

THE SENIORS' HEALTH CARE  
FREEDOM ACT

## HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2009

Mr. PAUL. Madam Speaker, I rise to introduce the Seniors' Health Care Freedom Act. This act protects seniors' fundamental right to make their own health care decisions by repealing federal laws that interfere with seniors' ability to form private contracts for medical services. This bill also repeals laws which force seniors into the Medicare program against their will. 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, the Balanced Budget Act of 1997 prohibits any physician who forms a private contract with a senior from filing any Medicare reimbursement claims for two years. As a practical matter, this means that seniors cannot form private contracts for health care services.

Seniors may wish to use their own resources to pay for procedures or treatments not covered by Medicare, or to simply avoid the bureaucracy and uncertainty that comes when seniors must wait for the judgment of a Center from Medicare and Medicaid Services (CMS) bureaucrat before finding out if a desired treatment is covered.

Seniors' right to control their own health care is also being denied due to the Social Security Administration's refusal to give seniors who object to enrolling Medicare Part A Social Security benefits. 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 an additional 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 or to use his own resources to obtain health care.

Forcing seniors into government programs and restricting their ability to seek medical care free from government interference infringes on the freedom of seniors to control their own resources and make their own health care decisions. A woman who was forced into Medicare against her wishes summed it up best in a letter to my office, ". . . 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 right of seniors to make the medical arrangements that best suit their own needs by cosponsoring the Seniors' Health Care Freedom Act.

THE CREATING OPPORTUNITIES  
TO MOTIVATE MASS-TRANSIT  
UTILIZATION TO ENCOURAGE  
RIDERSHIP

## HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2009

Mr. KIRK. Madam Speaker, as our economy continues to struggle, an immediate and cost-effective way to offer relief to consumers is to provide incentives for mass transit use. According to a study published by the American Public Transportation Association (APTA), public transportation use in the U.S. saves an annual 1.4 billion gallons of gasoline. Factoring in the current average gasoline price of \$1.65 per gallon, public transit saves consumers more than \$2 billion in gas costs per year.

Greenhouse gas emissions from motor vehicles also pose a severe threat to our environment, as emissions from our transportation sector account for nearly a third of all U.S. emissions. Public transit, however, reduces CO<sub>2</sub> emissions by 37 million metric tons annually. This is equivalent to the electricity used by nearly five million homes. If we want to get serious about emissions reductions, we must get serious about investing in public transit.

Current law allows businesses, governments, non-profits and employees to purchase tax-free transit benefits. However, there is no tax incentive for employers to directly subsidize their workers' transportation costs. The bipartisan Creating Opportunities to Motivate Mass-transit Utilization To Encourage Ridership (COMMUTER) Act of 2008 offers employers a 50 percent tax credit for all transit benefits provided to employees, up to \$115 per employee per month. Under the COMMUTER Act, employees could receive up to \$1,380 in free mass transit funds each year, with the employer receiving \$690 in tax credits per employee. As family budgets continue to tighten, an extra \$1,400 to \$2,800 could help ease the burdens of health care and education or help bolster retirement savings.

A study recently conducted by BusinessWeek Research Services estimates that 53 percent of employees in Chicago, San Francisco and New York would take public transportation if their employer provided access to current transit benefits. Out of the respondents, 60 percent said their company does not provide tax-free commuter benefits.

I believe we must work to provide long-term solutions to our energy crisis, such as passing long-term tax incentives for research and development of renewable and alternative energy, fuels and vehicles; eliminating the so-called boutique fuels and offering the nation one clean burning fuel; financing energy development projects in China, central Asia and the Gulf to meet Chinese energy needs apart from oil; and increasing fuel economy standards.

But our economy, environment and national security cannot wait ten, twenty or thirty years for the entire restructuring of our energy policy—we need to take action now. I am proud to offer the COMMUTER Act with Representatives DAN LIPINSKI (D-IL) JUDY BIGGERT (R-IL) and PETER ROSKAM (R-IL) and to help provide that immediate relief. I hope Congress will act swiftly and in a bipartisan manner to pass this important legislation.

RECOGNIZING TEKLA HAMPUS OF  
SPRING HILL, FLORIDA

## HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Tekla Hampus of Hernando County, Florida. Tekla has done something that all of us strive to do, but that very few of us will ever accomplish, celebrate her 102nd birthday.

Tekla Hampus was born September 24, 1906 in Stockholm, Sweden. After she finished school in Stockholm, Tekla married but was widowed in 1979. She and her husband had two children, one of whom is now deceased. Tekla is proud of her one grandchild, two great-grandchildren and three great-great grandchildren.

As someone who has lived for more than a century, Tekla is proudest of the births of her children and grandchildren. She has many fond memories of family outings with her parents and their picnics together back home in Europe.

Following her move to Hernando County in 1968 to be closer to her children, Tekla today gets pleasure from visits with her son and enjoys the cost of living in Hernando County.

Madam Speaker, I ask that you join me in honoring Tekla Hampus for reaching her 102nd birthday. I hope we all have the good fortune to live as long as her.

## TRIBUTE TO NANCY RUSSELL

## HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2009

Mr. WU. Madam Speaker, I rise today to remember a courageous and pioneering Oregonian who we lost on September 19, 2008, Nancy Russell. Her love of the outdoors and of Oregon history led her to co-found an organization that assisted in obtaining Federal protection for the Columbia River Gorge—"Friends of the Columbia River Gorge."

Madam Speaker, and my fellow colleagues, if you have never seen the Columbia River Gorge, let me explain to you: It is Oregon's Grand Canyon, our Yellowstone, the crown jewel of Oregon's natural heritage, a spectacular and unique 80-mile-long, 4,000-feet-deep sea level cut through the Cascade Mountain Range. The Gorge is home to more than 800 species of wildflowers, six endangered and threatened animal species, and more than 40 other sensitive species.

As a self-taught wildflower expert, Nancy shared her love of wildflowers by developing the Wildflower Walkers program for the Portland Garden Club, which helped others understand and love the Gorge the way Nancy did.

In the late 1970s, development in the Portland area was threatening to spill into the Gorge, and a group of prominent conservationists recruited Nancy to lead the effort for Federal protection. In the face of pressure from opponents of scenic area designation, and even bumper stickers that read "Save the Gorge from Nancy Russell," she and her fellow supporters persevered in 1986, when