENDMENT NO. 3114

At the request of Ms. CANTWELL, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. CORZINE) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 3114 proposed to S. 1637, a bill 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.

AMENDMENT NO. 3123

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 3123 proposed to S. 1637, a bill 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mrs. LINCOLN, Mr. DASCHLE, Mr. LAUTENBERG, Ms. STABENOW, Mr. KENNEDY, and Mrs. CLINTON):

S. 2413. A bill to amend title XVIII of the Social Security Act to provide for the automatic enrollment of medicaid beneficiaries for prescription drug benefits under part D of such title, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, today I am introducing legislation entitled the "Medicare Assurance of Rx Transitional Assistance Act of 2004" with Senators LINCOLN, DASCHLE, LAUTENBERG, STABENOW, KENNEDY, and CLINTON. The bill would assure that all 700,000 low-income seniors and people with disabilities who are currently enrolled in a Medicare Savings Program (MSP) receive the \$600 in transitional assistance in 2005 and 2006 available to them through passage of last year's Medicare prescription drug bill.

On April 2, 2004, I wrote a letter with 10 other senators to Health and Human Services Department Secretary Tommy Thompson urging his department to automatically enroll all MSP beneficiaries, which are those low-income people currently enrolled in State Medicaid programs to assist them with Medicare out-of-pocket expenses, into a Medicare drug discount card in order to receive the \$600 subsidy available under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA).

In light of the fact that there is growing evidence that the savings offered via the drug discount card may be either minimal or illusory, the only clear benefit is the \$600 in transitional assistance that is offered to individuals whose income is less than \$12,569 this year or to married couples whose income is less than \$16,862. For those MSP beneficiaries who do not have prescription drug coverage, they clearly meet the income criteria under the act and their automatic enrollment is the only way to assure that they will receive the \$600 subsidy that was intended for them.

When the prescription drug bill was passed, the administration claimed that they would enroll 65 percent of those eligible for the \$600 in transitional assistance into the drug discount card. According to the Centers for Medicare and Medicaid Services, or CMS, the agency expects a total of 5 million of the 7 million eligible to enroll, including 29,000 of the estimated 45,000 in New Mexico who would be eligible. Under CMS's assumptions, these beneficiaries would save a total of \$5 billion nationally and \$35 million in New Mexico over the 2-year period.

Unfortunately, due to a poor advertising campaign which has been criticized by the General Accounting Office where ads have run in Capitol Hill newspapers such as Roll Call and The Hill, which are not normally subscribed to by low-income senior citizens or people with disabilities, very few people even know the \$600 subsidy exists. According to a recent national survey by the Kaiser Family Foundation, only 18 percent of senior citizens are aware

that the low-income transitional assistance program was included in the Medicare prescription drug bill. It is hard to believe that 65 percent of those eligible will enroll when less than one-fifth of them even know it exists.

Fortunately, CMS has already laid the groundwork for auto-enrollment, as just two weeks ago the agency issued guidance for how state pharmacy assistance programs, or SPAPs, can automatically enroll their members who have income below 135 percent of poverty in the low-income assistance. Second, CMS created a standardized enrollment form for low-income assistance to be accepted by all companies offering Medicare drug discount cards. Now, CMS can take a third step to automatically enroll MSP members who do not have prescription drug coverage.

Although I believe CMS has the authority to take this third step on its own, the legislation I am introducing today would clarify and ensure low-income seniors and people with disabilities receive the transitional assistance promised them by the Administration and Congress. As the Medicare Rights Center asks, "Given their definite eligibility and clear need for help to pay for their prescription drugs, why not save these people and the government the hassle of application and automatically enroll them?"

Some in CMS have argued that this might somehow limit the "choice" of a low-income Medicare beneficiary, this stated concern is inaccurate, however. As the Medicare Rights Center adds, "Nothing would prevent members of MSPs from voluntarily enrolling in the low-income assistance and picking a drug discount card before automatic enrollment began. Even once enrolled in the transitional assistance, individuals would enjoy access to the same broad range of prescription drugs, since the \$600 in annual assistance is not limited to the medicines on any specific card's formulary."

As for the value of having the "choice" of choosing among the 73 competing drug cards, that is far less valuable than insuring that people get the \$600 subsidy. According to a story in this morning's New York Times entitled "73 Options for Medicare Plan Fuel Chaos, Not Prescriptions," that highlights that for many retirees the plethora of discount cards is complicated, overwhelming, and not too helpful. Florence Daniels, an 85-year-old retired engineer, says she cannot use the government website to compare drug costs because she cannot afford a computer. She said, "I'm trying to absorb all the information, but it's ridiculous. Not just ridiculous, it's scary. If there was a single card and it was administered by Medicare, and it got the cost of drugs down—wonderful, marvelous. But with these cards, the only thing we know is that we'll have to pay money to other people to administer what we can get and can't get."