

this Nation, and we want to continue to do so. We are not asking for a hand-out but a hand up. We are not asking for charity. We are asking for a portion of the taxes we pay, a portion of the money we send to the national Government, to be redirected, to give us the security for our coast and our hurricane protection that we warrant and the industries this infrastructure protects warrant for the benefit of not just the 4.5 million people who live in the State of Louisiana, and the 3 million-plus people who live in Mississippi, but which protect and support the almost 300 million people who live in the United States of America.

So these two bills are very important. I look forward to working on them when we get back.

The second bill is a bill where we picked up an idea from the New York situation, 9/11—a terrible situation that is still seared into our memory and our collective conscience.

There were some real problems with housing following the destruction of that neighborhood. This second bill I have introduced would allow FEMA to extend some of their rental and housing programs to give some immediate help to families who find themselves unable to recover their equity for whatever reason out of the houses they have that are uninhabitable but who have to find a decent place to live so they can rebuild and regroup. That bill will address that situation.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation that will help ensure beneficiaries who are eligible for both Medicare and Medicaid, the so-called “dual-eligibles,” make a smooth and successful transition from Medicaid prescription drug coverage to Medicare Part D.

The 6.4 million seniors and disabled Americans who are dually eligible are the most vulnerable members of an already vulnerable population. They are the poorest of the elderly, with incomes of less than \$10,000 per year. And they are the sickest of the elderly, with approximately 25 percent residing in a long-term care facility. They have significant health care needs, have often been diagnosed with multiple chronic conditions, and are in greatest danger of being affected by poor implementation of Medicare’s new prescription drug benefit.

On November 15, beneficiaries began signing up for Medicare Part D prescription drug plans, and on January 1, the drug benefit actually begins. But this date does not only mark the beginning of a new Medicare drug benefit. For the 6.4 million dual eligibles, January 1 is also the day that they stop receiving a Medicaid drug benefit.

I voted against the Medicare bill when it was before the Senate in 2003 and we are all well aware of the many flaws and shortcomings: the insurance company slush fund, the “donut hole,” the prohibition on the Government negotiating for lower drug costs and on the safe importation of prescription medications, among others.

But the short timeframe in which dual eligibles have to complete this transition is one of the most worrisome.

There are only 6 weeks between the time when seniors began signing up for the new drug plans, and the date when Medicaid coverage ceases. That means that dual eligibles—the poorest and sickest portion of the Medicare population—have very little time in which to accurately balance the benefits and drawbacks of their prescription drug plan choices.

We’re giving most seniors 6 months to consider their options of a prescription drug plan, but we’re giving the most vulnerable only 6 weeks.

While it would be my preference that the existence of a Medicaid drug benefit be extended beyond January 1 to provide adequate time for the transition, Republicans in Congress have blocked legislation that would do this, leaving these individuals without coverage if their transition from Medicaid to Medicare doesn’t happen before the end of the year.

In response to the concern over the short implementation period, CMS announced that it will automatically enroll dual eligibles in a randomly chosen prescription drug plan by January 1, 2006.

CMS reports that at the end of November they had automatically enrolled over 5 million of the 6.4 million dually eligible beneficiaries in a Medicare Part D plan. But this leaves more than 1 million of our poorest and sickest vulnerable to falling through the cracks if they are not enrolled in a Medicare Part D plan in the next several weeks.

CMS Administrator Mark McClellan has himself said that some dual eligibles may not be auto-enrolled before January 1, when their Medicaid drug benefit ceases to exist. In fact, if CMS is able to auto-enroll 95 percent of all dual eligibles, more than 300,000 would still be left without prescription drug coverage and access to critical medications. At 98 percent enrollment, almost 130,000 would be left without coverage. These are unacceptable numbers.

In light of growing concern that some dual eligible beneficiaries will arrive at their pharmacy counter on January 1 without coverage, CMS has announced a procedure to allow pharmacies to fill the prescription and a contractor to follow up with the beneficiary to facilitate enrollment in a Part D plan.

While I am glad that CMS has taken this step, I am concerned that pharmacies will not be aware of this option and some beneficiaries will still fall through the cracks.

In addition, pharmacies will be charged a transaction fee if they use this procedure and electronically inquire about the status of a beneficiary that comes to their pharmacy counter and isn’t sure what coverage they have or if they have coverage at all.

The legislation I am introducing today aims to address this problem.

The Medicare Dual Eligible Identification and Enrollment Facilitation Act would require outreach and education to pharmacies, particularly independent pharmacies, and a hold harmless provision for transaction fees that pharmacies incur when they use this procedure.

It is critical that we do everything we can to ensure that our most vulnerable seniors do not fall through the cracks and the pharmacies across the country are now our last line of defense. Helping them help these beneficiaries and eliminating fees they incur for doing so are simple but critical steps we should take to ensure that not a single dual eligible beneficiary is left without prescription drug coverage.

I urge speedy passage of the Medicare Dual Eligible Identification and Enrollment Facilitation Act.

By Mr. KENNEDY (for himself, Mr. ROCKEFELLER, and Mr. REID):

S. 2175. A bill to require the submittal to Congress of any Presidential Daily Briefing relating to Iraq during the period beginning on January 20, 1997, and ending on March 19, 2003; to the Select Committee on Intelligence.

S. 2175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUBMITTAL TO CONGRESS OF CERTAIN PRESIDENTIAL DAILY BRIEFINGS ON IRAQ.

(a) IN GENERAL.—The Director of National Intelligence shall submit to the congressional intelligence committees any Presidential Daily Briefing (PDB), or any portion of a Presidential Daily Briefing, of the Director of Central Intelligence during the period beginning on January 20, 1997, and ending on March 19, 2003, that refers to Iraq or otherwise addresses Iraq in any fashion.

(b) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term “congressional intelligence committees” means—

- (1) the Select Committee on Intelligence of the Senate; and
- (2) the Permanent Select Committee on Intelligence of the House of Representatives.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 342—RECOGNIZING THE REPUBLIC OF CROATIA FOR ITS PROGRESS IN STRENGTHENING DEMOCRATIC INSTITUTIONS, RESPECT FOR HUMAN RIGHTS, AND THE RULE OF LAW AND RECOMMENDING THE INTEGRATION OF CROATIA INTO THE NORTH ATLANTIC TREATY ORGANIZATION

Mr. VOINOVICH (for himself, Mr. HAGEL, and Mr. BIDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 342

Whereas the United States recognized the Republic of Croatia on April 7, 1992, acknowledging the decision of the people of Croatia

to live in an independent, democratic, and sovereign country;

Whereas since achieving their independence, the people of Croatia have dedicated themselves to building a functioning democratic society, based on the rule of law, respect for human rights, and a free market economy;

Whereas Croatia has made progress in judicial reform and has adopted a judicial reform strategy;

Whereas Croatia has demonstrated a desire to protect minority rights and promote a viable multiethnic society;

Whereas, in 2002, Croatia adopted the Constitutional Law on the Rights of National Minorities, ensuring the representation of minorities in the Parliament of Croatia and the establishment of the councils of national minorities;

Whereas the Government of Croatia has concluded specific bilateral agreements on the protection of minority rights with Hungary, Italy, and Serbia and Montenegro and has concluded an agreement on cooperation with representatives of the Independent Democratic Serb Party in the Parliament of Croatia;

Whereas three prominent members of the Parliament of Croatia, Ratko Gajica, Milorad Pupovac, and Vojislav Stanimirovic, who represent the Serb minority, sent a letter to the Assistant to the President for National Security Affairs, Stephen Hadley, expressing their support for the Prime Minister of Croatia, Ivo Sanader, and for Croatia's path toward membership in the European Union and in the North Atlantic Treaty Organization ("NATO");

Whereas Croatia has shown dedication to advancing the return, reconstruction, and restitution of property in Croatia;

Whereas Croatia has proven to be a reliable partner of the United States in seeking the stabilization of the region;

Whereas Croatia participated in the Iraq International Conference held in Brussels on June 22, 2005, and offered to train and educate nationals of Iraq at universities in Croatia;

Whereas Croatia is taking part in the training of Iraqi security forces at the International Training Center in Jordan and has offered to train additional security personnel for Iraq in Croatia;

Whereas Croatia has been a partner in the war against terrorism, sent troops to Afghanistan as part of the NATO-led International Security Assistance Force in support of the war against terrorism in 2002, and has provided civilians to staff the Provincial Reconstruction Team under the leadership of NATO in Fayzabad;

Whereas, during July 2005, Croatia adopted a decision to triple its military presence in the International Security Assistance Force;

Whereas Croatia has endorsed and is participating in the Proliferation Security Initiative with like-minded nations across the world to prevent the flow of weapons of mass destruction, missile systems, and related material;

Whereas, on June 1, 2005, Croatia was the fourth nation to sign the Proliferation Security Initiative Shipboarding Agreement with the United States to prevent the maritime transfer of dangerous shipments of weapons or other illicit materials to keep such weapons and materials out of the hands of dangerous actors and terrorists;

Whereas, since Croatia has become an independent country, the United States has shown support for Croatia in many ways, including by providing Croatia with economic

and military assistance that has contributed significantly to the progress and continued success occurring in Croatia;

Whereas the United States has encouraged Croatia's transformation and the future membership of Croatia in NATO;

Whereas a whole and free Europe cannot be fully achieved without the integration into NATO of all countries that share the common values of democracy, the rule of law, and respect for human rights;

Whereas the Membership Action Plan developed for NATO, which was launched in April 1999, is a program of assistance that provides both goals and a roadmap for countries aspiring to membership in NATO;

Whereas Croatia was invited into the Membership Action Plan in May 2002 and has made substantial progress toward the achievement of the reforms required for receiving an invitation to start accession talks with NATO;

Whereas the United States, Croatia, Albania, and Macedonia are signatories to the United States-Adriatic Charter for Partnership, which promotes Euro-Atlantic integration and commits the signatory nations to the values and principles of NATO and to membership in NATO at the earliest possible time;

Whereas Croatia supports regional cooperation as a means of bringing stability to Europe, particularly Southeast Europe, and has cooperated with the countries that neighbor Croatia to promote such stability, including providing technical and other assistance to countries that seek membership in the European Union;

Whereas, on October 3, 2005, the European Union decided to open accession negotiations with Croatia based on the assessment of the European Union's Council of Ministers that Croatia met the political and economic criteria for candidacy in the European Union, including that Croatia was fully cooperating with the International Criminal Tribunal for the former Yugoslavia;

Whereas the cooperation between the Government of Croatia and the Tribunal improved significantly under Prime Minister Ivo Sanader;

Whereas, since November 2003, Croatia has handed over to the Tribunal eleven individuals indicted for war crimes;

Whereas the cooperation of the Government of Croatia with the Tribunal assisted in the arrest of Ante Gotovina on December 8, 2005, in Spain and his transfer to the Tribunal on December 10, 2005;

Whereas the success of the Government of Croatia in bringing war criminals to justice demonstrates the commitment of the Government to move Croatia toward a brighter future of peace, stability, and prosperity for its people; and

Whereas Croatia shares the common interests and values of the free and democratic world: Now, therefore, be it

Resolved, That—

(1) since the Republic of Croatia became an independent country, the Government and people of Croatia have made significant progress in strengthening democratic institutions, respect for human rights, and the rule of law in Croatia;

(2) Croatia's membership in the North Atlantic Treaty Organization ("NATO") would contribute to stability in Southeast Europe;

(3) it is the sense of the Senate that—

(A) the Government and people of Croatia should be commended for their progress on protecting minority rights in Croatia, progress toward achieving the political, economic, military, and other requirements of

NATO's Membership Action Plan, contribution to the International Security Assistance Force and the war against terrorism, and for their constructive participation in the Proliferation Security Initiative and in the United States-Adriatic Charter;

(B) the Government of Croatia should be commended for its cooperation with the International Criminal Tribunal for the former Yugoslavia which led to the apprehension and transfer of several individuals indicted for war crimes, including Ante Gotovina, to the Tribunal;

(C) the Government of Croatia should continue its cooperation with the Tribunal;

(D) the Government of Croatia should continue and strengthen its role as a partner on nonproliferation and its support in the war against terrorism and in Iraq;

(E) the Government of Croatia should continue its efforts to implement defense reforms; and

(F) the Government of the United States should continue and increase its defense and security cooperation with the Government of Croatia, including through education, training, and technical cooperation, to assist Croatia in the reform process and in fulfilling its requirements for membership in NATO; and

(4) upon complete satisfaction of the criteria for NATO membership, in accordance with NATO's guidelines, Croatia should be invited to be a full member of NATO at the earliest possible date.

SENATE RESOLUTION 343—EX-
PRESSING THE SENSE OF THE
SENATE THAT THE WEEK OF DE-
CEMBER 19, 2005 SHOULD BE DES-
IGNATED "THANK OUR DEFEND-
ERS WEEK"

Mr. SESSIONS submitted the following resolution; which was considered and agreed to:

S. RES. 343

Whereas, ever since our Nation was founded, the members of our military, Soldiers, Sailors, Airmen, Marines, Coast Guard personnel, active duty, Guard, and reserve, have played a critical role protecting America's vital interests and spreading peace throughout the world;

Whereas, more than 193,000 troops in the Persian Gulf region are courageously fighting insurgents and helping to establish democracies in Iraq and Afghanistan;

Whereas, 19,000 servicemen and service-women are stationed in Afghanistan, fighting Al-Qaeda and providing security for the people of that fledgling nation;

Whereas, over 30,000 troops are protecting American interests and maintaining peace on the Korean peninsula;

Whereas, in total, nearly 300,000 brave men and women are actively serving on the soil of 120 foreign countries and on the High Seas, fighting terrorists and making sacrifices for American citizens and families; and

Whereas, thanks to their tireless efforts, a brutal dictatorship in Iraq and an oppressive regime in Afghanistan have given way to emerging democratic societies: Now, therefore, be it

Resolved, That with gratitude it is the sense of the Senate that the week of December 19, 2005 should be designated "Thank Our Defenders Week."