

other entities, and for other purposes; to the Committee on Rules and Administration.

By Mr. CORNYN:

S. 2517. A bill to prohibit bonuses to senior-level IRS executives until all Congressional requests for documents, including electronic communications, related to the investigation of IRS targeting of taxpayers are complete; to the Committee on Finance.

By Mr. FRANKEN:

S. 2518. A bill to establish a grant program to incentivize States to implement comprehensive reforms and innovative strategies to significantly improve postsecondary outcomes for low-income and first generation college students, including increasing postsecondary enrollment and graduation rates, to reduce the need of postsecondary students for remedial education, to increase alignment of elementary, secondary, and postsecondary education, and to promote innovation in postsecondary education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself and Mr. COBURN):

S. 2519. A bill to codify an existing operations center for cybersecurity; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 2520. A bill to improve the Freedom of Information Act; to the Committee on the Judiciary.

By Mr. CARPER (for himself and Mr. COBURN):

S. 2521. A bill to amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR:

S. 2522. A bill to designate the James L. Oberstar Memorial Highway and the James L. Oberstar National Scenic Byway in the State of Minnesota; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR:

S. 2523. A bill to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the "James L. Oberstar Memorial Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER (for himself and Mr. KAINE):

S. 2524. A bill to support access to career and technical education programs of study that provide students with education and training combining rigorous academics with technical curricula focused on specific high-skill, high-wage, high-demand and high-growth occupations and industries; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CRUZ:

S. Res. 482. A resolution expressing the sense of the Senate that the area between the intersections of International Drive, Northwest Van Ness Street, Northwest International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, should be designated as "Liu Xiaobo Plaza"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WALSH (for himself, Mr. HEINRICH, and Mr. UDALL of Colorado):

S. Res. 483. A resolution establishing a point of order against legislation selling

Federal land in order to reduce the deficit; to the Committee on Energy and Natural Resources.

## ADDITIONAL COSPONSORS

S. 709

At the request of Ms. STABENOW, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 1049

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1049, a bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1307

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1307, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 1318

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1318, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1534

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1534, a bill to provide a framework establishing the rights, liabilities, and responsibilities of participants in closing procedures for certain types of consumer deposit accounts, to protect individual consumer rights, and for other purposes.

S. 1692

At the request of Mrs. BOXER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a co-

sponsor of S. 1692, a bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes.

S. 1738

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1738, a bill to provide justice for the victims of trafficking.

S. 1799

At the request of Mr. COONS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 2141

At the request of Mr. REED, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2141, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

S. 2188

At the request of Mr. TESTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2188, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 2472

At the request of Mr. MARKEY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2472, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBT Peoples.

S. 2496

At the request of Mr. BARRASSO, the names of the Senator from Kansas (Mr. MORAN), the Senator from South Carolina (Mr. SCOTT), the Senator from Arizona (Mr. MCCAIN) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 2496, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2502

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2502, a bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes.

S. 2508

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2508, a bill to establish a comprehensive United States Government policy to assist countries

in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes.

S. 2510

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2510, a bill to establish a temporary limitation on the use of funds to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

S. RES. 447

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 447, a resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 2515. A bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting; to the Committee on Finance.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being on objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2515

*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 “Community Integration Act of 2014”.

### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Supreme Court’s 1999 decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999), held that the unnecessary segregation of individuals with disabilities is a violation of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(2) Under *Olmstead*, individuals generally have the right to receive their supports and services in home and community-based settings, rather than in institutional settings, if they so choose.

(3) *Olmstead* envisioned that States would provide appropriate long-term services and supports to individuals with disabilities through home and community-based services and end forced segregation in nursing homes and other institutions.

(4) While there has been progress in rebalancing State spending on individuals with disabilities in institutions as compared to home and community-based settings, more than 75 percent of States continue to spend the majority of their long-term care dollars on nursing homes and other institutional settings, and the number of individuals with disabilities under age 65 in nursing homes increased between 2008 and 2012.

(5) As of June 2013, there were more than 200,000 individuals younger than age 65 in nursing homes – almost 16 percent of the total nursing home population.

(6) Thirty-eight studies published from 2005 to 2012 concluded that providing services in home and community-based settings is less costly than providing care in a nursing home or other institutional setting.

(7) No clear or centralized reporting system exists to compare how effectively States are meeting the *Olmstead* mandate.

### SEC. 3. ENSURING MEDICAID BENEFICIARIES MAY ELECT TO RECEIVE CARE IN A HOME AND COMMUNITY-BASED SETTING.

(a) IN GENERAL.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (80), by striking “and” at the end;

(2) in paragraph (81), by striking the period and inserting “; and”; and

(3) by inserting after paragraph (81) the following new paragraph:

“(82) in the case of any individual with respect to whom there has been a determination that the individual requires the level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting—

“(A) provide the individual with the choice and opportunity to receive such care in a home and community-based setting, including rehabilitative services, assistance and support in accomplishing activities of daily living, instrumental activities of daily living, and health-related tasks, and assistance in acquiring, maintaining, or enhancing skills necessary to accomplish such activities, tasks, or services;

“(B) ensure that each such individual has an equal opportunity (when compared to the receipt and availability of nursing facility services) to receive care in a home and community-based setting, if the individual so chooses, by ensuring that the provision of such care in a home and community-based setting is widely available on a statewide basis for all such individuals within the State; and

“(C) meet the requirements of section 1904A (relating to the provision of care in a home and community-based setting).”.

(b) REQUIREMENTS FOR COMMUNITY CARE OPTIONS.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1904 the following new section:

#### “PROVISIONS RELATED TO HOME AND COMMUNITY-BASED CARE

“SEC. 1904A. (a) DEFINITIONS.—For purposes of this section, section 1902(a)(82), and section 1905(a)(4)(A):

“(1) ACTIVITIES OF DAILY LIVING.—The term ‘activities of daily living’ includes, but is not limited to, tasks such as eating, toileting, grooming, dressing, bathing, and transferring.

“(2) HEALTH-RELATED TASKS.—The term ‘health-related tasks’ means specific tasks related to the needs of an individual, including, but not limited to, bowel or bladder care, wound care, use and care of ventilators and feeding tubes, and the administration of medications and injections, which, in the opinion of the individual’s physician, can be delegated to be performed by an attendant.

“(3) HOME AND COMMUNITY-BASED SETTING.—The term ‘home and community-based setting’ means, with respect to an individual who requires a level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, a setting that—

“(A) includes a house, apartment, townhouse, condominium, or similar public or private housing where the individual resides that—

“(i) is owned or leased by the individual or a member of the individual’s family;

“(ii) ensures the individual’s privacy, dignity, respect, and freedom from coercion; and

“(iii) maximizes the individual’s autonomy and independence;

“(B) is integrated in, and provides access to, the general community in which the setting is located so that the individual has access to the community and opportunities to seek employment and work in competitive integrated settings, participate in community life, control and utilize personal resources, benefit from community services, and participate in the community in an overall manner that is comparable to that available to individuals who are not individuals with disabilities; and

“(C) has the services and supports that the individual needs in order to live as independently as possible.

“(4) INSTRUMENTAL ACTIVITIES OF DAILY LIVING.—The term ‘instrumental activities of daily living’ means activities related to living independently in the community and includes, but is not limited to, meal planning and preparation, managing finances, shopping for food, clothing, and other items, performing household chores, communicating by phone or other media, and traveling around and participating in the community.

“(5) PUBLIC ENTITY.—The term ‘public entity’ means a public entity as defined in subparagraphs (A) and (B) of section 201(1) of the Americans with Disabilities Act of 1990.

“(b) REQUIREMENTS FOR PROVIDING SERVICES IN HOME AND COMMUNITY-BASED SETTINGS.—With respect to the availability and provision of services under the State plan under this title, or under any waiver of State plan requirements (subject to section 3(d) of the Community Integration Act of 2014), in a home and community-based setting to any individual who requires a level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, any public entity that receives payment under the State plan or waiver for providing services to such an individual shall not—

“(1) impose or utilize policies, practices, or procedures, such as unnecessary requirements or arbitrary service or cost caps, that limit the availability of services in home and community-based settings to an individual with a disability (including individuals with the most significant disabilities) who need such services;

“(2) impose or utilize policies, practices, or procedures that limit the availability of services in a home and community-based setting (including assistance and support in accomplishing activities of daily living, instrumental activities of daily living, health-related tasks, and rehabilitative services) based on the specific disability of an otherwise eligible individual;

“(3) impose or utilize policies, practices, or procedures that arbitrarily restrict an individual with a disability from full and meaningful participation in community life;

“(4) impose or utilize policies, practices, or procedures that unnecessarily delay or restrict the provision of services in a home and community-based setting to any individual who requires such services;

“(5) fail to establish and utilize adequate payment structures to maintain a sufficient workforce to provide services in home and community-based settings to any individual who requires such services;

“(6) fail to provide information, on an ongoing basis, to help any individual who receives care in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or