

Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Reporting Requirements Update" (DFARS Case 2003-D002) received on July 7, 2003; to the Committee on Armed Services.

EC-3223. A communication from the Chief, Regulations and Procedures Division, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deletion of Federal Prison Industries Clearance Exception" (DFARS Case 2003-D006) received on July 7, 2003; to the Committee on Finance.

EC-3224. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Under Secretary of Defense (Acquisition, Technology, & Logistics) received on July 7, 2003; to the Committee on Armed Services.

EC-3225. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to the progress made by the Department in achieving the objectives and goals of the Environmental Technology Program and an overall trend analysis in research and development activities; to the Committee on Armed Services.

EC-3226. A communication from the Acting Secretary of the Navy, transmitting, notification of the intended transfer of the aircraft carrier ex-MIDWAY (CV 41) to the San Diego Aircraft Carrier Museum; to the Committee on Armed Services.

EC-3227. A communication from the President of the United States, transmitting, pursuant to law, the report relative to progress made towards achieving benchmarks for a sustainable peace process in Bosnia and Herzegovina; to the Committee on Armed Services.

EC-3228. A communication from an Administrator, Agricultural Marketing Office, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Changes in Reporting Requirements" (Doc. no. FV03-993-1 IFR) received on July 10, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3229. A communication from the Administrator, Agricultural Marketing Office, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan; et al.; Increased Assessment Rate" (doc. no. FV03-930-2 FR) received on July 10, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3230. A communication from the Administrator, Agricultural Marketing Office, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Increase in Membership on the Area No. 2 Colorado Potato Administrative Committee" (doc. no. FV03-948-1 FR) received on July 10, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3231. A communication from the Administrator, Agricultural Marketing Office, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes in Fees for Federal Meat Grading and Certification Services" (doc. no. LS-02-06) received on July 10, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3232. A communication from the Director of the Fish and Wildlife Service, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to Remove the Douglas County Population of Columbian White-tailed Deer From the Federal List of Endangered and Threatened Wildlife"

(RIN1018-AF43) received on July 9, 2003; to the Committee on Energy and Natural Resources.

EC-3233. A communication from the Director of Finance of the Capitol Historical Society, transmitting, the Society's audited financial statements for the year ended January 31, 2003; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 470. A bill to extend the authority for the construction of a memorial to Martin Luther King, Jr (Rept. No. 108-90).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with amendments:

S. 490. A bill to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California (Rept. No. 108-91).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 499. A bill to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers (Rept. No. 108-92).

S. 546. A bill to provide for the protection of paleontological resources on Federal lands, and for other purposes (Rept. No. 108-93).

S. 643. A bill to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico (Rept. No. 108-94).

S. 651. A bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes (Rept. No. 108-95).

S. 677. A bill to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, and for other purposes (Rept. No. 108-96).

S. 924. A bill to authorize the exchange of lands between an Alaska Native Village Corporation and the Department of the Interior, and for other purposes (Rept. No. 108-97).

S. 1076. A bill to authorize construction of an education center at or near the Vietnam Veterans Memorial (Rept. No. 108-98).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 255. A bill to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska (Rept. No. 108-99).

H.R. 1577. To designate the visitor center in Organ Pipe National Monument in Arizona as the "Kris Eggle Visitor Center", and for other purposes (Rept. No. 108-100).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN (for himself, Mr. SMITH, Mr. KENNEDY, Mr. LAUTENBERG, and Mr. KERRY):

S. 1394. A bill to establish a demonstration project under the medicaid program to encourage the provision of community-based services to individuals with disabilities; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. BROWNBACK):

S. 1395. A bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2004 through 2005; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mr. REID, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. KENNEDY, Mrs. MURRAY, Mr. SMITH, Mr. CORZINE, Mr. BIDEN, Mr. SARBANES, Mr. KERRY, Mr. WARNER, Mr. INOUE, Mrs. LINCOLN, Ms. STABENOW, Mr. DURBIN, Mr. CHAFFEE, Ms. COLLINS, and Mrs. BOXER):

S. 1396. A bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. DASCHLE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 16, a bill to protect the civil rights of all Americans, and for other purposes.

S. 480

At the request of Mr. HARKIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 480, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 877

At the request of Mr. BURNS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 877, a bill to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet.

S. 894

At the request of Mr. WARNER, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 894, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 899

At the request of Mrs. HUTCHISON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 899, a bill to amend title XVIII of the Social Security Act to restore the full market basket percentage increase applied to payments to hospitals for inpatient hospital services furnished to medicare beneficiaries, and for other purposes.

S. 976

At the request of Mr. WARNER, the name of the Senator from Louisiana

(Ms. LANDRIEU) was added as a cosponsor of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 977

At the request of Mr. FITZGERALD, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 977, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage from treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 982

At the request of Mrs. BOXER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 1022

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1022, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1213

At the request of Mr. SPECTER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1213, a bill to amend title 38, United States Code, to enhance the ability of the Department of Veterans Affairs to improve benefits for Filipino veterans of World War II and survivors of such veterans, and for other purposes.

AMENDMENT NO. 1202

At the request of Mr. SESSIONS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 1202 proposed to H.R. 2657, a bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself, Mr. SMITH, Mr. KENNEDY, Mr. LAUTENBERG, and Mr. KERRY):

S. 1394. A bill to establish a demonstration project under the medicaid program to encourage the provision of community-based services to individuals with disabilities; to the Committee on Finance.

Mr. HARKIN. Mr. President, today, Senator SMITH and I and others introduce the Money Follows the Person Act of 2003. This legislation is needed

to truly bring people with disabilities and older Americans into the mainstream of society and provide equal opportunity for employment and community activities.

In order to work or live in their own homes, Americans with Disabilities and older Americans need access to community-based services and supports. Unfortunately, under current Federal Medicaid policy, the deck is stacked in favor of living in an institution. The purpose of our bill is to level the playing field and give eligible individuals equal access to community-based services and supports.

Under our legislation, the Medicaid money paid by States and the Federal Government would follow the person with a disability from an institution into the community. This legislation provides 100 percent Federal reimbursement for the community services that an individual needs during the first year that they move out of an institution or nursing home. By fully reimbursing the States, it gives them some additional resources to allow people with disabilities and older Americans to choose to live in the community.

President Bush first proposed the Money Follows the Person Rebalancing Initiative in his FY '04 budget and indicated that the demonstration project would provide full Federal reimbursement for community services for the first year that an individual moves out of an institution or nursing home. As of this date, the administration has not suggested legislative language to Congress or provided specific details regarding the implementation of the proposal. Working with the disability community, we have drafted this legislation and look forward to working with the administration and our colleagues to enact the Money Follows the Person concept into law.

We have a Medicaid system in this country that is spending 70 percent of its dollars on institutional care and only 30 percent on community services. This bill is an important step toward switching those numbers around.

It is shameful that our Federal dollars are being spent to segregate people, not integrate them. It has been 13 years since we passed the Americans with Disabilities Act, which said no to segregation. But our Medicaid program says yes and we need to change it. This is the next civil rights battle. If we really meant what we said in the ADA in 1990, we should enact this legislation.

The civil right of a person with a disability to be integrated into his or her community should not depend on his or her address. In *Olmstead v. LC*, the Supreme Court recognized that needless institutionalization is a form of discrimination under the Americans with Disabilities Act. We in Congress have a responsibility to help States meet their obligations under *Olmstead*. An individual should not be asked to move to another state in order to avoid needless segregation. They also should not be

moved away from family and friends because their only choice is an institution.

For example, I know a young man in Iowa, Ken Kendall, who is currently living in a nursing home because he cannot access home and community based care. Ken was injured in a serious accident at the age of 17 and sustained a spinal chord injury. With the help of community based services covered by his insurance company, Ken could live in his home in Iowa City. Remaining independent made a tremendous difference in his life.

However, several years ago, Ken lost his health insurance and after a time, he went onto Medicaid. As a Medicaid recipient, Ken was only given the option to live in a nursing home in Waterloo almost 2 hours from his friends and family in Iowa City. In the nursing home, Ken has become isolated. He is very far from his family and friends and does not have access to transportation. He had not been to a restaurant or a movie since he moved to the nursing home over 2 years ago. His life has dramatically changed from when he lived in his own apartment and hired his own attendants to care for him.

Recently Ken wrote to me that he finally went to dinner and a movie for his 30th birthday. He said "I was almost in tears. I felt like I had a real life again."

This bill would give people like Ken a real life and not just on their birthdays. People like Ken should not have to continue waiting to be able to live in the community and enjoy the opportunities that other Americans take for granted.

Federal Medicaid policy should reflect the consensus reached in the ADA that Americans with Disabilities should have equal opportunity to contribute to our communities and participate in our society as full citizens. That means no one has to sacrifice their full participation in society because they need help getting out of the house in the morning or assistance with personal care or some other basic service.

This bill will open the door to full participation by people with disabilities and older Americans in our neighborhoods, our communities, our workplaces, and our American Dream, and I urge all my colleagues to support us on this issue. I want to thank Senator SMITH for his commitment to improving access to home and community based services for people with disabilities. I would also like to thank Senators KENNEDY, LAUTENBERG and KERRY for joining me in this important initiative.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1394

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