

disaster; to the Committee on Foreign Relations.

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 154. A resolution designating July 8, 2011, as "Collector Car Appreciation Day" and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Mr. WEBB (for himself, Ms. SNOWE, Mr. COCHRAN, and Mr. WARNER):

S. Res. 155. A resolution designating April 23, 2011, as "National Adopt A Library Day"; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mrs. FEINSTEIN, Mr. UDALL of Colorado, Mr. AKAKA, Ms. MIKULSKI, Mr. LEVIN, Ms. STABENOW, Mr. COCHRAN, Mrs. MURRAY, and Mr. COONS):

S. Res. 156. A resolution designating April 15 through 17, 2011, as "Global Youth Service Days"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. VITTER):

S. Res. 157. A resolution designating April 21, 2011, as "PowerTalk 21 Day"; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. BEGICH, Mr. BOOZMAN, Mr. BROWN of Massachusetts, Mr. BURR, Mr. JOHANNIS, Mr. MORAN, Mrs. MURRAY, Mr. SANDERS, and Mr. WEBB):

S. Con. Res. 13. A concurrent resolution honoring the service and sacrifice of members of the United States Armed Forces who are serving in, or have served in, Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 28, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 33

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 33, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 206

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 206, a bill to reauthorize the DC Opportunity Scholarship Program, and for other purposes.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 245

At the request of Mr. CORKER, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 245, a bill to reduce Federal spending in a responsible manner.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 328

At the request of Mr. BROWN of Ohio, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 351

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 351, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 352

At the request of Ms. MURKOWSKI, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 352, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Idaho (Mr.

RISCH) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of, dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 481

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 481, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 518

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 518, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 570

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 576

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. LEAHY), the Senator from Colorado (Mr. UDALL) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 596

At the request of Mr. WYDEN, the names of the Senator from Arizona (Mr. KYL), the Senator from Iowa (Mr. HARKIN), the Senator from New York (Mr. SCHUMER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 596, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 598

At the request of Mrs. FEINSTEIN, the names of the Senator from Wisconsin

(Mr. KOHL) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 613

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 613, a bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses.

S. 630

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 630, a bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mrs. HAGAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 700

At the request of Ms. KLOBUCHAR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 705

At the request of Mr. CARPER, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for col-

legiate housing and infrastructure grants.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 712

At the request of Mr. DEMINT, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 716

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 716, a bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 811

At the request of Mr. MERKLEY, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Alaska (Mr. BEGICH), the Senator from Colorado (Mr. BENNET), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from Washington (Ms. CANTWELL), the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. SANDERS), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Ms. SNOWE), the Senator from

Michigan (Ms. STABENOW), the Senator from Colorado (Mr. UDALL), the Senator from New Mexico (Mr. UDALL), the Senator from Virginia (Mr. WEBB), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 811, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 814

At the request of Mr. MANCHIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 814, a bill to require the public disclosure of audits conducted with respect to entities receiving funds under title X of the Public Health Service Act.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. RES. 80

At the request of Mr. KIRK, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 128

At the request of Mr. COONS, his name was added as a cosponsor of S. Res. 128, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2011.

S. RES. 138

At the request of Mrs. GILLIBRAND, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Rhode Island (Mr. REED), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Louisiana (Mr. VITTER), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. LEE), the Senator from Oklahoma (Mr. INHOFE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator

from Arkansas (Mr. BOOZMAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 138, a resolution calling on the United Nations to rescind the Goldstone report, and for other purposes.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. Res. 138, *supra*.

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. Res. 138, *supra*.

At the request of Mr. REID, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 138, *supra*.

S. RES. 144

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. Res. 144, a resolution supporting early detection for breast cancer.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 253

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 253 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Ms. SNOWE):

S. 818. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Finance.

Mr. KERRY. Mr. President, today too many Medicare beneficiaries are being saddled with thousands of dollars of unnecessary out-of-pocket costs for stays at skilled nursing facilities, SNF, solely because of the technical classification of their hospital stay.

Hospitals are increasingly serving Medicare beneficiaries using an "outpatient observation status" rather than admitting them as an inpatient—a billing technicality. Because of this, patients are enduring longer hospital stays in observation status and may unknowingly be treated under outpatient observation status for the entirety of their hospital visit.

While the classification of a hospital stay does not affect either the type or level of care a beneficiary receives, it has significant repercussions on Medicare coverage of SNF care. Under current law, Medicare covers SNF care

only if beneficiaries have 3 consecutive days of hospitalization as an inpatient, not counting the day of discharge.

Although the Medicare Program manuals limit observation status to 24 to 48 hours, many beneficiaries nationwide are experiencing extended stays in acute care hospitals under observation status. According to the Medicare Payment Advisory Committee, MedPAC, the number of beneficiaries receiving outpatient observation services for longer than 48 hours rapidly increased, by more than 70 percent, from 2006 to 2008.

The growth in observation care has not only generated considerable beneficiary confusion as to why Medicare does not cover their SNF care after a hospitalization, but also it has also become a substantial financial barrier to medically necessary post-acute care. Beneficiaries are left facing thousands of dollars in unreimbursed out-of-pocket charges for their care. Those who cannot afford to pay privately for their stay in a SNF may decide to forgo care altogether.

I have heard countless stories of hardship from Medicare beneficiaries in Massachusetts because of this unfair policy. I would like to share the inexcusable experience of one of my constituents, Rosemary Crossin. Rosemary is 81 years old and suffers from Parkinson's disease, arthritis, and diabetes. She was treated at a Boston hospital following a fall that left her with a broken shoulder and a broken hand.

Upon arrival at the hospital, she was examined in the ER for over 6 hours, where she waited on a hard stretcher and received a CT scan, an x ray, and two doses of morphine. At the end of her examination, Rosemary, disoriented and unable to walk on her own due to the combination of her chronic conditions, morphine, and broken bones, was treated in the hospital under observation status.

At no time did the hospital inform Rosemary's family what observation status meant. Rosemary remained in the hospital for over 4 days while she recovered, after which time a physician determined that Rosemary be transferred to an extended stay facility to complete her rehabilitation.

Despite spending over 4 days in the hospital, after the hospital itself determined she was not fit to return home, Rosemary was never admitted as an inpatient. Because she was never classified as an inpatient for billing purposes, she was told that her costs would not be covered by Medicare. Rosemary was told that she would have to prepay \$7998 to the skilled nursing facility or remain at the hospital at a cost of \$1200 per day. This is wrong, and it needs to be changed.

Currently, Rosemary continues to rehabilitate her injuries at the skilled nursing facility. Unfortunately, because she was in observation status for her entire hospital stay, all subsequent costs will need to be paid for out-of-pocket.

Rosemary could have to spend up to \$18,000 out-of-pocket following her fall, all because the hospital kept her under observation status for more than 96 hours after it determined she was not fit to go home.

Unfortunately, Rosemary's experience is not unique. That is why Senator SNOWE and I are working together to prevent billing technicalities from hampering access to skilled nursing care. Today, we are introducing the Improving Access to Medicare Coverage Act of 2011, which would eliminate financial barriers to skilled nursing care in Medicare by allowing observation stays to be counted toward the 3-day mandatory inpatient stay for Medicare coverage of SNF services.

This legislation is supported by a number of national organizations from both the provider and beneficiary communities. I would like to thank a number of organizations that have been integral to the development of the Improving Access to Medicare Coverage Act of 2011 and that have endorsed our legislation today, including the AARP, the American Health Care Association, the American Medical Association, the American Medical Directors Association, the Center for Medicare Advocacy, LeadingAge, and the National Committee to Preserve Social Security and Medicare.

The Improving Access to Medicare Coverage Act will ensure that vulnerable patients like Rosemary will no longer have to suffer or worry about affording medically needed care because of a hospital billing classification issue.

I urge my colleagues to support our legislation to eliminate unnecessary barriers to skilled nursing care and to bring peace of mind to patients and their families.

By Mr. SHELBY:

S. 820. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and greater fairness for all Americans; to the Committee on Finance.

Mr. SHELBY. Mr. President, I rise today to once again introduce my flat tax bill, the Smart, Manageable and Responsible Tax Act, referred to as the SMART Act.

In the United States, there are few, if any, days that are viewed with the same resentment and contempt year after year as April 15: national tax day.

Our current Tax Code totals more than 70,000 pages, making tax compliance unnecessarily complex, confusing and costly. During the past 10 years, there have been over 4,400 changes to the Tax Code, including an estimated 579 changes in 2010 alone.

The inclusion of the additional 1099 tax reporting requirements in the health care reform bill are just one example of the onerous requirements throughout our Tax Code.

As we have learned since the passage of these requirements last March, incremental improvements to the Tax