

made to their self-owned entities as well as to other eligible entities. A hospital that fails to comply with the bill's requirements would be subject to a civil money penalty of \$10,000 for each violation.

This legislation does not hinder a hospital's ability to offer its own services. It merely guarantees that all providers will have an opportunity to compete in the market. Most importantly, it guarantees that patients will have choice when selecting their provider.

I am drafting a similar bill for introduction later this year which would require that all providers—not just hospitals—give freedom of choice to Medicare and Medicaid beneficiaries. I see no reason why a patient should be held captive to a provider's preference for referral—it should be the patient's choice. For example, home health agencies who refer clients to nursing homes should provide the beneficiary with a complete list of all Medicare-Medicaid certified nursing homes in the area in which the patient resides. This requirement would ensure that all Medicare and Medicaid beneficiaries are given a choice of provider regardless of referral source.

Additionally, I will add to the next bill a third party cause of action which would allow these providers to bring suit against hospitals for failing to adhere to the proper discharge planning process.

Attached is a letter that typifies the current problem in the home health services market.

VISITING NURSE ASSOCIATION  
OF GREATER PHILADELPHIA,  
December 1, 1995.

Re *United States v. Heartland Health Systems Inc.* Civil Action No. 95-6171-CV-SJ-6.

Ms. GAIL KURSH,  
Chief, Professions & Intellectual Property Section/Health Care Task Force Antitrust Division, U.S. Department of Justice, Washington, DC.

DEAR MS. KURSH: I am writing to urge that the Justice Department not consent to the proposed final judgment in the above-referenced case, because the "Referral Policy" regarding provision of home health care does not adequately protect patient choice and fair competition.

The VNA of Greater Philadelphia is the largest home health agency in Pennsylvania. We are a non-profit, community-based agency which has served communities in southeastern Pennsylvania, including the City of Philadelphia, for 110 years. We provide home health services to approximately 2,000 patients a day, many of whom are Medicare and/or Medicaid patients referred for care directly following an episode of hospitalization.

Patient choice and fair competition are protected by both Medicare and Medicaid law and by antitrust provisions. The proposed Heartland referral policy undermines these protections. Heartland would have no obligation to provide reasonable information about other home health providers in the community for patients who have expressed no provider preference. Telling a hospitalized patient that there are other providers listed in the telephone book and then giving the patient "time to investigate", all in the context of the Heartland representative extolling the virtues of its home health service, clearly encourages steering patients to the hospital-owned agency. Further, a policy of stonewalling patient's requests for information about other providers, places the discharge planning staff in the position of denying knowledge that they actually have about alternate providers. This clearly undermines continuity of care for patients.

Although the Heartland consent decree may have no formal precedential impact, in practice this decree could have far-reaching, negative impact on patients and on independent providers, including visiting nurse associations, because it would send a clear signal that anti-trust and patient choice protections are no longer to be taken seriously.

We urge that you require a more aggressive policy to assure that vulnerable, hospitalized patients truly have access to the information they need to make an informed choice of their home health provider.

Sincerely,

STEPHEN W. HOLT.

## THE INAUGURAL ADDRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 1997

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, January 29, 1997 into the CONGRESSIONAL RECORD.

PRESIDENT CLINTON'S INAUGURAL ADDRESS

The inauguration of a President is one of the great rituals of American democracy. It shows our country's peaceful transition of power every four years, and it is a time for our nation to unite after the divisions of the previous term. A President's inaugural address is important because it sets the tone of his administration. Several themes stood out to me as President Clinton took the oath of office in the last presidential inauguration of the 20th century.

### OPTIMISM

One theme was optimism about the future. The President said that the nation stands "on the edge of a bright new prospect in human affairs". He has hopeful visions of a "new century in a new millennium", and said we should "shape the hope of this day into the noblest chapter in our history". It is clear that he sees his presidency as an opportunity to guide America through the challenges of the next few years into a "land of new promise" in the next century.

Moving into the "land of new promise" was highlighted several times, almost as his central, unifying theme for his second term. I have been impressed by how much the President's attention is in the year 2000 and the new century. President Clinton is very much focussed on the history books. He sees the country as being at a turning point, and he remembers that the great turn-of-the-century Presidents—Thomas Jefferson and Theodore Roosevelt—governed a country undergoing profound changes and created opportunities that altered the course of history.

He wants to do the same. He wants to lead the country through the transition into the next century, all the time keeping the American dream of opportunity alive. He called for a new spirit for a new century, with Americans working together to build "a nation ever moving forward, toward realizing the full potential of all its citizens." He clearly believes America has a lot of assets for its leadership role for the rest of the world. He referred to America as the "indispensable nation", with the strongest economy on earth and building stronger families and thriving communities.

The President's clear sense of optimism dominated the address, and it was important to hear. But I think the President missed an opportunity to educate the American people about the tough choices that must be made preparing for the future.

### RECONCILIATION

Another major theme in his address was reconciliation. The President urged Americans to bury racial and political divisions and urged a new spirit of community. The inauguration's coming on Martin Luther King Jr. Day added strength to the President's appeal for racial healing. He spoke of the divide of race as being "America's constant curse".

He also appealed for an end to the partisan squabbling in Congress, and that sentiment was very well received by Americans who are weary of the constant bickering. The President quoted the late Cardinal Bernadin saying, "It is wrong to waste the precious gift of time on acrimony and division." In perhaps the most memorable line in the address, he reminded us that "America demands and deserves big things from us, and nothing big ever came from being small".

The President believes that if the country can come together and put the divisions aside, it can work together toward unparalleled prosperity and freedom for ourselves and for the rest of the world. The President's theme of reconciliation is the right one, but I do wish he had done more to challenge Americans to care more and do more for those less fortunate. We have a time of remarkable prosperity in the country, but there are very wide disparities. I think it is appropriate for the President to urge that more of us think about the common good and contribute to it.

### ROLE OF GOVERNMENT

Another theme was the role of government. I was struck by the sentence in his address that "we have resolved for our time a great debate over the role of government". Since the beginning of our republic, the great question of American democracy has been over the role of government in the country. The President updated former President Ronald Reagan's declaration sixteen years ago that "government is not the solution to our problem, government is the problem". President Clinton challenged that by saying, "Today we can declare government is not the problem, and government is not the solution. We, the American people, we are the solution." Here he reflected the view that most politicians have picked up recently from their constituents, that government is something more than the enemy of the people.

The President's view of government is that it should not attempt to solve people's problems for them nor should it leave them alone to fend for themselves. He wants a government that gives people the tools to solve their own problems and to make the most of their own lives. Like most Americans, he likes the idea of a government that is smaller, lives within its means, and tries to do more with less.

I wonder whether the President is overly optimistic in believing that his first term largely settled the debate over the role of government. My sense is that this is the central issue of American politics and it is not going to go away. His formulation of the role of government in his address was broad enough and vague enough to get most everyone's approval, but it may be too broad and vague to resolve a variety of questions about the role of government.

### CONCLUSION

I think President Clinton worked very hard to state the essence of his convictions and his purpose as President. His desire to lead the country in its transition into the new century and the "land of new promise" was clear to all who heard his address.

Perhaps some were looking for sweeping policy initiatives or bold new programs, but

the President really has little choice at this point. There is a shortage of federal funds; the American people do not want new taxes; and the major problems of government in recent years have been to restrain spending on current programs. Some criticize the address for not grappling with the tough problems that face the nation, like campaign finance reform, bringing entitlement spending under control, and improving the educational system. The President offered very few specifics, but I am not at all sure that such detailed proposals belong in an inaugural address. Those items are better left for the State of the Union address and other presidential speeches. The President wanted to use his second inaugural address to spell out his broad vision for our nation's future.

HONORING DR. SOLOMON STINSON  
FOR 36 YEARS OF OUTSTANDING  
AND CONTINUED SERVICE TO  
DADE COUNTY PUBLIC SCHOOLS

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. MEEK of Florida. Mr. Speaker, on February 26, Van E. Blanton Elementary School will honor Dr. Solomon Stinson, Chairman of the Dade County School Board, as a "Living Legend." It is my great pleasure to join Dr. Stinson's family, friends, coworkers, and students in recognizing his 36 years of outstanding and continued service to our community. I know my colleagues will join me in congratulating Dr. Stinson for his dedication as an educator, a role model, and a mentor who helped shape thousands of children in my district.

Dr. Stinson earned a Bachelor's degree in social studies, mathematics, and science certification from Alabama State University, a master's degree in school administration and supervision from the University of Iowa, and a doctoral degree in school administration from the University of Iowa. He also received a certification in elementary education from the University of Miami and a certification in adult education from Florida State University.

Dr. Stinson began his career by teaching at Holmes Elementary School. He quickly advanced to become the assistant principal at Rainbow Park and North Grade Elementary Schools, and later principal at North Grade and Lake Steven Elementary Schools. Dr. Stinson distinguished himself as an outstanding administrator in the position of assistant superintendent of the Bureau of Business Services with the Dade County school system. He served in several other important positions in the Dade County public school system, including area superintendent of the north central district; associate superintendent and later senior associate superintendent of the bureau of school operations; and deputy superintendent of school operations for Dade County public schools. Today, Dr. Stinson continues his outstanding record as a school board member for District 2 and Dade County school board chairman. We are fortunate that Dr. Stinson devoted his life to ensuring quality education for all our children.

In addition to his many years as an educator, Dr. Stinson has been extremely active in other areas of our community. He is a member of Mount Tabor Baptist Church, where he serves as chairman of the board of trustees

for the last 6 years. He also chaired the Hurricane Trust Fund and the Red Cross Committee. Dr. Stinson is a member of the board of directors of jobs for Miami, and a committee member and council advisory board member of the Boy Scouts of America. His exceptional, notable service, and commitment to Dade County has included dozens of positions in numerous organizations, earning more awards than I can list here.

Dr. Solomon Stinson has proven to be a "Living Legend," and an excellent role model for our children. Mr. Speaker, on behalf of my entire community and as a former educator myself, I offer him my deepest thanks for his many years of dedicated service, and our best wishes for his continued success.

GEORGE FELDENKREIS AND  
FAMILY TO BE HONORED

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to join with The Simon Weisenthal Center in recognizing the achievements of Mr. George Feldenkreis and his family.

On Sunday, March 16, 1997, the Simon Weisenthal Center will be celebrating this family's remarkable story. Thirty-six years ago, George Feldenkreis escaped the Castro dictatorship to come to the United States. With him were his one-year-old son, Oscar, and a daughter, Fanny, on the way.

Like the thousands of refugees from oppression who came before them, all the Feldenkreis family members brought with them was a capacity for hard work and the desire to realize the American dream. Years of struggle were rewarded by success in the business world and the respect of his peers. George Feldenkreis, as head of Supreme International, is a leader in the American apparel industry. Additionally, he heads Carfel Inc., which deals with the importation and distribution of auto parts.

George Feldenkreis chose to give back to his community by lending his considerable talent and energy to civic causes. He served as a leader for Temple Menorah and the Hispanic Heritage Committee, as well as president of the Cuban Hebrew Division of the Greater Miami Jewish Federation for 7 years. He currently serves as a vice president of the federation.

In addition to giving their father six grandchildren, both of George Feldenkreis's two children, together with their spouses, contribute to the success of the family enterprises. Oscar serves as president and CEO and Fanny and her husband, Salomon Hanono, also serve in prominent positions in the firm. Oscar and his wife, Ellen, together with Fanny and her husband also carry forward the family tradition of service. Fanny and Salomon give their time to the Michael Ann Russell Jewish Community Center and the Samuel Hillel Community Day School. Oscar and Ellen work on behalf of Temple Menorah, the Lehrman Day School and Israel Bonds.

Mr. Speaker I ask the House to join with me and The Simon Weisenthal Center in recognizing a family whose achievements have realized the American dream.

TRIBUTE TO CONGRESSMAN  
FRANK TEJEDA

SPEECH OF

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 1997*

Mr. SERRANO. Mr. Speaker, it is always difficult to say goodbye to dear friends, to those who have given so much and so unselfishly to their communities and to our Nation.

Our colleague Frank Tejada was one of those men who are born to carry the torch for others to follow. His life is a testimony of courage, service, generosity, and integrity.

Throughout his life he stood up against adversity. After dropping out of high school, he enlisted in the Marines. His exceptional military training and courage served him well in Vietnam; he was awarded with the Bronze Star and Purple Heart, and most recently the Silver Star.

After 4 years of military service, Frank completed a bachelor's degree at St. Mary's University in San Antonio. He continued his education at the University of California at Berkeley, where he obtained a law degree. His desire to improve himself and to be of service to the best of his abilities encouraged him to obtain two masters degrees, one in public administration from Harvard University and a second one in law from Yale University.

As a lawyer serving in the Texas House and later in its Senate, he defended the rights of the most vulnerable. He fought for worker's compensation reform and for other initiatives for minorities.

His hard work and his understanding of his community in San Antonio, TX, gained him their overwhelming support to represent them in the U.S. House of Representatives. As a Member of Congress and of the Congressional Hispanic Caucus, Frank works relentlessly to secure veterans' rights and access to education and health care for the poor.

Frank always stayed close to the people he loved: his family, friends, and his community back home. In his later years, he fought his terminal illness with the same courage and dignity that exemplified his life.

To Frank Tejada's family and friends, I would like to extend my deepest sympathy in this trying time. I would like to join all who had the privilege of knowing him in paying tribute to our American hero, Frank Tejada, for serving his community, his State, and his Nation with the courage, generosity, and dignity of great men of history.

WYOMING GRAZING PRIVILEGES

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 1997*

Mrs. CUBIN. Mr. Speaker, Jackson Hole, WY, is one of the most beautiful and unique areas of our Nation. Over 3 million visitors per year come to hike, camp, ski, and sightsee amidst the grandeur of the Teton Range and the winding Snake River in Grand Teton National Park and the greater Yellowstone area beyond. Many wildlife species such as moose, bear, eagles, and trumpeter swan make the