

The outline of coverage would be required to include: a description of the benefits covered; the principal exclusions from and limitations on coverage; the conditions, if any, upon which the insured can obtain upgraded benefits; the threshold conditions for entitlement to receive benefits; a statement of the circumstances in which a policy may be terminated and the refund or non-forfeiture benefits, if any, applicable to each circumstance including death, nonpayment of premiums, non-renewal by the insured, any other circumstance; a statement of the total annual premium and the portion of premium attributable to each covered benefit; any reservation of the insurer of a right to change premiums any limits on annual premium increases; any expected premium increases associated with automatic or optional benefit increases, including inflation protection; circumstances under which the payment of premium would be waived; information on average costs and variation in such costs for nursing facility care and other covered benefits; comparison of benefits over 20 years for policies with and without inflation protection; a declaration as to whether the amount of benefits will increase over time and, if so, the type and amount of any limitations on, and any premium increases for, such benefit increases.

#### *Benefit standards*

Benefits under long-term care insurance policies could not be conditioned upon any of the following: the need for another type of service, such as prior hospitalization or a higher level of care; a particular medical diagnosis; compliance by the providers with conditions not required by Federal or State law; the provision of such service by a provider or in a setting providing a higher level of care than required by an insured individual.

A long-term care insurance policy that provides benefits for home care or community-based services; may not limit benefits to services provided by registered nurses or licensed practical nurses; may not limit benefits to services furnished by persons or entities participating in programs under title XVIII and XIX of the Social Security Act; must provide, at minimum, benefits for personal assistance with activities of daily living, home health care, adult day care and respite care.

A long-term care insurance policy that provides benefits for nursing facility services must provide benefits for services in all types of nursing facilities licensed by the State and may provide benefits for care in other residential facilities.

A long-term care insurance policy may not discriminate in the treatment of Alzheimer's disease or any other dementia of organic origin, any organic or inorganic mental illness, mental retardation or any other cognitive or mental impairment, or HIV infection or AIDS from the treatment of any other medical condition, for purposes of determining whether the threshold conditions for the receipt of benefits have been met, or the amount of benefits under the policy.

#### *Inflation protection*

A long-term care insurance policy would be required to offer the consumer the option to purchase inflation protection. The inflation benefits shall not be less than 5 percent per year of the full value of benefits for the previous year or such other rate of in-

crease as the Secretary may determine adequate to offset increases in the costs of long-term care services covered under the policy.

#### *Non-forfeiture benefits*

A long-term care insurance policy would have to include a non-forfeiture benefit after being in effect for a specified period.

#### *Right to cancel*

A long-term care policy would have to provide that the insured has 40 days to cancel and obtain a full refund of any premium paid.

#### *Guaranteed renewal*

In order to be certified, a long-term care policy could not be canceled or refused to be renewed (or replaced with a substantial equivalent) except for non-payment of premium or for fraud or non-disclosure on the part of the insured.

#### *Continuation and conversion rights of group policies*

A group long-term care insurance policy would be required to provide the opportunity to continue coverage when the policy would otherwise terminate.

#### *Approval of State Long-Term Care Insurance Certification Programs*

The Secretary of Health and Human Services would be required to review and approve State long-term care insurance certification programs meeting the following requirements: The State certification program would be required to assure compliance with the standards for long term-care insurance policies as specified in this bill. State programs would be required to provide administrative procedures under which an insured individual may seek reconsideration of any denial or partial payment of a claim.

### THE NEED FOR MORE THOROUGH BACKGROUND CHECKS

#### HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. OWENS. Mr. Speaker, recent background checks of public officials and candidates for public office have appropriately caused concern. The legal practices of a professional physician have been thoroughly scrutinized. A sitting cabinet secretary has been cited for not telling absolutely everything about a personal sin. It may be that the background checks by the FBI have been assigned too great a role in deciding who is fit to serve in public office. Or it may be that the well developed skills of the brigade handling these background checks could perform a higher service for this increasingly mean-spirited and merciless nation. Why not go deeper with background checks and tell us about the ancestors of our public spokespersons? The world can clearly see that some of us are the descendants of the victims of the criminal slave industry. We do not know which officials are the descendants of the oppressors who were the beneficiaries of the heinous slave industry. Such identities were not important in the past; however, now a new level of evil has been unleashed and all kinds of knowledge is needed to compare this attempt to wipe out all progress achieved by the descendants of

slaves. As the scorched earth fiscal policies of the Republican majority escalate in unison with a blitzkrieg attack on affirmative action, it would be illuminating to review a more detailed background of the leaders in this public policy assault. To increase their profits, over a two hundred year period, whose ancestors promoted slave breeding with teenage pregnancies? Whose ancestors for two hundred years worked mightily to obliterate all sense of family and humanity from slaves in order to make them more efficient beasts of burden? Backgrounds should be checked and it should be a crime to tell a lie to the FBI.

#### IT'S A CRIME TO TELL A LIE

It's a crime  
To tell a lie  
To the background brigade  
Of the FBI  
Did your great  
Great grandfather  
Rape his slaves  
Or torture the males  
Are you the descendant  
Of greedy knaves  
Enriched by human sales  
It's a crime  
To tell a lie  
To honest interrogators  
From the FBI  
To meet their labor need  
Did your ancestors  
Make teenage girls breed  
Were young females  
Forced to go  
Or could they choose  
Their own Romeo  
Slavery was legal  
In white men's eyes  
But judged a moral crime  
By the ruler of all skies  
Don't tell a lie  
To the background brigade  
Of the FBI  
List deeds done  
To cleanse the shame  
Attach records  
Which clear  
Your family's name  
Remember  
It's a crime  
To tell a lie  
To the background brigade  
Of the FBI.

### COMMENDING SABRINA NEKAY LEWELLEN

#### HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mrs. LINCOLN. Mr. Speaker, I would like to recognize the accomplishments of an extraordinary young woman from my district. Ms. Sabrina Nekay Lewellen of Jonesboro, AR, was named the State winner in the annual Veterans of Foreign Wars and Ladies Auxiliary's "Voice of Democracy" broadcast audio-essay contest. Ms. Lewellen wrote and delivered an inspiring and challenging speech on her vision for America. After reading her speech, I have a renewed confidence in the future of our great country. I would like to include a copy of her speech to be printed in the record and I would encourage my colleagues to read it and to accept Ms. Lewellen's challenge. Thank you.

MY VISION FOR AMERICA  
(Sabrina Lewellen)

All across America members of the class of 1995 are contemplating which college to attend, what major to choose, what career to pursue, and even who to take to the senior prom. We are fortunate in that we can make these decisions as individuals. We are not plagued with the same uncertainties as some previous classes. The class of 1945 was filled with loyal Americans who put their dreams on hold to serve the cause of world peace. Similarly, the brave souls of the class of 1965 put their personal visions aside so that thousands of people in Vietnam could experience democracy.

No, my class does not face these immediate tasks, but we do have an obligation to each other, this country, and the thousands of Americans before us who gave their loyal services and even their lives.

Throughout our history countless people have worked toward an "ideal" America. One of freedom of expression, economic possibility, toleration of uniqueness, and peaceful resolutions. They contributed wholeheartedly for everyone's prosperity until the end. As well known playwright Thornton Wilder stated in his play *Our Town*, "Gradually, gradually, they let go hold of the earth—and the ambitions they had—and the pleasures they had—and the things they suffered—and the people they loved." They never stopped trying to turn the mediocre into the superior. They fought to make the country the best that it could be and we as the inheritors of the fruit of their imagination must make the best even better.

We have to realize that in order for a working unit to function properly each element must make its contribution. My vision for America is not one of apathy and selfishness, but of caring and involvement. Not one of violence and confusion, but one of peace and understanding. Sure, it's easy for me to sit and visualize a better society, but if I do not dedicate myself to this endeavor, how can I expect others to do the same? Therefore, my vision for America begins with me.

I plan to attend college and pursue a career in human environmental science. With this knowledge, I will strive to make not only a stronger America, but a healthier one. Additionally, I will utilize my gift as a public speaker to inform others, not only on my specific area of expertise, but on a variety of issues to help improve their every day lives.

This is what I plan to do. Now, what about you? Do you have a vision? How committed are you to making a change in this country?

We live in one of the greatest nations on earth. Our democracy grants us many freedoms and choices other nations only dream of having. We, first as individuals, then as a people must realize that we have to start today in order to make a better tomorrow. We can no longer stare at our Constitution in a glass chamber and view it only as a piece of paper. We must rekindle its flame, make it eternal, and transform it into a "living" document.

All it takes is one person, in one city, in one country, in one state, in these great United States. All it takes is one.

THE 50TH ANNIVERSARY OF  
FRANKLIN DELANO ROOSEVELT'S DEATH

**HON. HENRY B. GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. GONZALEZ. Mr. Speaker, I rise today to inform my colleagues that I have formally

asked the President to honor the 50th anniversary of the death of President Franklin Delano Roosevelt by reissuing and updating the proclamation signed by President Harry Truman in 1945 declaring April 12th as a national day of mourning and prayer.

It is fitting, but a bit ironic and actually quite sad, for this landmark anniversary to occur this year at a time when at once the strength of Franklin Roosevelt is admired and longed for and yet the programs of this great President are under attack. I never thought I would live to see the day when Social Security, for instance, was placed on the chopping block as the new majority in Congress has so willingly done in refusing to exempt it from the balanced budget amendment. I certainly never thought I would see the day when the House would vote on the Constitution—the 4th amendment in this case—and reject it. What a sad legacy we have become to the great leaders who have preceded us such as Roosevelt—a man whose beliefs and programs embodied the preamble to the Constitution:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

I am saddened by the reality that a great deal of the greatest constitution on Earth would undoubtedly be rejected by today's Congress if put to a vote, certainly the protections for minority viewpoints, for freedom of speech, and for the separation of church and State would be thrown out in an instant.

It is a perfect time to recall the strength, vision, and perseverance of President Roosevelt and to remember that the Government should be used as a tool for the betterment of all and not as a wedge to divide us for the benefit of a few. When the most dire economic times this country has faced confronted Roosevelt, he did not blame illegal immigrants, he did not blame the poor, and he did not blame the Government—instead, he used the resources of the Government to pull us out of the Great Depression. When confronted with evil from abroad, he used the resources of the Government not only to protect our country but to protect liberty worldwide.

Never before today has there been such anger toward and distrust of Government—not even during the Vietnam war or during Watergate. Those whose tactic has been to create distrust through lies and innuendo have trampled on the legacy of one who believed in Government, who believed in truth and justice, and who believed in the inherent wisdom and goodness of the American people. As sad as it is to remember the premature death of such a great man as Roosevelt, the timing is perhaps perfect to force us to look ourselves in the eye, to force ourselves to face our history, our present, and our future, and to force ourselves to remember the tradition of compassion, justice, and honesty that gave us definition for many years.

In this respect, then, I have asked the President bring the national focus to President Roosevelt on April 12th by declaring a national day of mourning and prayer. The following is President Truman's original proclamation from 1945 on the death of President Roosevelt:

A PROCLAMATION BY THE PRESIDENT OF THE  
UNITED STATES OF AMERICA

To the People of the United States:

It has pleased God in His infinite wisdom to take from us the immortal spirit of Franklin Delano Roosevelt, the Thirty-second President of the United States.

The leader of his people in a great war, he lived to see the assurance of the victory but not to share it. He lived to see the first foundation of the free and peaceful world to which his life was dedicated, but not to enter on that world himself.

His fellow countrymen will sorely miss his fortitude and faith and courage in the time to come.

The people of the earth who love the ways of freedom and of hope will mourn for him.

But though his voice is silent, his courage is not spent, his faith is not extinguished. The courage of great men outlives them to become the courage of their people and the peoples of the world. It lives beyond them and upholds their purposes and brings their hopes to pass.

Now, therefore, I, Harry S. Truman, President of the United States of America, do appoint Saturday next, April 14th, the day of the funeral services for the dead President, as a day of mourning and prayer throughout the United States. I earnestly recommend the people to assemble on that day in their respective places of divine worship, there to bow down in submission to the will of Almighty God and to pay out of full hearts their homage of love and reverence to the memory the great and good man whose death they mourn.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, the 13th day of April, in the year of our Lord, one thousand nine hundred and forty-five, and of the independence of the United States, the one hundred and sixty-ninth.

By the President:

HARRY S. TRUMAN,  
EDW. R. STETTINIUS, Jr.,  
Secretary of State.

The White House, Washington, April 13, 1945.

REMEMBERING HENRY ATHALONE

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. RUSH. It is with great sadness that I rise today to honor the late Henry Athalone, who passed from this life on March 4, 1995.

Henry Athalone was born on July 20, 1918, in the town of Steiner, MS. After moving to Chicago in 1952, he worked at the Lindberg Engineering Co. until his retirement.

Active in his community, Mr. Athalone was a member of the Holy Garden of Prayer Church under the leadership of Elder Jeffro Williams.

Henry was a devoted family man. He was married for nearly 56 years to his wife, the former Elnora Overton. To this union were