

years until the CHIP program is reauthorized in fiscal year 2007.

It seems that some in this body are more concerned with sound bites than with actually providing health coverage for children. Of course, we can all attest to the success of the Children's Health Insurance Program over the years. We can all cite the 5.8 million children who were covered last year. But, I ask my colleagues, how are we going to do to protect the coverage of those 5.8 million children and ensure that even more children are covered?

While I strongly support greater outreach and enrollment in the CHIP program, the bottom line is that outreach is not a solution to States' coverage problems. States aren't covering additional children under CHIP because they cannot afford to cover the children already enrolled in their programs. In fact, according to the Kaiser Commission on Medicaid and the Uninsured, states are implementing measures—such as enrollment caps, premiums and enrollment fees, eligibility cuts, restricted benefits, and increased co-payments to scale back outreach and enrollment instead of increase them. The State of Florida is a prime example of this. Enrollment in Florida's CHIP program is closed for some children who are undeniably eligible. Outreach to more children who meet the eligibility requirements for Florida KidCare is futile if those kids cannot access actual coverage.

States are experiencing both State and Federal funding shortfalls that prevent them from covering kids. Senator GORDON SMITH and I offered legislation earlier this year to address State budget shortfalls. The State Fiscal Relief Act would extend the federal fiscal relief enacted last year to help resolve state budget deficits and prevent cuts in critical programs and services, including health care. Yet, Congress has yet to consider this important legislation. And now, Congress has failed to preserve approximately \$1.1 billion in expiring CHIP funds for coverage. Our failure to act is sending a very strong message to the states that not only is Congress not willing to assist with budget shortfalls during an economic downturn, Congress is also not willing to uphold the federal guarantee of CHIP coverage.

CHIP is a Federal entitlement, and the Federal Government has a responsibility to make certain the program has the requisite funding to insure eligible children. Additional Federal funding for CHIP outreach should only be pursued after we have made sure states have the federal funding needed to cover the children currently on their rolls. Otherwise, outreach efforts will be ineffective because children will not have access to actual coverage.

The Children's Health Protection and Improvement Act would prevent nearly \$1.1 billion in expiring CHIP funds from reverting to the Treasury so that states with unmet needs can use the money to preserve coverage for chil-

dren currently enrolled and higher-spending states can cover additional children. Our legislation would also establish redistribution rules that will keep CHIP money in the CHIP program through fiscal year 2007.

Some of my colleagues have expressed concerns that our bill would not lead to new children being enrolled in CHIP. These concerns are simply unfounded. My home State of West Virginia, for example, is looking at the feasibility of a CHIP expansion that would cover an additional 4400 children under 300 percent of poverty. The biggest barrier to West Virginia going forward with this expansion is the lack of Federal funds. My state and many others are still recovering from the so-called "CHIP dip," when Federal CHIP funding was \$1 billion lower in fiscal years 2002–2004 than it was in fiscal year 2001. However, under the Children's Health Protection and Improvement Act, WV would qualify for redistributed funds which would give the state the ability to proceed with the expansion.

Finally, I respond to the claims made by some that the Secretary of Health and Human Services should be allowed to redistribute approximately \$660 million in unspent fiscal year 2002 funds to the six states projected to have shortfalls next year. There are several problems with this approach. First, such an approach would concentrate the vast majority of the expiring fiscal year 2002 funds in just six states, when a total of 30 states would qualify for redistributed funds.

Second, unlike the Rockefeller-Chafee-Kennedy-Snowe bill, this approach would not address Federal funding shortfalls in these states in fiscal years 2006 and 2007. Moreover, such a proposal is likely to open up a larger Federal shortfall in fiscal years 2006 and 2007 for the other 12 states projected to have insufficient Federal funding before SCHIP is reauthorized in fiscal year 2007. This is because these 12 states would receive less in redistributed fiscal year 2002 funds under such a proposal than they would otherwise receive under our legislation.

Third, and most importantly, the Centers for Medicare and Medicaid Services, CMS, has not offered a specific formula for allocating funds to states that need them the most in fiscal year 2005, so there is no guarantee that CMS would actually do so. Furthermore, it is critical to note that Congress acted in both 2000 and 2003 to set a specific statutory formula for redistribution and has never allowed the administration, neither the previous one nor the current one, decide how to reallocate unspent funds. Leadership in both the House and the Senate supported these previous redistributions, which have directly contributed to the success of the CHIP program in recent years, so it is unclear why there seems to be a change in position now.

In recent days, several new ideas have been proposed for how to deal

with expiring CHIP funds. Perhaps if it were March or April, and we had ample time to analyze these far-reaching proposals, then we could adequately consider each one. But, the fact of the matter is that we have a strongly bipartisan bill, supported by the Governors of all 50 States, that is ready to go right now. Our legislation has been properly vetted and appropriately scrutinized. The score of our bill is relatively small in relation to the number of children who would be covered. And, our legislation is the product of a long collaborative effort between states, advocacy groups, and Members of Congress instrumental in the creation of the CHIP program. I see no reason why we cannot pass this legislation now.

I am encouraged by Chairman GRASSLEY's statement that he wants to address the long-term Federal CHIP funding shortfalls. After all, the Finance Committee has a history of protecting health care coverage for children. It is where the CHIP program was created and where previous redistributions were conceived. I cannot imagine that members of the Finance Committee would want to jeopardize such a remarkable history by failing to protect CHIP coverage for hundreds of thousands of children over the next three years. I look forward to working with Chairman GRASSLEY and other members of the Finance Committee to pass a unanimous consent agreement on CHIP before we go home next week.

I also call on the President to take a similar stand for children. For reasons that are inconceivable to me, some of my colleagues on the other side of the aisle have indicated that our legislation is partisan or politically motivated. That could not be further from the truth. Our legislation has strong bipartisan support in the House and the Senate, and all of the cosponsors have worked hard to keep this bill from becoming part of election-year politics. There is no reason for Congress not to pass our legislation next week and for the President not to sign it into law. Our children cannot afford to wait.

#### NATIONAL MUSEUM OF THE AMERICAN INDIAN

Mr. JOHNSON. Mr. President, I speak about the Smithsonian's new Museum of the American Indian. In June 1989, when I was still a Member of the House of Representatives, I cosponsored legislation to establish the National Museum of the American Indian within the Smithsonian Institution. The 15-year odyssey for this museum has presented us with more than just items behind glass. This museum tells the story of North and South America's native peoples. It shows their journey through time and gives optimism for the future.

First, I thank all those who have been involved since this process began so many years ago, in particular, Senators INOUE and CAMPBELL, the original sponsors of this bill. The efforts of

thousands of people, both Native and non-native, are reflected in the magnificent structure commemorating the lives of the first Americans. I also thank the thousands of participants who have come from all over the Western Hemisphere to be a part of this historic museum opening, especially those Lakota, Dakota, and Nakota peoples who have made the journey from the Great Plains and particularly South Dakota. Those that have made the trip have shared with us the richness and beauty of their cultures.

I recently had the opportunity to tour the museum, and I am so proud to see the Native people of South Dakota represented in the museum. I am particularly contented to see that the exhibits are displayed in a manner where the tribes are able to see their story from their own point of view. This museum will forever grace the national mall in our Nation's Capitol from the serenity gardens created to surround the museum to the heart of the building's Potomac gathering place. It will take its visitors through time by allowing native people to tell their own story.

I also take this opportunity to speak of the future. With the ever changing roles of the United States government and Indian Tribes, it is imperative we constantly examine paths that strengthen that relationship. In regards to this relationship, I often hear of the tribal sovereignty and the obligations of the United States Government and its treaty and trust responsibilities. With health care in Indian Country funded at 50 percent its necessary levels and schools that are decades past their usefulness, I think that we need to take a serious look at these responsibilities. We need to do more to combat the deplorable conditions that many of our native peoples are subjected, and to develop a plan to alleviate these hardships.

Forever, this museum will grace our national mall. With this new beginning and its reflections of the past, we must now look to the future, the future of Indian country.

#### ADDITIONAL STATEMENTS

##### BAYAUD INDUSTRIES

• Mr. ALLARD. Mr. President, I would like to honor the fine work and dedication of Bayaud Industries of Denver, CO. This non-profit organization offers disabled Coloradans vocational rehabilitation and employment services. I am pleased to acknowledge their efforts and successes.

Founded in 1969, Bayaud Industries is celebrating this year its 35th anniversary of service to the disabled community. Bayaud currently employs and trains more than 300 disabled individuals so that they can succeed in the workplace with the goal to provide paid, steady work for every person enrolled in these programs. More than

5,000 disabled Coloradans have benefited from the services provided by Bayaud Industries. Bayaud Industries is comprised of 48 staff members who are dedicated to helping the disabled community. Its efforts have resulted in a listing by the Denver Business Journal as one of the top 25 Colorado human service agencies. Additionally, Bayaud Industries has been awarded numerous grants from leading Colorado foundations and corporations.

Bayaud's services include vocational evaluation, work adjustment training, a General Office Skills Training program, job placement, and job coaching. The first step in training is in the Vocational Evaluation Program, a 4-week process that assesses an individual's skill needs to succeed in the workplace.

After an individual goes through Bayaud's Vocational Evaluation, the Work Adjustment Training helps individuals increase their self-confidence to help them acclimate appropriately to the workplace environment. Throughout this particular training, individuals are taught how to manage the daily stresses of any work environment, which helps create successful and stable employment.

Bayaud's General Office Skills Training program works to familiarize people with the technological aspects of the workplace. Computers are essential in many jobs, and these individuals are given the training necessary to make their employment a success.

Bayaud Industries uses these programs to provide help with one of the most important aspects of employment assistance: Job placement. From resume writing to interview skills, Bayaud Industries strives to ensure that all individuals are properly trained to search for a job that fits their needs and guarantees their achievement. This aspect of Bayaud is crucial to better understand the individual and to find the perfect job fit for both the business and the employee.

After job training and placement, Bayaud continues its relationship with their employees by offering job counseling. Through its quality assistance and care, Bayaud Industries fosters a relationship between these individuals and the 200 businesses across Colorado that employ them. Bayaud works to provide personalized assistance to all individuals with disabilities, addressing each client's specific needs and goals.

I thank Bayaud Industries for their continued efforts for the disabled community and to businesses across Colorado.

Bayaud's exemplary services are needed and greatly appreciated. •

#### DISCHARGED NOMINATION

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination and the nomination was confirmed: Alan Greenspan, of New York,

to be United States Alternate Governor of the International Monetary Fund for a term of five years.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 4596. An act to amend Public Law 97-435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009.

H.R. 4606. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1134. A bill to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965 (Rept. No. 108-382).

#### 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. KOHL (for himself and Mr. DEWINE):

S. 2880. A bill to amend title XI of the Social Security Act to ensure full and free competition in the medical device and hospital supply industries; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2881. A bill to clarify that State tax incentives for investment in new machinery and equipment are a reasonable regulation of commerce and not an undue burden on interstate commerce, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. BIDEN):

S. 2882. A bill to make the program for national criminal history background checks for volunteer groups permanent; considered and passed.

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

S. 2883. A bill to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of United States Central Authority under that Act; considered and passed.

By Mr. SHELBY (for himself, Mr. SARBANES, Mr. REED, Mr. BENNETT, Mr. BUNNING, Mrs. DOLE, Mr. CHAFEE, Mr. DODD, Mr. SCHUMER, Mr. BAYH, Mr. MILLER, Mr. ALLARD, Mr. ENZI, Mr. LAUTENBERG, Mrs. BOXER, Mr. CARPER, Ms. STABENOW, and Mr. CORZINE):

S. 2884. A bill to authorize the Secretary of Homeland Security to award grants to public