

I urge my colleagues to support this important amendment and commend our bipartisan colleagues who are leading the fight on this critical issue.

By supporting the arts and the humanities, the Federal Government has the ability to partner with state and local efforts to bolster the arts and educational opportunities in our communities.

#### IN RECOGNITION OF THE FAIRVIEW AUXILIARY BOARD TO FAIRVIEW GENERAL HOSPITAL

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 17, 2003*

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Fairview Auxiliary Board to Fairview General Hospital, whose selfless efforts exemplify a model of benevolence and altruism.

Over fifty years ago this organization was founded under the auspices of providing essential resources to the hospital for equipment, building funds, and scholarships. Today, this organization has blossomed to staff over 140 volunteers dedicated to this proposition. Their hours of volunteered time have resulted in astounding success. Volunteers have contributed over 30,000 hours and raised more than \$600,000 in the past ten years alone.

Mr. Speaker, please join me today in commending the members of the Fairview Auxiliary Board. We must encourage organizations such as theirs to continue to volunteer their time and effort in the interest of the betterment of the world.

#### THE SENIOR CITIZENS FREEDOM OF CHOICE ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 17, 2003*

Mr. PAUL. Mr. Speaker, I rise to introduce the Senior Citizens Freedom of Choice of Act. This act ensures that participation in the Medicare program is completely voluntary. I also ask unanimous consent to insert into the record a letter sent to my office from a citizen who is trying to receive Social Security benefits without being forced to enroll in Medicare Part A, along with a letter from the Social Security Administration admitting that seniors who do not enroll in Medicare Part A are denied Social Security benefits.

When Medicare was first established, seniors were promised that the program would be voluntary. In fact, the original Medicare legislation explicitly protected a senior's right to seek out other forms of medical insurance. However, today, the Social Security Administration refuses to give seniors Social Security benefits unless they enroll in Medicare Part A.

This not only distorts the intent of the creators of the Medicare system, it also violates the promise represented by Social Security. Americans pay taxes into the Social Security Trust Fund their whole working lives and are promised that Social Security will be there for them when they retire. Yet, today, seniors are

told that they cannot receive these benefits unless they agree to join another government program!

At a time when the fiscal solvency of Medicare is questionable, to say the least, it seems foolish to waste scarce Medicare funds on those who would prefer to do without Medicare. Allowing seniors who neither want nor need to participate in the program to refrain from doing so will also strengthen the Medicare program for those seniors who do wish to participate in it. Of course, my bill does not take away Medicare benefits from any senior. It simply allows each senior to choose voluntarily whether or not to accept Medicare benefits.

Seniors may wish to refuse Medicare for a variety of reasons. Some seniors may wish to continue making their own health care decisions, rather than have those decisions made for them by the Centers for Medicare and Medicaid Services (CMS). Other seniors may have a favorite physician who is one of the growing number of doctors who have been driven out of the Medicare program by CMS's micromanagement of their practices and below-cost reimbursements.

Forcing seniors into any government program as a precondition of receiving their promised Social Security benefits both violates the promise of Social Security and infringes on the freedom of seniors who do not wish to participate in Medicare. As the author of the submitted letter says, ". . . I should be able to choose the medical arrangements I prefer without suffering the penalty that is being imposed." I urge my colleagues to protect the rights of seniors to make the medical arrangements that best suit their own needs by co-sponsoring the Senior Citizens Freedom of Choice Act.

Congressman RON PAUL  
*U.S. Congress, Washington, DC.*

DEAR CONGRESSMAN PAUL: I am writing to inform you about a structural problem in Medicare of which you may be unaware and that I believe must be remedied, all the more so now that there are rumors that Medicare, Part A, might be combined with Medicare, Part B.

In brief, the problem to which I refer involves the requirement that a Medicare eligible individual enroll in Medicare, Part A as a condition of receiving Social Security benefits to which he or she is entitled. In fact, the Social Security Administration has combined the enrollment forms for the two programs, so that an application for Social Security benefits to which one is entitled automatically entails enrollment in Medicare, Part A.

I discovered this in June 2001 when I went with my husband to apply for my Social Security benefits. I made it quite clear that I would *not* enroll in Medicare, Part A due to my objections to certain aspects of this program. (The objectionable aspects include invasion of privacy and limitation of medical choice.) In response I was told that I then could not receive the Social Security benefits to which I am otherwise entitled.

Further communication with CMS by myself and by the office of Senator Kennedy on my behalf confirmed that CMS and the Social Security Administration take the position that "the Medicare program, Part A . . . [is] a benefit completely linked to the monthly social security benefit for those age 65 or older." Indeed I was sent a copy of federal regulation 404.640 (entitled "Withdrawal of an application"), which states that anyone who enrolls in Medicare, Part A and then decides later to withdraw will have to return

all benefits received. (Another document I received states that this includes both medical benefits and social security benefits.)

Upon receipt of a copy of the letter, dated October 12, 2001, sent to Senator Kennedy regarding my complaint. I followed that letter's suggestion that I make an attempt to file "a restricted application for Social Security benefits." This I did in a letter, dated May 15, 2002, to the regional commissioner for Social Security, Manual Vaz.

The response to my letter to Mr. Vaz came from the local (Waltham) Social Security office. In that letter, dated May 29, 2002. I was told that it was impossible to make a restricted application, i.e., an "application for cash social security retirement benefits only."

Thus I was left with no recourse. I could not appeal a denial of my "restricted" application, because I was not even permitted to make the application. Short of an expensive lawsuit or an Act of Congress, there appears to be no remedy.

This is no trivial matter for me. I have now lost two years of Social Security benefits. It is not clear when or if I will ever receive these benefits. All those with whom I have discussed this problem, irrespective of their political persuasion, have been shocked to hear about these regulations.

I believe that I should be able to choose the medical arrangements I prefer without suffering the penalty that is being imposed. I ask that you take steps to remedy this situation. I shall be happy to supply documentation regarding the facts outlined above, if you request it. I look forward to hearing from you.

Sincerely, \_\_\_\_\_

SOCIAL SECURITY ADMINISTRATION

DEAR MS. :

Enclosed please find the regulations which state that there is no application for cash social security retirement benefits only. If you file for cash benefits you MUST file for the Medicare Part A (HI). Therefore this can only be translated, in one way at this time. If you do not wish to file for Medicare Part A (HI) you must forfeit your right to cash benefits.

If I can be of any further assistance please feel free to contact me at the above telephone number extension, 3016.

Sincerely yours,

*Technical Expert.*

#### HONORING MAYNARD HOLBROOK JACKSON, JUNIOR, AND EXTENDING CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON HIS DEATH

SPEECH OF

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 16, 2003*

Mr. MEEK of Florida. Mr. Speaker, I thank my colleague, JOHN LEWIS, for introducing this resolution. I was honored to cosponsor it, because I think it is very important that people in this legislative body and in this nation know the huge impact Maynard Jackson had on the country and on the African American community in particular.

You could just sense the importance of Maynard Jackson by watching the thousands of mourners who waited in lines stretching several blocks to honor him. Former Presidents joined everyday citizens in honoring the life and service of this great man, who was the