

S. 2490

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2490, a bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to establish vessel ballast water management requirements, and for other purposes.

S. 2522

At the request of Mr. CORZINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2522, a bill to amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs, and for other purposes.

S. 2526

At the request of Mr. BOND, the names of the Senator from Missouri (Mr. TALENT) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 2526, a bill to reauthorize the Children's Hospitals Graduate Medical Education Program.

S. 2533

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2533, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 2560

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2560, a bill to amend chapter 5 of title 17, United States Code, relating to inducement of copyright infringement, and for other purposes.

S. RES. 202

At the request of Mr. CAMPBELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 202, a resolution expressing the sense of the Senate regarding the genocidal Ukraine Famine of 1932–33.

S. RES. 269

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 269, a resolution urging the Government of Canada to end the commercial seal hunt that opened on November 15, 2003.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself, Mr. SMITH, Mr. CHAFEE, and Mr. FEINGOLD):

S. 2611. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries; to the Committee on Foreign Relations.

Mrs. BOXER. Mr. President, today I join Senators SMITH, CHAFEE and FEINGOLD in introducing legislation aimed

at helping the 110 million orphans in the world. This legislation is a companion measure to Congresswoman LEE's bill that unanimously passed the House of Representatives last month.

Current estimates suggest that by 2010, there will be more than 25 million orphans worldwide as the result of the HIV–AIDS pandemic. We must do more to provide hope for these children. This legislation is an important step forward.

Our bill would authorize the President to provide assistance to orphans and other vulnerable children in developing countries. Specific authorization is provided in the areas of basic care, HIV–AIDS treatment, school food programs, protection of inheritance rights, and education and employment training assistance.

The legislation also calls on the President to use U.S. foreign assistance to support programs that eliminate school fees. Throughout the world, many orphans are prevented from attending school because they cannot afford to pay for school or are forced to financially support their families or care for sick relatives.

Finally, the bill would establish an Office for Orphans and Other Vulnerable Children within USAID and a monitoring system that will ensure that U.S. assistance is effective. Right now, there is no office or individual within the Agency with responsibility for the overall oversight or implementation of programs for orphans and vulnerable children.

I look forward to working with Congresswoman LEE and the Chairman of the Foreign Relations Committee, Senator LUGAR, in passing legislation to address the tragic issue of AIDS orphans throughout the world.

I ask unanimous consent that a letter in support of this bill signed by the Global Action for Children be printed in the RECORD.

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

#### GLOBAL ACTION FOR CHILDREN

DEAR SENATORS BOXER AND CHAFEE: We welcome your leadership on the issue of orphans and vulnerable children. As of 2001, an estimated 100 million children were orphans throughout Sub-Saharan Africa, Asia, Latin America and the Caribbean. The AIDS epidemic is rapidly accelerating the orphan crisis and leaving a generation of children without hope. As millions of parents are dying from AIDS, the children they leave behind are often left without any adult to look after their basic needs and survival.

Your bill expands the capacity of communities to take care of the basic needs of orphans and dramatically expands educational opportunities for orphans. The bill creates a mechanism to eliminate the school fees that prevent so many orphans from ever going to school. School fees also discourage families from adopting orphans because of the major financial burden posed by such fees.

The legislation you are introducing also provides new hope to orphans and vulnerable children living with HIV and AIDS. Each year, 700,000 babies are infected with HIV and most of these children will become orphans. The legislation provides a focus on treat-

ment of these children in order to promote healthy development and normal growth.

Your bill also builds in monitoring and evaluation criteria and improved coordination, including a new office of orphans and vulnerable children, to ensure that funds for orphans will be used most effectively. As we ramp up our response to the orphans' crisis, new structures to ensure effective coordination are essential to meeting the needs of these orphans.

We welcome the Boxer-Chafee legislation as an essential companion to the comprehensive legislation that has already passed the House of Representatives.

#### Global Action for Children—Leadership Council

AFXB.  
Center for Health and Gender Equity (CHANGE).  
Episcopal Church, USA.  
Global Justice.  
Keep A Child Alive.  
Progressive National Baptist Convention.  
RESULTS.  
Student Campaign for Child Survival.  
American Jewish World Service.  
church World Service.  
Global AIDS Alliance.  
Hope for African Children Initiative.  
Pan-African Children's Fund.  
Religions Action Center of Reform Judaism.  
Student Global AIDS Campaign.  
United Methodist Church, General Board of Church and Society.

By Ms. MIKULSKI (for herself and Mr. SARBANES):

S. 2612. A bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United States Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act; to the Committee on Governmental Affairs.

Ms. MIKULSKI. Mr. President, I rise today to introduce the Federal Law Enforcement Pay Adjustment Equity Act. This legislation amends the Law Enforcement Pay Equity Act of 2000 to allow retired police officers of the United States Secret Service Uniformed Division and the United States Park Police to receive the same Cost of Living Adjustment as active officers.

For almost 80 years, Secret Service and Park Police retirees were assured an increase in their pensions whenever their active counterparts received an increase by the "equalization clause" in the District of Columbia Police and Firearms Salary Act of 1958. When the Law Enforcement Pay Equity Act passed in 2000, the automatic link that ensured retirees of getting the same COLA as active officers was severed. This bill would restore that link, guaranteeing that the pension for these retired Federal police officers keeps up with the cost of living.

The Law Enforcement Pay Equity Act created a sharp inequality in retirement benefits for a small number of

retirees—600 Secret Service retirees and 470 Park Police retirees, roughly eleven hundred in total. They gave years of loyal service, often in difficult and life-threatening situations. They are the only Federal retirees who had existing retirement benefits scaled back.

Providing for government retirees and their families has always been an important function of the Federal Government. There is no reason why the government should go back on its word to provide this small group of valuable employees with secure retirement benefits. Restoring the COLA to the pensions of 1,100 Federal retirees will have a minimal impact on the Federal budget, but a major impact on the quality of life of the people involved.

When it comes to Federal employees, I believe that promises made should be promises kept. These former Secret Service and Park Police officers planned for their retirement with the understanding that their pension would be enough to live on, even as the cost of living increased. They deserve the retirement benefits they were promised when they signed up for service.

I urge my colleagues to join me in expressing support for this bill to restore promised retirement benefits to retired officers of the United States Secret Service Uniformed Division and the United States Park Police. 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. 2612

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Law Enforcement Pension Adjustment Equity Act of 2004".

#### SEC. 2. PERMITTING ADJUSTMENT IN PENSION BENEFITS FOR UNITED STATES PARK POLICE AND UNITED STATES SECRET SERVICE UNIFORMED DIVISION ANNUITANTS.

(a) IN GENERAL.—Section 905 of the Law Enforcement Pay Equity Act of 2000 (sec. 5-561.02, D.C. Official Code) is amended by striking subsection (f).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Law Enforcement Pay Equity Act of 2000.

By Mr. HAGEL (for himself and Mr. DURBIN):

S. 2613. A bill to amend the Public Health Service Act to establish a scholarship and loan repayment program for public health preparedness workforce development to eliminate critical public health preparedness workforce shortages in Federal, State, and local public health agencies; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today I am introducing, along with my colleague Senator HAGEL, legislation that will help to address the severe workforce shortages within public health

agencies throughout the United States. This bill, known as the Public Health Preparedness Workforce Development Act of 2004, provides financial help to both full and part-time students who are interested in pursuing a career in public health at Federal, State and local public health agencies.

Our Nation faces myriad public health threats and challenges, ranging from emerging diseases such as West Nile virus and SARS to the special needs of an aging population, from bioterrorism to obesity, tobacco use and environmental hazards. The ability of the public health system to prevent, respond to, and recover from these challenges depends on adequate numbers of well-trained public health professionals in Federal, State, and local public health departments.

However, our public health system has an aging staff nearing retirement and there are not enough students graduating with training in public health disciplines to provide a consistent source of skilled employees to fill the void. The average age of the public health workforce is 47, 7 years older than the average age of the Nation's workforce. The ratio of public health workers to overall population has dropped from 219/100,000 in 1980 to 158/100,000 in 2000. There are already shortages of public health nurses, epidemiologists, environmental health workers, health educators and other public health professionals at Federal, State and local public health agencies. In my home State of Illinois, the Illinois Department of Public Health estimates that they are in need of at least 15 epidemiologists and are having trouble filling those positions.

Further evidence suggests that as much as 50 percent of the current public health workforce at the State level will be retiring in the next 5 years. Losing so many experienced public health workers at a time when the public health workforce should be expanding to meet increased needs presents a clear argument in favor of encouraging more students to enter the many academic fields related to public health such as epidemiology, health education, nursing and environmental health.

To continue to improve the health of our people, we must have a well-trained and dedicated public health workforce. But developing and maintaining the necessary human capital is already a challenge and promises to continue to be a challenge in the future. Our bill would help alleviate this dangerous shortfall of public health professionals by providing scholarships or loan repayments for full and part-time students in public health and for workers with previous public health training who agree to serve at the Federal, State and local level.

The scholarship program will provide scholarships to eligible graduate, undergraduate and community college students to pursue a course of study to prepare to serve in the public health workforce.

The loan repayment program is designed to help pay for education loans incurred by individuals currently employed or about to be employed in a Federal, State or local public health agency.

The grants for the loan repayment program to political jurisdictions at the State and local level will provide funds to the appropriate agencies to operate the loan repayment program.

The bill is supported by the Association of State and Territorial Health Officials, the National Association of City and County Health Officials, the American Public Health Association, and the Council of State and Territorial Epidemiologists.

I urge my colleagues to join me in this effort to strengthen the capacity of our Nation to respond to public health threats now and in the years to come. The Public Health Preparedness Workforce Development Act of 2004 will help provide the public with the educated and well-trained public health workforce to meet the health challenges of the future.

By Mr. CONRAD (for himself and Mr. SANTORUM):

S. 2614. A bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, I rise today to introduce the End Stage Renal Disease Modernization Act, designed to improve the quality of care and quality of life for the more than 300,000 Americans with end stage renal disease (ESRD).

To avoid death, patients with ESRD must receive a kidney transplant or undergo dialysis. As you know, the shortage of organs makes transplantation a limited option for the vast majority of patients. Therefore, most rely upon 3-4 hour dialysis treatments three times a week to save their lives.

Congress must honor its commitment to Americans with ESRD by bringing the Medicare ESRD program into the 21st Century. As we recognized in other areas of health care, education serves as a valuable tool in the fight of any chronic disease. ESRD is no exception. This bill would establish educational programs to teach individuals about the factors that lead to chronic kidney disease, the precursor to kidney failure, and how to prevent it, treat it, and avoid kidney failure. It would also support programs for patients once they have kidney failure to assist them in developing self-management skills that could dramatically improve their quality of life.

Another important factor that influences patients' quality of life is the method of dialysis they select. Although most patients must receive in-center hemodialysis, some can benefit from home dialysis. In rural communities, like so many in North Dakota, home dialysis proves an important option for patients who do not have dialysis facilities near their homes. In

this measure, we would require HHS to determine how to provide incentives for home dialysis.

The bill also incorporates provisions to provide for an annual update mechanism from legislation that my colleague Senator SANTORUM and I introduced at the beginning of this Congress. As we have discussed many times in this Chamber, the ESRD Program is the only major Medicare reimbursement system that does not have an annual update mechanism to adjust the payment rates for changes in input prices and inflation.

Since the inception of the Medicare ESRD program, we have made enormous strides in extending the lives and the quality of life of patients with kidney failure. If we are to continue that course, we must allow the program to keep pace with advances and changes in the delivery of services. We must also ensure that patients receive the best information possible so they can make informed choices and provide incentives that promote the highest quality of care. The End Stage Renal Disease Modernization Act is a comprehensive bill that moves the program in that direction. Thus, I urge my colleagues to join with me in sponsoring this important legislation.

By Mr. COLEMAN:

S. 2616. A bill to increase the availability of H-2B nonimmigrant visas during fiscal year 2004 for rural border areas, and for other purposes; to the Committee on the Judiciary.

Mr. COLEMAN. Mr. President, today I have introduced the Emergency Relief for Rural Borderlands Act.

This act deals with a problem which is probably well known to many of my colleagues—the insufficient number of H-2-B visas available for temporary seasonal employment this year.

U.S. laws governing labor-based immigration have always maintained that employers must give priority to American workers. I support this philosophy, as I am sure the rest of my colleagues do as well.

I also acknowledge the reality that sometimes there are jobs that, for a variety of reasons, cannot be filled by American workers. This is a fact of life. We can see it on our farms, in our restaurants, and on our construction sites.

My legislation deals with one small sub-set of these foreign workers, temporary seasonal laborers under the H-2-B visa program. H-2-B guest workers may work in the United States for no more than 6 months, at the end of which they must return to their countries of origin. They fill critical gaps in the labor market, which in turn helps American companies to prosper year-round. They work at summer camps and resorts, for fisheries and for landscapers, and in many other non-agricultural pursuits.

My legislation does not propose to fix the H-2-B crisis across the board. Some of my colleagues have introduced legis-

lation to this end, and I would not presume to improve upon their proposals. My legislation represents, instead, a commitment to the needs of a unique geographical situation—rural borderlands.

In my State of Minnesota, and indeed across the country, rural areas continue to be challenged economically. It would be safe to say that there is a crisis in rural America today. To address the challenges faced by rural communities, I introduced the Rural Renaissance Act, and others in the Senate have also introduced legislation that is directed towards rural America. What the Rural Renaissance Act would do is help rural, small towns develop the infrastructure needed to expand communities and create jobs. It takes a long-term view of what is needed in rural America. But at the same time, there is another, temporary crisis for those in rural America who can't get the H-2-B visa laborers they rely on. This kind of labor shortage is the last thing rural America needs.

Rural communities located near the border have a special set of challenges, which go beyond even what the rest of rural America is dealing with. Companies who are recruiting workers naturally target the cities and towns closest to them. But when a company is located near an international border, the pool of U.S. workers in close proximity is smaller than for companies located more centrally.

For example, take Warroad, MN, in Roseau County. Roseau, like many rural counties in Minnesota, is dealing with a number of challenges—from out-migration of younger people leaving behind an aging population, to economic sluggishness, to inadequate infrastructure and even flooding issues. The town of Warroad, population 1,722, is located about 6 miles from the U.S.-Canada border. The largest company in Warroad is a first-class window manufacturer, Marvin Windows.

Because of its relationship to construction, the window industry has a seasonal element to it. During the summer, Marvin hires hundreds of American college students to work at its factory in Warroad. But when these students go back to school, there are short-term positions which need to be filled through December. For the last 8 years, Marvin Windows has relied on Canadian workers to fill these critical positions. This year, because of the early date when the cap on H-2-B visas was reached, Marvin Windows is looking at a big gap in their employment—which not only could hurt their revenues this year, but also threatens to undercut their long-term reputation as a reliable supplier of windows.

I am aware that my colleague Senator HATCH has introduced legislation to remedy the H-2-B visa shortage. I support this legislation. But as we have seen, there is not yet consensus on it.

Companies like Marvin Windows cannot afford to wait much longer. That's why I have proposed the Emergency

Relief for Rural Borderlands Act. This legislation is admittedly less ambitious than Senator HATCH's legislation, or Senator KENNEDY's bill. My legislation would simply observe the unique circumstances facing rural areas—which are challenged economically already—as well as the realities of the labor pool for companies located near our borders. My legislation would relieve these rural borderlands from the visa cap for this year only. Moreover, my legislation would only give relief to those companies who can demonstrate that they have relied on the program in the past, by limiting eligibility to only those companies which have made use of H-2-B workers in at least 2 of the last 5 years.

My legislation is not a permanent fix, nor is it a comprehensive fix. I know that there are deserving companies that are not going to be able to qualify under my legislation. My legislation is only applicable this year, and I am sure we will need to revisit this issue again next year.

But if we in the Congress cannot reach agreement on a comprehensive solution for this visa shortage, perhaps the time has come to look at a more limited approach. Rural America has unique labor requirements, and borderlands have challenging recruitment conditions. If we begin by looking at the needs of areas that are both rural and close to the border, we can help the economies that stand to be hurt the most by the shortage in H-2-B visas this year.

I urge my colleagues to support this legislation.

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. 2616

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Relief for Rural Borderlands Act".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The laws of the United States that govern labor-based immigration require employers to give United States workers priority for employment over foreign workers.

(2) Many employers have found themselves unable to hire United States citizens for certain positions, particularly for temporary, seasonal employment.

(3) Due to the historic availability of H-2B visas, many employers have developed business models based on an assumption that businesses will be able to hire temporary seasonal workers who are aliens.

(4) During fiscal year 2004, the date on which no more H-2B visas could be issued because the maximum number of such visas available for such fiscal year had been issued was earlier than the date such maximum number had been reached during any prior fiscal year.

(5) As a result of the maximum of H-2B visas being issued prior to the end of fiscal year 2004, many employers face an urgent

shortage of workers that threatens to seriously erode the current and future revenues of the employers' businesses.

(6) It is particularly difficult for employers located in rural areas to attract workers and such employers have often relied on foreign workers.

(7) An employer located near an international border has a smaller radius for recruiting United States workers than an employer located more centrally, which can create difficulties in finding United States workers to fill vacant positions.

(8) Large employers located in rural areas are invaluable to the communities in which such employees are located, and a disruption in the business of such employers is devastating for such communities facing challenging economic conditions.

### SEC. 3. ADDITIONAL H-2B VISA ENTRANTS FOR FISCAL YEAR 2004.

(a) IN GENERAL.—During fiscal year 2004, an alien who is issued a visa under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 101(a)(15)(H)(ii)(b)) may not be counted toward the numerical limitation set out in section 214(g)(1)(B) of such Act (8 U.S.C. 1184(g)(1)(B)) if such alien is providing temporary service or labor in the United States—

- (1) at a work site that is located—
  - (A) in a rural area; and
  - (B) not more than 50 miles from an international border; and
- (2) for an employer that has hired aliens who received visas under such section 101(a)(15)(H)(ii)(b) during not less than 2 of the fiscal years between fiscal years 1999 and 2003.

(b) EXPEDITED VISA PROCESSING.—During fiscal year 2004, a petition for a non-immigrant visa submitted by an alien who intends to provide temporary service or labor that meets the requirements of paragraphs (1) and (2) of subsection (a) shall be processed not more than 30 days after the date of the submission of such petition.

### SEC. 4. RURAL AREA DEFINED.

In this Act, the term "rural area" has the meaning given that term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

### SEC. 5. EFFECTIVE DATE.

Section 3(a) of this Act shall take effect as if enacted on September 30, 2003.

By Mr. KENNEDY:

S. 2617. A bill making supplemental appropriation for the Department of Education for the fiscal year ending September 30, 2004, and for other purposes; to the Committee on Appropriations.

Mr. KENNEDY. Mr. President, the bipartisan No Child Left Behind Act enacted two years ago contains the right set of education reforms for America's public schools. It raises academic standards and calls for better teachers and smaller classes. It supports periodic testing for all children, so that teachers can assess learning needs early, before major problems develop. It also calls for supplemental services and after-school programs for children who are lagging behind academically. It focuses schools on the hardest-to-teach children, and holds schools accountable for the performance of all children, whatever their race or background.

These basic principles in the No Child Left Behind Act have broad bipartisan support. But as we all know, reforms

without the resources needed to implement them cannot succeed. Since the law was enacted in 2002, the Bush administration has consistently withheld the resources needed to fulfill the basic promises of the Act. The Administration's budget for the coming fiscal year leaves 4.6 million children behind. It underfunds the President's school reform law by over \$9.4 billion.

Even worse, because of the administration's low priority for education, over 7,500 school districts received notice last week that their Federal funds under the No Child Left Behind Act will be cut back this fall. As a result, thousands of school districts across the nation won't even be able to maintain their current quality of education, let alone improve it. Schools that serve the neediest children will be hurt the most.

Every school district in Massachusetts faces a cut in Federal education funding this fall. The city of Lawrence has a 27 percent poverty rate, and it faces a \$1.2 million cut in school aid. It can't afford the loss of 20 teachers. The city of Springfield has a 28 percent poverty rate. It faces a cut of \$1.4 million, which means that over 1,000 needy children won't get the supplemental services they're counting on. We cannot in good conscience allow these cuts to go forward.

Today, Congressman GEORGE MILLER in the House of Representatives and I are introducing "The No Child Left Behind Appropriations Support Act of 2004" to provide \$237 million in emergency resources needed this fall to stop the cuts called for by the Administration in funds for school reform. Over 70 Members of Congress have now joined our letter to the Appropriations Committees requesting that emergency funds be provided. With deep and widespread cuts in local education funds, it will be much more difficult to achieve the school reforms that are so urgently needed in communities across the country.

Clearly, Congress needs to act. I urge my colleagues on both sides of the aisle to join in seeing that these critically needed resources are made available to our schools.

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

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

S. 2617

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "No Child Left Behind Appropriations Support Act of 2004".

### SEC. 2. SUPPLEMENTAL APPROPRIATION.

(a) APPROPRIATION.—To carry out this Act, out of any money in the Treasury not otherwise appropriated, there is appropriated \$237,000,000, to remain available until expended, for the Department of Education for the fiscal year ending September 30, 2004.

(b) PAYMENTS.—In addition to amounts otherwise provided to a local educational

agency under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for fiscal year 2004, the Secretary of Education shall make a payment in an amount determined under subsection (c) to each local educational agency that receives a lesser amount of funds for fiscal year 2004 under such subpart than the agency received for fiscal year 2003.

(c) DETERMINATION OF AMOUNT.—The amount of a payment to a local educational agency under this Act shall be equal to the amount of the difference between—

(1) the amount the agency would otherwise receive for fiscal year 2004 under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.); and

(2) the amount the agency received for fiscal year 2003 under such subpart.

(d) DEFINITION.—In this Act, the term "local educational agency" has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

By Mr. GRASSLEY (for himself,  
Mr. BAUCUS, Mr. SMITH, and Mr.  
BINGAMAN):

S. 2618. A bill to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, Senator BAUCUS and I are pleased to announce the introduction of legislation to extend cost-sharing assistance to qualifying individuals for the Medicare Part B premium through September 2005. Qualified Individuals are a vulnerable population with income between 120 percent and 135 percent of the federal poverty level and limited assets. It is estimated the monthly Medicare Part B premium will be around \$75 in fiscal year 2005. Let me put this into real numbers, this extension will provide over \$900 dollars of annual assistance to Medicare beneficiaries who earn less than \$12,600 per year.

In the Medicare discount drug card program, Congress has targeted this same population with the transitional assistance program. These same seniors are eligible to receive \$600 in assistance on their Medicare-approved drug card both this year and next. We need to extend this program, and the President agrees. An extension is part of his fiscal year 2005 budget. It does not seem right for us to assist these Medicare beneficiaries with some of their health care costs and relinquish our assistance in other areas. This program has been in existence since 1997 and has been extended every year thereafter because it targets help to low-income Medicare beneficiaries. I urge Congress to act on this important legislation.

Mr. BAUCUS. Mr. President, I rise with my colleague and friend Chairman CHUCK GRASSLEY to introduce The Qualifying Individuals' Program Extension Act. This bill would extend a very important program that provides assistance to low-income Medicare beneficiaries. The so-called QI-1 program, which will expire at the end of

this fiscal year, currently pays Part B premiums for Medicare beneficiaries earning less than \$12,570 this year. That's about \$1,050 a month. Medicare Part B premiums are expected to increase to \$75 next year. That's a substantial sum for beneficiaries living on a fixed income of \$1,000 a month. 7.5 percent of their total income, in fact, and that's just for premiums for one part of the Medicare program—they must still pay coinsurance and the deductible for Parts A and B.

In enacting the Medicare prescription drug benefit last year, Congress acknowledged that seniors with incomes up to 150 percent of the Federal Poverty Line—in 2004, that's about \$14,000 a year, or \$17,000 per couple—need some additional help in paying their drug bills. I viewed the low-income drug assistance provisions as one of the great successes of the prescription drug bill. We should not give with one hand and take away with another by allowing the QI-1 program to expire—hurting the very same people that we tried to help in the Medicare prescription drug bill.

The QI-1 bill is a truly bipartisan effort. Democrats, particularly my colleague Senator BINGAMAN from New Mexico, have long championed the QI-1 program. And the Administration's budget for Fiscal Year 2005 includes an extension for QI-1s. I urge my colleagues to support this important program and work with me to get it passed as quickly as possible.

By Mr. ALLARD (for himself, Mr. BROWNBACK, Mr. COCHRAN, Mr. ENZI, Mr. FITZGERALD, Mr. FRIST, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFF, Mr. KYL, Mr. LOTT, Mr. MCCONNELL, Mr. MILLER, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, and Mr. TALENT):

S.J. Res. 40. A joint resolution proposing an amendment to the Constitution of the United States relating to marriage; read the first time.

Mr. ALLARD. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. RES. 40

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:*

“ARTICLE—

**“SECTION 1. SHORT TITLE.**

“This Article may be cited as the ‘Federal Marriage Amendment’.

**“SECTION 2. MARRIAGE AMENDMENT.**

“Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to re-

quire that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.”.

By Mr. CAMPBELL (for himself, Mr. INOUE, Ms. CANTWELL, Mr. DASCHLE, Ms. MURKOWSKI, Mrs. CLINTON, Mr. LIEBERMAN, Mr. AKAKA, Ms. STABENOW, Mr. WYDEN, Ms. MIKULSKI, Mr. INHOFF, Mr. LAUTTENBURG, Mr. BINGAMAN, Mrs. BOXER, Mr. DODD, Mr. SMITH, Mr. DOMENICI, Mr. JOHNSON, Mrs. MURRAY, Mr. SCHUMER, Mr. FITZGERALD, Mr. CCAIN, Mr. CONRAD, Mr. LEAHY, Mr. CHAFEE, Mr. THOMAS, Mr. BURNS, Mrs. DOLE, Mr. NELSON of Nebraska, Mr. HATCH, and Mr. BROWNBACK):

S.J. Res. 41. A joint resolution commemorating the opening of the National Museum of the American Indian; to the Committee on Indian Affairs.

Mr. CAMPBELL. Mr. President, it is my pleasure and distinct honor to introduce, on behalf of myself and 31 other Senators, a joint resolution commemorating the opening of the National Museum of the American Indian. This Museum was many years in the making. It's been 15 years since the bill authorizing the construction of the museum was signed into law, and that was only the beginning of a long, difficult path.

There are many people who deserve praise and gratitude for their unstinting efforts in realizing this dream—far too many for me to name them all here. I would, however, like to honor two people in particular for their dedication and perseverance in seeing this task through to completion: my friend, colleague and vice chairman of the Committee on Indian Affairs, DANIEL K. INOUE; and, Rick West, director of the National Museum of the American Indian, and my Southern Cheyenne brother.

I consider myself fortunate that I was there at the beginning, serving in the House of Representatives when the museum was authorized, and I will be there on September 21, 2004, when the National Museum of the American Indian first opens its doors to the public.

I consider the American people fortunate in that they now possess a remarkable resource for learning about Indian cultures and civilizations.

I also consider American Indians fortunate that, finally, there is a national facility dedicated to and worthy of their cultures. History has not always been kind to Native Americans, neither the events that occurred nor the words recorded about them, and the United States has not always accorded honor where honor was due the Indians. The National Museum of the American Indian is an important step in rectifying this omission and continuing the reconciliation between a great nation and its first peoples.

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

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

S.J. RES. 41

Whereas the National Museum of the American Indian Act (20 U.S.C. 808 et seq.) established within the Smithsonian Institution the National Museum of the American Indian, and authorized the construction of a facility to house the National Museum of the American Indian on the National Mall in the District of Columbia;

Whereas the National Museum of the American Indian officially opens on September 21, 2004;

Whereas the National Museum of the American Indian will be the only national museum devoted exclusively to the history and art of cultures indigenous to the Americas, and will give all Americans the opportunity to learn of the cultural legacy, historic grandeur, and contemporary culture of Native Americans: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NATIONAL MUSEUM OF THE AMERICAN INDIAN.**

Congress—

(1) recognizes the important and unique contribution of Native Americans to the cultural legacy of the United States, both in the past and currently;

(2) honors the cultural achievements of all Native Americans;

(3) celebrates the official opening of the National Museum of the American Indian; and

(4) encourages all Americans to take advantage of the resources of the National Museum of the American Indian to learn about the history and culture of Native Americans.

**SUBMITTED RESOLUTIONS**

SENATE RESOLUTION 399—DESIGNATING THE WEEK OF JULY 11 THROUGH JULY 17, 2004, AS “OINKARI BASQUE DANCERS WEEK”, AND FOR OTHER PURPOSES

Mr. CRAIG (for himself and Mr. CRAPO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 399

Whereas the Basques have a long, proud history in the State of Idaho and across the United States;

Whereas Basque Americans have become an integral part of Idaho's unique identity;

Whereas the Oinkari Basque Dancers have dedicated over 40 years to the preservation and performance of the unique folk dances of their Basque heritage;

Whereas these dedicated young people have traveled nationally and internationally to perform their dances and act as good will ambassadors of the American West;

Whereas the Oinkari Basque Dancers have performed for countless charities, hospitals, nursing homes, and centers for the disabled to share their culture and talents with other;

Whereas the Oinkari Basque Dancers have shown continued dedication to promote culture, dance, music, and education; and

Whereas the Oinkari Basque Dancers will be sharing their unique culture and music with visitors of Washington, D.C., as part of the “Homegrown 2004: The Music of America” concert series, presented by the Library of Congress American Folklife Center: Now, therefore, be it