

minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, Republicans continue to work on what we call the BEST agenda: B for balancing the budget and paying down the debt, E for excellence in education, S for saving social security and Medicare, and T for lowering taxes on the middle class working families in America.

Let me talk a little bit about E for education. When I was in 11th grade back at Clark Central High School in Athens, Georgia, I had a wonderful teacher, Mrs. Musik. Now Mrs. Musik was tough. You could not split an infinitive, you could not dangle a participle in her class. She expected you to learn grammar. She expected you to read Emerson and Thoreau.

But she was the master. When she went in there, she did not have to answer to the Board of Education in Atlanta or the folks in Washington, the bureaucrats who want to run the classroom today. She was in charge.

That is what we want in the Republican Party, local control of education: letting the teacher run the classroom, not the Washington bureaucrats.

#### SOCIAL SECURITY AND MEDICARE

(Mr. SHOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHOWS. Mr. Speaker, more than 400,000 elderly Mississippians depend on Medicare for their health care. In my home district in Mississippi, the Fourth District, close to 93,000 elderly people depend on Medicare. Without the Medicare system, many people in Mississippi and across the country would have to live without health care.

Right now we have the opportunity to protect both social security and Medicare by reserving nearly 80 percent of the budget surplus to ensure the solvency of social security through 2055 and Medicare through 2020.

Look to the fact that prior to Medicare's introduction in the early sixties, 55 percent of Americans who reached the age of retirement lived in poverty. That number is less than 10 percent today. That decline can be attributed to the success of the Medicare system.

We cannot leave Medicare out in the cold, this valuable program which is so special, in order to offer a massive tax cut. We should take the opportunity to protect social security and Medicare, and offer the targeted tax cuts to working families who need them.

#### CONGRESS IS WAITING FOR THE PRESIDENT'S SOCIAL SECURITY PROPOSAL

(Mr. SCHAFFER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHAFFER. Mr. Speaker, the President has been talking about the need to save social security for a num-

ber of weeks now, but the talk has not advanced beyond general talking points and rough outlines. That is fine for television and for public relations, but Congress needs a proposal.

We have heard over and over again that the White House is ready to work with Congress in a bipartisan manner to reform social security, but we are waiting. We have not seen any legislation or even a sign of legislation coming.

Rhetoric is great, but now is the time to get to work. Congress has even set aside an honored spot for the President's social security bill, H.R. 1. Congress will immediately get to work on this bill as soon as it arrives.

It is time for the President to answer some questions about his social security proposal, particularly questions about the double-counting of imaginary money that it contains, double-counting that adds up to more than \$2 trillion. H.R. 1 is a starting point. Now let us get started.

#### MEDICARE, SOCIAL SECURITY, AND PAYING DOWN OUR DEBT

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, Medicare and social security are two of the greatest programs for our citizens. They provide the two fundamental keys to retirement security, medical and financial security.

Before this Congress spends the budget surplus either on tax cuts or anything else, we have a responsibility to every American, past, present, and the future, to save these two American treasures, and also to pay off at least some of our national debt.

The bad news will only come if people try to make these programs more political or, worse yet, to dismantle social security and Medicare. Retirement security and senior health care are popular with the American people for a simple reason, because they work, and they have worked for many years, and paying down the national debt just make common sense.

#### PATIENTS' BILL OF RIGHTS

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, I believe there is no greater issue that confronts this Congress and the Nation than health care reform. This is not a Democratic issue, this is not a Republican issue, but rather, a matter whose urgency and scope should unite all of us in a bipartisan effort to ensure that each and every American can obtain affordable coverage to meet their health care needs.

This is why I am pleased to join the gentleman from Michigan (Mr. DINNELL) and my colleagues as an original

cosponsor of the Patients' Bill of Rights. Mr. Speaker, my constituents, the hardworking people of Queens and the Bronx, strongly support the enactment of comprehensive health care legislation, as the vast majority of them are in favor of the Patients' Bill of Rights.

We must pass legislation that guarantees access to specialized care, common sense emergency room treatment, and the ability of women to have direct access to OB-GYN care. We as a Congress must protect the millions of Americans who are in managed care programs, and provide them with the highest quality of health care possible.

#### ENCOURAGING THE REPUBLICAN LEADERSHIP TO JOIN DEMOCRATS IN MAKING DEBT REDUCTION A PRIORITY

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, today I rise to encourage the Republican leadership to join my colleagues in making debt reduction a priority. My Democratic colleagues have made a commitment to dedicate the surplus to saving social security and Medicare and paying down the debt. This is the fiscally responsible decision to be made.

For the first time in a generation we will have a surplus. We are finally in the black. Just because we have some money on the positive side of the ledger, we cannot let spending fever grip Congress. I know my colleagues on the other side of this aisle want to dole out tax cuts, but now is not the time. While across-the-board tax cuts may sound attractive, it is not the most opportune time to indulge. The truth is that such a tax cut will only benefit the most affluent Americans.

We must practice fiscal responsibility and restraint. If we dedicate the surplus to paying down the debt, we can put money in the pockets of hard-working families. What I mean by that is that we can reduce the debt from \$3.7 trillion to \$1.3 trillion. Such a reduction will have a ripple effect on our economy. All Americans stand to gain. Economists believe that this kind of reduction would result in lower interest rates.

#### THE 1999 TRADE POLICY AGENDA AND THE 1998 ANNUAL REPORT ON THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. LATOURETTE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1999 Trade Policy Agenda and the 1998 Annual Report on the Trade Agreements Program. This report includes the Annual Report on the World Trade Organization, as required by section 124 of the Uruguay Round Agreements Act (19 U.S.C. 3534).

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 9, 1999.

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ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS, FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and the Workforce.

*To the Congress of the United States:*

It is my pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for Fiscal Year 1997.

The Arts Endowment awards more than one thousand grants each year to nonprofit arts organizations for projects that bring the arts to millions of Americans. Once again, this year's grants reflect the diversity of our Nation's culture and the creativity of our artists. Whether seeing a classic theatrical production in Connecticut or an art exhibition in Arizona, whether listening to a symphony in Iowa or participating in a fine arts training program for inner-city students in Louisiana, Americans who benefit from Arts Endowment grants have experienced the power and joy of the arts in their lives.

Arts Endowment grants in 1997 supported:

- projects in theater, dance, music, visual arts, and the other artistic disciplines, demonstrating that our diversity is an asset—and helping us to interpret the past, understand each other in the present, and envision the future;
- folk and traditional arts programs, which strengthen and showcase our rich cultural heritage; and
- arts education, which helps improve our children's skills and enhances their lives with the richness of the arts.

The arts challenge our imaginations, nourish our spirits, and help to sustain our democracy. We are a Nation of creators and innovators. As this report illustrates, the NEA continues to celebrate America's artistic achievements and makes the arts more accessible to the American people.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 9, 1999.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

If a recorded vote is ordered on House Concurrent Resolution No. 28 relating to human rights abuses in China, that vote will be taken today. If a recorded vote is ordered on any remaining motion, those votes will be postponed until tomorrow, Wednesday, March 10, 1999.

NURSING HOME RESIDENT  
PROTECTION AMENDMENTS OF 1999

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 540) to amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid program.

The Clerk read as follows:

H.R. 540

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Nursing Home Resident Protection Amendments of 1999".

## SEC. 2. RESTRICTIONS ON TRANSFERS OR DISCHARGES OF NURSING FACILITY RESIDENTS IN THE CASE OF VOLUNTARY WITHDRAWAL FROM PARTICIPATION UNDER THE MEDICAID PROGRAM.

(a) IN GENERAL.—Section 1919(c)(2) of the Social Security Act (42 U.S.C. 1396r(c)(2)) is amended by adding at the end the following new subparagraph:

## “(F) CONTINUING RIGHTS IN CASE OF VOLUNTARY WITHDRAWAL FROM PARTICIPATION.—

“(i) IN GENERAL.—In the case of a nursing facility that voluntarily withdraws from participation in a State plan under this title but continues to provide services of the type provided by nursing facilities—

“(I) the facility's voluntary withdrawal from participation is not an acceptable basis for the transfer or discharge of residents of the facility who were residing in the facility on the day before the effective date of the withdrawal (including those residents who were not entitled to medical assistance as of such day);

“(II) the provisions of this section continue to apply to such residents until the date of their discharge from the facility; and

“(III) in the case of each individual who begins residence in the facility after the effective date of such withdrawal, the facility shall provide notice orally and in a prominent manner in writing on a separate page at the time the individual begins residence of the information described in clause (ii) and shall obtain from each such individual at such time an acknowledgment of receipt of such information that is in writing, signed by the individual, and separate from other documents signed by such individual.

Nothing in this subparagraph shall be construed as affecting any requirement of a par-

ticipation agreement that a nursing facility provide advance notice to the State or the Secretary, or both, of its intention to terminate the agreement.

“(ii) INFORMATION FOR NEW RESIDENTS.—The information described in this clause for a resident is the following:

“(I) The facility is not participating in the program under this title with respect to that resident.

“(II) The facility may transfer or discharge the resident from the facility at such time as the resident is unable to pay the charges of the facility, even though the resident may have become eligible for medical assistance for nursing facility services under this title.

“(iii) CONTINUATION OF PAYMENTS AND OVERSIGHT AUTHORITY.—Notwithstanding any other provision of this title, with respect to the residents described in clause (i)(I), a participation agreement of a facility described in clause (i) is deemed to continue in effect under such plan after the effective date of the facility's voluntary withdrawal from participation under the State plan for purposes of—

“(I) receiving payments under the State plan for nursing facility services provided to such residents;

“(II) maintaining compliance with all applicable requirements of this title; and

“(III) continuing to apply the survey, certification, and enforcement authority provided under subsections (g) and (h) (including involuntary termination of a participation agreement deemed continued under this clause).

“(iv) NO APPLICATION TO NEW RESIDENTS.—This paragraph (other than subparagraph (III) of clause (i)) shall not apply to an individual who begins residence in a facility on or after the effective date of the withdrawal from participation under this subparagraph.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to voluntary withdrawals from participation occurring on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

## GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 540.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 540, the Nursing Home Resident Protection Amendments of 1999. This measure will protect the health and dignity of nursing home residents who rely on Medicaid.

In a hearing of my Subcommittee on Health and Environment on February 11, Mr. Nelson Mongiovi described the trauma that his mother suffered when she was targeted for eviction by her nursing home in Tampa, Florida. That facility attempted to evict over 50 Medicaid residents last year under the guise of remodeling their wing.