

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.

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 subclause (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.