

Ros-Lehtinen	Smith (NJ)	Torrice
Rose	Smith (TX)	Traficant
Roth	Smith (WA)	Visclosky
Roukema	Solomon	Volkmer
Royce	Souder	Vucanovich
Sabo	Spence	Waldholtz
Salmon	Spratt	Walker
Sanford	Stearns	Walsh
Sawyer	Stenholm	Wamp
Saxton	Stockman	Ward
Schaefer	Stump	Watts (OK)
Schiff	Stupak	Weldon (FL)
Scott	Talent	Weldon (PA)
Seastrand	Tanner	Weller
Sensenbrenner	Tate	White
Shadegg	Tauzin	Whitfield
Shaw	Taylor (MS)	Wicker
Shays	Taylor (NC)	Wilson
Shuster	Tejeda	Wolf
Sisisky	Thomas	Young (AK)
Skaggs	Thornberry	Young (FL)
Skeen	Thornton	Zeliff
Skelton	Thurman	Zimmer
Slaughter	Tiahrt	
Smith (MI)	Torkildsen	

## NAYS—80

Barrett (WI)	Hastings (FL)	Ramstad
Becerra	Hilliard	Rangel
Clay	Hoekstra	Roybal-Allard
Clayton	Holden	Rush
Clyburn	Johnson (SD)	Sanders
Coburn	Johnson, Sam	Schroeder
Collins (IL)	Johnston	Schumer
Collins (MI)	Klug	Serrano
Conyers	Lewis (GA)	Stark
Coyne	Lincoln	Stokes
DeFazio	Lipinski	Studds
Dellums	Lofgren	Thompson
Dixon	Luther	Torres
Duncan	McDermott	Towns
Ehlers	McKinney	Tucker
Evans	Mineta	Upton
Fattah	Minge	Velazquez
Fields (LA)	Mink	Vento
Filner	Moakley	Waters
Foglietta	Nadler	Watt (NC)
Frank (MA)	Owens	Williams
Franks (NJ)	Pallone	Wise
Furse	Pastor	Woolsey
Graham	Payne (NJ)	Wyden
Green	Pelosi	Wynn
Gutierrez	Peterson (MN)	Yates
Gutknecht	Rahall	

## NOT VOTING—11

Burton	Hinchey	Reynolds
Chapman	Kasich	Scarborough
Dickey	McIntosh	Waxman
Frost	Moran	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## ¶57.9 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

## ¶57.10 PROVIDING FOR THE CONSIDERATION OF H.R. 660

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 126):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by

the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶57.11 MESSAGE FROM THE PRESIDENT— NATIONAL ENDOWMENT FOR THE ARTS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

It is my special pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for the fiscal year 1993.

The National Endowment for the Arts has awarded over 100,000 grants since 1965 for arts projects that touch every community in the Nation. Through its grants to individual artists, the agency has helped to launch and sustain the voice and grace of a generation—such as the brilliance of Rita Dove, now the U.S. Poet Laureate, or the daring of dancer Arthur Mitchell. Through its grants to art organizations, it has helped invigorate community arts centers and museums, preserve our folk heritage, and advance the performing, literary, and visual arts.

Since its inception, the Arts endowment has believed that all children should have an education in the arts. Over the past few years, the agency has worked hard to include the arts in our national education reform movement. Today, the arts are helping to lead the way in renewing American schools.

I have seen first-hand the success story of this small agency. In my home State of Arkansas, the National Endowment for the Arts worked in partnership with the State arts agency and the private sector to bring artists into our schools, to help cities revive downtown centers, and to support opera and jazz, literature and music. All across

the United States, the Endowment invests in our cultural institutions and artists. People in communities small and large in every State have greater opportunities to participate and enjoy the arts. We all benefit from this increased arts presence, and yet the cost is just 65 cents per American. The payback in economic terms has always been several-fold. The payback in human benefit is incalculable.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 6, 1995.

By unanimous consent, the message together with the accompanying papers, was referred to the Committee on Economic and Educational Opportunities.

## ¶57.12 HOUSING FOR OLDER PERSONS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 126 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. DUNCAN as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCINNIS, assumed the Chair.

When Mr. DUNCAN, Chairman, pursuant to House Resolution 126, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Housing for Older Persons Act of 1995".

**SEC. 2. DEFINITION OF HOUSING FOR OLDER PERSONS.**

Subparagraph (C) of section 807(b)(2) of the Fair Housing Act (42 U.S.C. 3607(b)(2)) is amended to read as follows:

"(C) that meets the following requirements:

"(i) The housing is in a facility or community intended and operated for the occupancy of at least 80 percent of the occupied units by at least one person 55 years of age or older.

"(ii) The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under clause (i), whether or not such policies and procedures are set forth in the governing documents of such facility or community.

"(iii) The housing facility or community complies with rules made by the Secretary for the verification of occupancy. Such rules shall allow for that verification by reliable surveys and affidavits and shall include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial pro-

ceedings for the purposes of such verification.”.

**SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE DEFENSE AGAINST CIVIL MONEY DAMAGES.**

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following:

“(5) GOOD FAITH RELIANCE.—(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

“(B) For the purposes of this paragraph, a person engaged in the business of residential real estate transactions may show good faith reliance on the application of the exemption by showing that—

“(i) such person has no actual knowledge that the facility or community is not, or will not, be eligible for such exemption; and

“(ii) the facility or community has certified to such person, in writing and on oath or affirmation, that the facility or community complies with the requirements for such exemption.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*, Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCINNIS, announced that the yeas had it.

Mr. CANADY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 424  
Nays ..... 5

57.13 [Roll No. 297] YEAS—424

- Abercrombie
- Allard
- Andrews
- Archer
- Armey
- Bachus
- Baessler
- Baker (CA)
- Baker (LA)
- Baldacci
- Ballenger
- Barcia
- Barr
- Barrett (NE)
- Barrett (WI)
- Bartlett
- Barton
- Bass
- Bateman
- Beilenson
- Bentsen
- Bereuter
- Bevill
- Bilbray
- Bilirakis
- Bishop
- Bliley
- Blute
- Boehlert
- Boehner
- Bonilla
- Bonior
- Bono
- Borski
- Boucher
- Brewster
- Browder
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Brownback
- Bryant (TN)
- Bunn
- Bunning
- Burr
- Burton
- Buyer
- Callahan
- Calvert
- Camp
- Canady
- Cardin
- Castle
- Chabot
- Chambliss
- Chenoweth
- Christensen
- Chrysler
- Clay
- Clayton
- Clement
- Clinger
- Clyburn
- Coble
- Coburn
- Coleman
- Collins (GA)
- Collins (IL)
- Collins (MI)
- Combest
- Condit
- Conyers
- Cooley
- Costello
- Cox
- Coyne
- Cramer
- Crane
- Crapo
- Creameans
- Cubin
- Cunningham
- Danner
- Davis
- de la Garza
- Deal
- DeFazio
- DeLauro
- DeLay
- Dellums
- Deutsch
- Diaz-Balart
- Dicks
- Dingell
- Dixon
- Doggett
- Dooley
- Doolittle
- Dornan
- Doyle
- Dreier
- Duncan
- Dunn
- Durbin
- Edwards
- Ehlers
- Ehrlich
- Emerson
- Engel
- English
- Ensign
- Eshoo
- Evans
- Everett
- Ewing
- Farr
- Fattah
- Fawell
- Fazio
- Fields (LA)
- Fields (TX)
- Filner
- Flake
- Flanagan
- Foglietta
- Foley

- Forbes
- Ford
- Fowler
- Fox
- Frank (MA)
- Franks (CT)
- Franks (NJ)
- Frelinghuysen
- Frisa
- Funderburk
- Furse
- Gallegly
- Ganske
- Gejdenson
- Gekas
- Gephardt
- Geren
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Gonzalez
- Goodlatte
- Goodling
- Gordon
- Goss
- Graham
- Green
- Greenwood
- Gunderson
- Gutierrez
- Gutknecht
- Hall (OH)
- Hall (TX)
- Hamilton
- Hancock
- Hansen
- Harman
- Hastert
- Hastings (FL)
- Hastings (WA)
- Hayes
- Hayworth
- Hefley
- Hefner
- Heineman
- Herger
- Hilleary
- Hilliard
- Hinchey
- Hobson
- Hoekstra
- Hoke
- Holden
- Horn
- Hostettler
- Houghton
- Hoyer
- Hunter
- Hutchinson
- Hyde
- Inglis
- Istook
- Jackson-Lee
- Jacobs
- Jefferson
- Johnson (CT)
- Johnson (SD)
- Johnson, E.B.
- Johnson, Sam
- Johnston
- Jones
- Kanjorski
- Kaptur
- Kasich
- Kelly
- Kennedy (MA)
- Kennedy (RI)
- Kennelly
- Kildee
- Kim
- King
- Kingston
- Kleczka
- Klink
- Klug
- Knollenberg
- Kolbe
- LaFalce
- LaHood
- Lantos
- Largent
- Latham
- LaTourette
- Laughlin
- Lazio
- Leach
- Levin
- Lewis (CA)
- Lewis (KY)
- Lightfoot
- Lincoln
- Linder
- Lipinski
- Livingston
- LoBiondo
- Lofgren
- Longley
- Lowey
- Lucas
- Luther
- Maloney
- Manton
- Manzullo
- Markey
- Martinez
- Martini
- Mascara
- Matsui
- McCarthy
- McCollum
- McCrery
- McDade
- McDermott
- McHale
- McHugh
- McInnis
- McIntosh
- McKeon
- McKinney
- McNulty
- Meehan
- Meek
- Menendez
- Metcalf
- Meyers
- Mfume
- Mica
- Miller (CA)
- Miller (FL)
- Mineta
- Minge
- Mink
- Moakley
- Molinar
- Mollohan
- Montgomery
- Moorhead
- Moran
- Morella
- Murtha
- Myers
- Myrick
- Nadler
- Neal
- Nethercutt
- Neumann
- Ney
- Norwood
- Nussle
- Oberstar
- Obey
- Olver
- Ortiz
- Orton
- Owens
- Oxley
- Packard
- Pallone
- Parker
- Pastor
- Paxon
- Payne (NJ)
- Payne (VA)
- Pelosi
- Peterson (FL)
- Peterson (MN)
- Petri
- Pickett
- Pombo
- Pomeroy
- Porter
- Portman
- Poshard
- Pryce
- Quillen
- Quinn
- Radanovich
- Rahall
- Ramstad
- Rangel
- Reed
- Regula
- Richardson
- Riggs
- Rivers
- Roberts
- Roemer
- Rogers

- Rohrabacher
- Ros-Lehtinen
- Rose
- Roth
- Roukema
- Roybal-Allard
- Royce
- Rush
- Sabo
- Salmon
- Sanders
- Sanford
- Sawyer
- Saxton
- Scarborough
- Schaefer
- Schiff
- Schroeder
- Schumer
- Seastrand
- Sensenbrenner
- Serrano
- Shadegg
- Shaw
- Shays
- Shuster
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (MI)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Solomon
- Souder
- Spence
- Spratt
- Stark
- Stearns
- Stenholm
- Stockman
- Stokes
- Studds
- Stump
- Stupak
- Talent
- Tanner
- Tate
- Tauzin
- Taylor (MS)
- Taylor (NC)
- Tejeda
- Thomas
- Thompson
- Thornberry
- Thornton
- Thurman
- Tiahrt
- Torkildsen
- Torres
- Toricelli
- Towns
- Traficant
- Tucker
- Upton
- Velazquez
- Vento
- Visclosky
- Volkmer
- Vucanovich
- Waldholtz
- Walker
- Walsh
- Wamp
- Ward
- Waters
- Watts (OK)
- Waxman
- Weldon (FL)
- Weldon (PA)
- Weller
- Porter
- White
- Whitfield
- Wicker
- Williams
- Wilson
- Wise
- Wolf
- Woolsey
- Wyden
- Wynn
- Yates
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

NAYS—5

- Becerra
  - Berman
  - Bryant (TX)
  - Scott
  - Watt (NC)
- NOT VOTING—5
- Ackerman
  - Chapman
  - Dickey
  - Frost
  - Reynolds

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

57.14 PROVIDING FOR THE CONSIDERATION OF H.R. 483

Ms. PRYCE, by direction of the Committee on Rules, called up the following resolution (H. Res. 130):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of any committee amendment it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except one further amendment in the nature of a substitute which may be offered only by Representative Dingell of Michigan or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Subject to clause 2(l)(5) of rule XI, the Committee on Commerce may file a report to the House on H.R. 483 at any time.

When said resolution was considered.

Ms. PRYCE submitted the following amendment which was agreed to:

Page 2, line 3, by inserting after "bill" the words "for failure to comply with clause (2)(1)(6) of rule XI."

After debate,

On motion of Ms. PRYCE, the previous question was ordered on the resolution, as amended, to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution, as amended?