

States and territories will have \$10.8 billion available to provide health insurance coverage to children in 2005. It has also been estimated that States will only require \$5.3 billion in fiscal year 2005 to provide adequate coverage. Although this is true in the aggregate, this funding figure does not take into account the realities of the existing SCHIP financing system. These excess funds are concentrated in low-spending States that have not utilized their SCHIP allotments in previous years, and they are not available to States facing Federal funding shortfalls. In the absence of a fundamental alteration of the current SCHIP financing system, the aggregate funding in the program is not relevant to critical issue of whether there is adequate funding within specific States.

Lastly, it has been proposed that the Secretary of the Department of Health and Human Services has the authority to redistribute unspent allotments from fiscal year 2002 to States where Federal funding shortfalls are anticipated in fiscal year 2005. While it is encouraging that the concerns of States facing an immediate shortfall in 2005 would be alleviated under this approach, our larger concern about the long-term financial health of the SCHIP in fiscal years 2006 and 2007 persists. Eleven States would receive less in redistributed fiscal year 2002 funds under this proposal than they would otherwise receive, and they would not have access to the \$1.07 billion in federal SCHIP funds that are scheduled to expire.

The Children's Health Protection and Improvement Act addresses the long-term Federal funding shortfalls in the SCHIP program over the next 3 years. The Governors of all 50 States have endorsed our proposal and view it as a comprehensive approach to addressing the Federal SCHIP funding shortfalls that will occur prior to the program's reauthorization in fiscal year 2007. We stand ready to work with the Senate leadership and the administration to keep the SCHIP strong so that it may continue to provide critical health care coverage to uninsured children through fiscal year 2007, when a more comprehensive resolution of the formula problems can be explored.

#### ASSISTIVE TECHNOLOGY ACT OF 2004

Mr. DEWINE. Mr. President, I rise today in support of the Assistive Technology Act of 2004, which passed the Senate last week by unanimous consent on September 30, 2004. I thank Senator GREGG for his commitment to this very important issue and to my colleagues who have spent several months working on this bill.

The Assistive Technology Act is legislation that helps those individuals with disabilities receive the necessary equipment, devices, and services that allow them to live independently, improve their education, or assist with

employment opportunities. This program is open to all ages, so it may help the smallest child receive equipment that will help him or her in the classroom or older adults who may need a device to adapt their workspace so they continue on the job.

Many States, such as Ohio, offer many different services to individuals with disabilities. Successful programs—equipment exchange programs and demonstration centers, for example—help ensure that the individual needing assistance is receiving the appropriate equipment to address the obstacle he or she is trying to overcome. Programs like these and the financial loan program help provide everyone in need with the opportunity to receive and purchase the technology and devices necessary to lead productive lives.

This legislation is very important to the millions of individuals with disabilities living in the United States. Again, I thank Senator GREGG and my colleagues on the HELP Committee for working on this issue. I look forward to working with my colleagues on other legislation that will address the needs of individuals with disabilities.

I ask unanimous consent the text of three letters from groups supporting the Assistive Technology Act be printed in the RECORD.

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

DEAR CHAIRMAN GREGG AND SENATOR HARKIN: On behalf of the National Association of Assistive Technology Act Programs (ATAP), I am writing to indicate our support for the Senate's passage of HR 4278, a bill to reauthorize the Assistive Technology Act. We understand it will be "hotlined" today.

Thank you for your work to bring this process to this point. The bill allows AT programs to continue so that people with disabilities can access assistive technology devices and services. We hope to work with you to make sure that the bill is adequately funded in future appropriations bills so that we can fully realize all of the goals of the bill.

If you have questions or need additional information, please contact Jane West at 202-289-3903 or jwest@wpllc.net.

Sincerely,

DEBORAH BUCK,  
Executive Director.

DEAR MR. DEWINE: On behalf of the Association of University Centers on Disabilities (AUCD) I would like to thank you for your leadership and remarkable bi-partisan work on HR 4278, the reauthorization of the Assistive Technology Act. The bill will assist people with disabilities throughout our country who will be able to work more effectively, learn at school and more fully participate in their communities, thanks to their increased access to assistive technologies.

We appreciate the hard work that has gone into every phase of the process of developing and negotiating this vital legislation. We are especially pleased that the bill clearly delineates the authorization of appropriations so that state grants will have defined and equitable minimum allotment levels. We also appreciate the fact that the bill provides flexibility to states to design locally responsive programs while still assuring a focus on activities that will get assistive technology

into the hands of the people that need it. We are pleased, as well, that the bill has enhanced provisions for Research and Development efforts.

The network of University Centers for Excellence in Developmental Disabilities represented by AUCD urge you to pass HR 4278 now, and we look forward to working with you as you continue to work to ensure that the future holds nothing but enhancements of the programs and services authorized by this legislation.

Thank you for your support of people with disabilities and families who will now see increased benefits from the vast technological advances the 21st century will bring. And thank you again for your bipartisan work and your leadership.

Sincerely,

GEORGE JESIEN, PH.D.,  
Executive Director.

Hon. MIKE DEWINE,  
U.S. Senate, Washington, DC.

DEAR SENATOR DEWINE: On behalf of the National Association of Protection and Advocacy Systems (NAPAS) we would like to thank you for your leadership on assistive technology and moving forward with the process of reauthorizing the Assistive Technology Act of 1998. The substitute bill before the Senate "Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004" represents a true bipartisan piece of legislation.

The bill is a step forward for the protection and advocacy system. The bill makes the following changes that we support: Establishes a grant to the American Indian Consortium for a Protection and Advocacy for Assistive Technology (PAAT) program; establishes a line item to fund the PAAT program; enables a PAAT program to retain earned income for an additional fiscal year beyond current law and regulation; included language to continue needed training and technical assistance for the PAAT program.

All of these changes to current law will help make the PAAT program consistent with other protection and advocacy programs. We are thankful for the hard work and dedication of you and the staff who have endeavored to improve this program for people with disabilities.

Regrettably, the bill did not contain recommended language to include a provision which would enable the minimum allotments for states and territories to rise when the program receives an appropriations increase.

Thank you very much for working in a bipartisan manner to move this legislation. We look forward to working with you to enact this into law this year. If you would like additional information or have questions, please contact myself or Nadia Facey, Public Policy Analyst, at 202-408-9514.

Sincerely,

MAUREEN FITZGERALD,  
President, Board of  
Directors.

CURTIS L. DECKER,  
Executive Director.

#### ADDITIONAL STATEMENTS

##### IN CELEBRATION OF THE DEDICATION OF PACIFICA STATE BEACH

• Mrs. BOXER. Mr. President, I take this opportunity to recognize the City of Pacifica for its efforts to renovate and restore Pacifica State Beach.

California's beaches are an integral part of our State's heritage. Whether they are vast expanses of flat, sandy

shores or rocky cliffs overlooking the ocean, California's beaches are diverse and beautiful. People from all over the world come to participate in the myriad activities California's beaches offer. With over a thousand miles of coastline, California is truly a State that thrives on its beaches.

For over 10 years, the City of Pacifica has striven to renovate Pacifica State Beach, which serves as a gateway to Northern California's spectacular coastline. The city has demonstrated a great commitment to protect, enhance and restore the 4 miles of shoreline that define the community. Through the strong leadership of Pacifica Mayor Jim Vreeland and countless other local, State, and Federal representatives, many changes have been made at Pacifica State Beach.

From the restoration of sand dunes and wetlands, to the creation of bike paths, coastal trail paths and a new skate park, to habitat enhancement and new amenities for visitors, the renovation of Pacifica State Beach has been a success. The City of Pacifica has not only understood the importance of protecting and restoring California's fragile coastal areas, its restoration efforts are a model of balancing environmental needs, public access and economic necessities.

The City of Pacifica's dedication to the community is inspiring, and its vision and commitment in protecting California's coastal resources should be commended. I congratulate the City of Pacifica for its hard work, and wish all concerned the best as they dedicate Pacifica State Beach on October 16, 2004.●

#### TRIBUTE TO MR. GEORGE F. DIXON III

● Mr. VOINOVICH. Mr. President, I rise today to recognize Mr. George F. Dixon III for his exceptional service and leadership to our Nation.

Mr. Dixon is nearing the end of his term as chair of the American Public Transportation Association, the association that represents the North American public transportation industry.

During his chairmanship, Mr. Dixon has been dedicated to supporting the reauthorization of the Transportation Equity Act for the 21st Century, the development of a 5-year strategic plan for APTA, and the oversight of APTA's Public Transportation Partnership for Tomorrow outreach and education program. Mr. Dixon also represented APTA on a trade mission to Russia.

Mr. Dixon, a Cleveland, OH native, has a distinguished history of public service in Northeast Ohio. For example, over the past 10 years, he has brought great improvements to the public transportation system in Cleveland as the President of the Board of the Greater Cleveland Regional Transportation Authority. Mr. Dixon has also served the Cleveland community

as a member of the Cleveland School Board for 5 years and as a leader in numerous local organizations including the Greater Cleveland Growth Association, Build up Greater Cleveland, Civic Vision, MidTown Cleveland, and the Convention and Visitors Bureau of Greater Cleveland.

Mr. Dixon is an accomplished leader and someone who, day in and day out, goes above and beyond the call of duty to help people in his community. On behalf of the people of Ohio, I am pleased to commend George F. Dixon, III for his extraordinary efforts to improve the quality of life in Ohio and our Nation, and I congratulate him on a successful term as Chair of the American Public Transportation Association.●

#### MERLE JOHNSON

● Mrs. BOXER. Mr. President, I am pleased and honored to salute my constituent Merle Johnson, who served America with bravery and distinction behind enemy lines during World War II.

Merle Johnson joined the National Guard in 1939, at age 16. He was mobilized the following year and was sent to Hawaii 2 weeks after the attack on Pearl Harbor.

In October 1942, he was sent to the Solomon Islands with the Army's 25th Infantry Division, which conducted mop-up operations after the Marines' bloody assaults on Guadalcanal and New Georgia Island.

After being wounded in action and recovering on New Caledonia, Merle volunteered to join a unit that would become known to the world as Merrill's Marauders. This elite group of Army Rangers was formed to conduct extremely dangerous top-secret missions behind Japanese enemy lines in Burma.

The Marauders' most famous and important mission was to capture the strategic airfield at Myitkyina, Burma. To accomplish this goal, they had to fight their way for 9 months through more than 600 miles of jungle, surrounded by Japanese troops. By the time they captured the airfield, more than 2,500 of the 3,000 Marauders had been killed, wounded, or struck by illness.

For his valiant service, Merle Johnson was awarded a Purple Heart, three Bronze Stars, three Battle Stars, and a Presidential Unit Citation.

After the war, Mr. Johnson worked on the production line at Rockwell Corporation and as a labor organizer for the steelworkers union. He now lives in Tustin, CA.

Earlier this year, Mr. Johnson represented Merrill's Marauders during the dedication ceremony for the World War II Memorial. This monument now stands as a tribute to Merle Johnson, Merrill's Marauders, and 16 million other brave men and women who served America in World War II.●

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-9534. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 143—Collection of Claims Owed the United States Arising From Activities Under the Commission's Jurisdiction" (RIN3038-AC03) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9535. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 143—Adjustment of Civil Monetary Penalties for Inflation" (RIN3038-AC13) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9536. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 30—Foreign Futures and Foreign Options Transactions" (RIN3038-AB45) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9537. A communication from the Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child and Adult Care Food Program: Improving Management and Program Integrity" (RIN0584-AC24) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9538. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus Thuringiensis var. aizae strain PS811 (Cry1F Insecticidal Protein); Exemption from the Requirement of a Tolerance" (FRL#7372-6) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9539. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyzzofamid; Pesticide Tolerance" (FRL#7367-4) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9540. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dichlorimid; Time-Limited Pesticide Tolerances" (FRL#7680-8) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9541. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Forchlorfenuron; Pesticide Tolerance" (FRL#7681-5) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9542. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mesotrione; Pesticide Tolerances for Emergency Exemptions" (FRL#7678-8) received on September 29, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-9543. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant