

Whereas, this growth will never be controlled unless the State of Texas has autonomous management of the program, free from federal mandates regarding individual entitlement, eligibility groups, benefits, payment rates, and financing structures to allow most citizens of the State of Texas to benefit from the Medicaid and welfare programs; and

Whereas, the State of Texas will be able to design and develop innovative, efficient, and productive medical assistance programs that will meet the needs of the residents within the State of Texas' budget capacity; and

Whereas, in the State of Texas, there exists the possibility to improve patient outcomes and cost-effectiveness with a statewide implementation of consumer-directed care under the state medical assistance program: Now, therefore, be it

Resolved, That the 78th Legislative of the State of Texas hereby respectfully urge the Congress of the United States to enact appropriate legislation to pass federal funds on to states via block grants to be used for public welfare and Medicaid purposes; and be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, the speaker of the house of representatives and the president of the senate of the United States Congress, the secretary of the United States Department of Health and Human Services and all the members of the Texas delegation to the congress with the request that this resolution be officially entered into the Congressional Record of the United States of America.

POM-280. A concurrent resolution adopted by the Legislature of the State of Texas relative to the medical savings account program; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 90

Whereas, Medical Savings Accounts (MSAs) offer an innovative alternative to high-premium insurance policies by combining tax-free savings accounts and high-deductible catastrophic health insurance plans; and

Whereas, individuals choosing to use these accounts can pay for routine and minor medical services with funds set aside in a tax-free savings account, while major health care costs are covered by their high-deductible health insurance plans; and

Whereas, tax-free MSAs encourage individuals to make wise and economical decisions about their health care because managing their own accounts often makes them more aware of the true costs of health care; MSAs also offer participants greater access to medical services and the freedom to choose their own health care providers; and

Whereas, a survey of MSA plan participants shows that employers offering MSAs to their employees have been able to reduce health insurance expenses by up to 40 percent; in contrast, employers overall have recently experienced an average 16 percent increase in health insurance premiums, with some small employers confronting increases of 40 to 50 percent; and

Whereas, the federal MSA pilot program, which was designed for small employer groups and the self-employed, carries restrictions that may discourage participation in the program and create confusion among potential applicants, employers, and insurance providers; and

Whereas, the federal MSA pilot program limits annual deductibles for participating employees to not less than \$1,700 or more than \$2,500 for an individual and not less than \$3,500 or more than \$6,150 for a family; annual out-of-pocket expenses under the

plan cannot exceed \$3,350 for individual coverage and \$6,150 for family coverage; and annual limits for account contributions are 65 percent of the deductible for an individual account and 75 percent of the deductible for a family account; and

Whereas, according to 1996 data, about 85 percent of Americans incurred medical expenses, with an average per-person expenditure of about \$2,400, an amount well within the range limits of the MSA annual contribution for an individual account; even more significant is the fact that about half of those persons who incurred medical expenses had expenses of less than \$560; and

Whereas, any unspent MSA funds for a given year may be rolled over to the following year; after age 65, unspent funds can be rolled over to an Individual Retirement Account or withdrawn without penalty for any use and taxed as ordinary income; and

Whereas, expanding the availability of MSAs to other employers, increasing the account contribution limits, and lowering the limits on annual deductibles for participating employees would encourage greater participation among consumers, employers, and insurance providers: Now, therefore, be it

Resolved, That the 78th Legislature of the State of Texas hereby respectfully request the Congress of the United States to broaden the scope and availability of the medical savings account program, remove its restrictions, and allow state governments to design such programs for their employees; and be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2004" (Rept. No. 108-148).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROCKEFELLER (for himself, Mr. HOLLINGS, Mr. LAUTENBERG, and Mr. NELSON of Florida):

S. 1618. A bill to reauthorize Federal Aviation Administration Programs for the period beginning on October 1, 2003, and ending on March 31, 2004, and for other purposes; read the first time.

By Mrs. MURRAY (for herself and Mr. DEWINE):

S. 1619. A bill to amend the Individuals with Disabilities Education Act to ensure that children with disabilities who are homeless or are wards of the State have access to special education services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN:

S. 1620. A bill to condition the implementation of assessment procedures in connection

with the Head Start National Reporting System on Child Outcomes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK:

S. 1621. A bill to provide for consumer, educational institution, and library awareness about digital rights management technologies included in the digital media products they purchase, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DASCHLE (for Mr. GRAHAM of Florida (for himself, Mr. HAGEL, Mrs. CLINTON, Mr. NELSON of Nebraska, Ms. MURKOWSKI, Mr. DAYTON, Mr. AKAKA, and Mrs. MURRAY)):

S. 1622. A bill to amend title 10, United States Code, to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized; to the Committee on Armed Services.

By Mr. DURBIN:

S. 1623. A bill for relief of Elvira Arellano; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. FRIST (for himself and Mr. DASCHLE):

S. Res. 226. A resolution to authorize representation by the Senate Legal Counsel in the case of *Josue Orta Rivera v. Congress of the United States of America*, et al; considered and agreed to.

By Mr. BAYH (for himself and Mr. LUGAR):

S. Res. 227. A resolution expressing the profound sorrow of the Senate for the death of Indiana Governor Frank O'Bannon and extending thoughts, prayers, and condolences to his family, friends and loved ones; considered and agreed to.

By Mr. FEINGOLD:

S. Con. Res. 69. A concurrent resolution providing that any agreement relating to trade and investment that is negotiated by the executive branch with other countries must comply with certain minimum standards; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 242

At the request of Mr. DOMENICI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 242, a bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 514

At the request of Mr. BUNNING, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 514, a bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits.

S. 736

At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S.

736, a bill to amend the Animal Welfare Act to strengthen enforcement of provisions relating to animal fighting, and for other purposes.

S. 740

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 740, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the medicare program.

S. 767

At the request of Mr. BAYH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 767, a bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on Social Security benefits.

S. 877

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

S. 982

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

S. 1213

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

S. 1353

At the request of Mr. BROWNBACK, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1353, a bill to establish new special immigrant categories.

S. 1479

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1479, a bill to amend and extend the Irish Peace Process and Cultural Training Program Act of 1998.

S. 1554

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1554, a bill to provide for secondary school reform, and for other purposes.

S. 1607

At the request of Mr. GRAHAM of South Carolina, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1607, a

bill to establish a Federal program to provide reinsurance to improve the availability of homeowners' insurance.

S.J. RES. 17

At the request of Mr. CORZINE, his name was added as a cosponsor of S.J. Res. 17, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. CON. RES. 21

At the request of Mr. BUNNING, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Con. Res. 21, a concurrent resolution expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis in recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce.

S. RES. 209

At the request of Mr. JEFFORDS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Res. 209, a resolution recognizing and honoring Woodstock, Vermont, native Hiram Powers for his extraordinary and enduring contributions to American sculpture.

S. RES. 219

At the request of Mr. GRAHAM of South Carolina, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. Res. 219, a resolution to encourage the People's Republic of China to establish a market-based valuation of the yuan and to fulfill its commitments under international trade agreements.

S. RES. 220

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. Res. 220, a resolution designating the ninth day of September of each year as "National Fetal Alcohol Syndrome Awareness Day".

AMENDMENT NO. 1655

At the request of Mrs. FEINSTEIN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. CLINTON), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of amendment No. 1655 proposed to H.R. 2754, a bill making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself and Mr. DEWINE):

S. 1619. A bill to amend the individuals with disabilities Education Act to

ensure that children with disabilities who are homeless or are wards of the State have access to special education services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. MURRAY. Mr. President, today I am pleased to join my colleague Senator DEWINE in introducing legislation to provide a high-quality education to homeless and foster children with disabilities. The Individuals with Disabilities Education Act (IDEA) is based on the bedrock American principle of equal opportunity. IDEA recognizes that students have a civil right to a free, appropriate public education, even if their special needs require additional resources. Because most foster and homeless children face distinct challenges, they require even more attention and consideration to make sure their educational needs are met. The Improving Education for Homeless and Foster Children with Disabilities Act would make small but critical changes to ensure these children have a real opportunity to fulfill their potential.

Students with disabilities face additional challenges in school as do foster and homeless children. But to live in a foster home or in no home at all and to have a disability is truly to have the deck stacked against you. Congress has a long and proud tradition of supporting and protecting educational opportunity for our most vulnerable young people. It's what we did when we passed the Elementary and Secondary Education Act in 1965. It's what we did when we created Head Start, and it's what we did when we started giving out Pell Grants. It's time for us to step up once again and make the changes to make IDEA work for homeless and foster children with disabilities.

The bill that Senator DEWINE and I are introducing today addresses the unique educational needs of children with disabilities who are in foster care or who experience homelessness. Foster children and homeless children face a unique set of challenging circumstances. There are over 500,000 children in foster care. Thirty percent of them are in special education. We know that foster children often do not function well in school. Foster children have usually been separated from their biological families as a result of child abuse or neglect, which can leave both emotional and physical marks for life. Given the shortage of foster parents in this country, children in foster care are often shuttled between many different homes and schools. One young man has shared with me his story of living in more than 100 homes throughout his childhood. Every time these children move to a new home, they may have to attend a new school. And every time these children enroll in a new school, they must start over in securing the supports and services they need to receive the free and appropriate public education that is their civil right.

In addition to frequent absences and transfers, foster children often don't