

the House to originate a revenue measure must be made contemporaneous with the consideration of the measure by the House and may not be raised after the fact.

The Chair rules that the resolution does not constitute a question of the privileges of the House.

Mr. DEUTSCH appealed the ruling of the Chair.

Mr. WALKER moved to lay the appeal on the table.

The question being put, *viva voce*,

Will the House lay on the table the appeal of the ruling of the Chair?

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

Mr. WALKER 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 ..... 230  
Nays ..... 192

¶57.21

[Roll No. 300]

YEAS—230

- |              |               |              |
|--------------|---------------|--------------|
| Allard       | English       | Largent      |
| Archer       | Ensign        | Latham       |
| Armey        | Everett       | LaTourette   |
| Bachus       | Ewing         | Lazio        |
| Baker (CA)   | Fawell        | Leach        |
| Baker (LA)   | Fields (TX)   | Lewis (CA)   |
| Ballenger    | Flanagan      | Lewis (KY)   |
| Barr         | Foley         | Lightfoot    |
| Barrett (NE) | Forbes        | Linder       |
| Bartlett     | Fowler        | Livingston   |
| Barton       | Fox           | LoBiondo     |
| Bass         | Franks (NJ)   | Longley      |
| Bateman      | Frelinghuysen | Lucas        |
| Bereuter     | Frisa         | Manzullo     |
| Bilbray      | Funderburk    | Martini      |
| Bilirakis    | Galleghy      | McCollum     |
| Bliley       | Ganske        | McCrery      |
| Blute        | Gekas         | McDade       |
| Boehlert     | Geren         | McHugh       |
| Boehner      | Gilchrest     | McInnis      |
| Bonilla      | Gillmor       | McIntosh     |
| Bono         | Gilman        | McKeon       |
| Brownback    | Goodlatte     | Metcalf      |
| Bryant (TN)  | Goodling      | Meyers       |
| Bunn         | Goss          | Mica         |
| Bunning      | Graham        | Miller (FL)  |
| Burr         | Greenwood     | Molinari     |
| Burton       | Gunderson     | Montgomery   |
| Buyer        | Gutknecht     | Moorhead     |
| Callahan     | Hancock       | Morella      |
| Calvert      | Hansen        | Myers        |
| Camp         | Hastert       | Myrick       |
| Canady       | Hastings (WA) | Nethercutt   |
| Castle       | Hayworth      | Neumann      |
| Chabot       | Hefley        | Ney          |
| Chambliss    | Heineman      | Norwood      |
| Chenoweth    | Herger        | Nussle       |
| Christensen  | Hilleary      | Oxley        |
| Chrysler     | Hobson        | Packard      |
| Clinger      | Hoekstra      | Parker       |
| Coble        | Hoke          | Paxon        |
| Coburn       | Horn          | Petri        |
| Collins (GA) | Hostettler    | Pombo        |
| Combest      | Houghton      | Porter       |
| Cooley       | Hunter        | Portman      |
| Cox          | Hutchinson    | Pryce        |
| Crane        | Hyde          | Quillen      |
| Crapo        | Inglis        | Quinn        |
| Creameans    | Istook        | Radanovich   |
| Cubin        | Johnson (CT)  | Ramstad      |
| Cunningham   | Johnson, Sam  | Regula       |
| Davis        | Johnston      | Riggs        |
| DeLay        | Jones         | Roberts      |
| Diaz-Balart  | Kasich        | Rogers       |
| Doolittle    | Kelly         | Rohrabacher  |
| Dornan       | Kim           | Ros-Lehtinen |
| Dreier       | King          | Roth         |
| Duncan       | Kingston      | Roukema      |
| Dunn         | Klug          | Royce        |
| Ehlers       | Knollenberg   | Salmon       |
| Ehrlich      | Kolbe         | Sanford      |
| Emerson      | LaHood        | Saxton       |

- Scarborough
- Schaefer
- Seastrand
- Sensenbrenner
- Shadegg
- Shaw
- Shays
- Shuster
- Skeen
- Smith (MI)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Solomon
- Souder
- Spence
- Stearns
- Stockman
- Stump
- Talent
- Tate
- Taylor (NC)
- Thomas
- Thornberry
- Tiahrt
- Torkildsen
- Upton
- Vucanovich
- Waldboltz
- Walker

- Walsh
- Wamp
- Watts (OK)
- Weldon (FL)
- Weldon (PA)
- Weller
- White
- Whitfield
- Wicker
- Wolf
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

NAYS—192

- Abercrombie
- Andrews
- Baessler
- Baldacci
- Barcia
- Barrett (WI)
- Becerra
- Beilenson
- Bentsen
- Berman
- Bevill
- Bishop
- Bonior
- Borski
- Boucher
- Brewster
- Browder
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Bryant (TX)
- Cardin
- Clay
- Clayton
- Clement
- Flanburn
- Coleman
- Collins (IL)
- Collins (MI)
- Condit
- Conyers
- Costello
- Coyne
- Cramer
- Danner
- de la Garza
- Deal
- DeFazio
- DeLauro
- Dellums
- Deutsch
- Dicks
- Dingell
- Dixon
- Doggett
- Dooley
- Doyle
- Durbin
- Edwards
- Engel
- Eshoo
- Evans
- Farr
- Fattah
- Fazio
- Fields (LA)
- Filner
- Flake
- Foglietta
- Ford
- Furse
- Gejdenson
- Gephardt
- Gibbons
- Gonzalez
- Gordon
- Green
- Gutierrez
- Hall (OH)
- Hall (TX)
- Hamilton
- Harman
- Hastings (FL)
- Hefner
- Hilliard
- Hinchey
- Holden
- Hoyer
- Jackson-Lee
- Jacobs
- Jefferson
- Johnson (SD)
- Johnson, E. B.
- Kanjorski
- Kennedy (MA)
- Kennedy (RI)
- Kennelly
- Kildee
- Kleccka
- Klink
- LaFalce
- Lantos
- Laughlin
- Levin
- Lewis (GA)
- Lincoln
- Lipinski
- Lofgren
- Lowey
- Luther
- Maloney
- Manton
- Markey
- Martinez
- Mascara
- Matsui
- McCarthy
- McDermott
- McHale
- McKinney
- McNulty
- Meehan
- Meek
- Menendez
- Mfume
- Miller (CA)
- Mineta
- Minge
- Mink
- Moakley
- Mollohan
- Moran
- Murtha
- Nadler
- Neal
- Oberstar
- Gephardt
- Olver

- Ortiz
- Orton
- Owens
- Pallone
- Pastor
- Payne (NJ)
- Payne (VA)
- Peterson (FL)
- Peterson (MN)
- Pickett
- Pomeroy
- Poshard
- Rahall
- Rangel
- Reed
- Richardson
- Rivers
- Roemer
- Rose
- Roybal-Allard
- Rush
- Sabo
- Sanders
- Sawyer
- Schroeder
- Schumer
- Scott
- Serrano
- Sisisky
- Skaggs
- Skelton
- Slaughter
- Spratt
- Stark
- Stenholm
- Stokes
- Studds
- Stupak
- Tanner
- Tauzin
- Taylor (MS)
- Tejeda
- Thompson
- Thornton
- Thurman
- Torres
- Torricelli
- Towns
- Traficant
- Velazquez
- Vento
- Visclosky
- Volkmer
- Ward
- Waters
- Watt (NC)
- Waxman
- Williams
- Wilson
- Wise
- Woolsey
- Wyden
- Wynn
- Yates

NOT VOTING—12

- Ackerman
- Chapman
- Dickey
- Frank (MA)
- Franks (CT)
- Frost
- Hayes
- Kaptur
- Pelosi
- Reynolds
- Schiff
- Tucker

So the motion to lay the appeal on the table was agreed to.

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

¶57.22 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

Mr. GOSS, submitted the following privileged concurrent resolution (H. Con. Res. 58):

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on the legislative day of Friday, April 7, 1995, it stand adjourned until 12:30 p.m. on Monday, May 1, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns or recesses at the close of business on Thursday, April 6, 1995, Friday, April 7, 1995, Saturday, April 8, 1995, Sunday, April 9, 1995, or Monday, April 10, 1995, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, April 24, 1995, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. When the House adjourns on the legislative day of Wednesday, May 3, 1995, it stand adjourned until 12:30 p.m. on Tuesday, May 9, 1995, or until noon on second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered was agreed to.

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

*Ordered,* That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶57.23 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

*Ordered,* That when the House adjourns today, it adjourn to meet at 11:00 o'clock a.m. on Friday, April 7, 1995.

¶57.24 MEDICARE SELECT POLICIES

The SPEAKER pro tempore, Mr. MCINNIS, pursuant to House Resolution 130 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. 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 SPEAKER pro tempore, Mr. MCINNIS, by unanimous consent, designated Mr. BONILLA as Chairman of the Committee of the Whole; and after some time spent therein,

¶57.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in

the nature of a substitute submitted by Mr. WAXMAN:

Strike all after the enacting clause and insert the following:

**SECTION 1. EXTENDING MEDICARE SELECT POLICIES TO ALL STATES FOR AN ADDITIONAL 5-YEAR PERIOD.**

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended—

(1) by striking "The amendments" and inserting "(1) Subject to paragraph (2), the amendments";

(2) by inserting "and, subject to paragraph (3), those other States that elect them to apply" after "15 States (as determined by the Secretary of Health and Human Services)";

(3) by striking "3½-year" and inserting "8½-year"; and

(4) by adding at the end the following new paragraphs:

"(2) The amendments made by this section shall apply to a State after the first 3½ years of the 8½-year period described in paragraph (1) only if the State provides that the premiums for a medicare select policy do not vary at renewal (or at any other time premiums change) on the basis of the age attained by the policy-holder or certificateholder.

"(3)(A) The amendments made by this section shall apply to a State other than the 15 States referred to in paragraph (1) only if the State provides that the issuer of a medicare select policy makes available to a policy-holder or certificateholder, at each of the times described in subparagraph (B), a policy described in subparagraph (C) (whether or not otherwise offered by the issuer to individuals in the State and whether issued directly by that issuer or under an arrangement with another issuer) under terms and conditions described in subparagraph (C).

"(B) The times described in this subparagraph are—

"(i) the time the policyholder or certificateholder moves out of the service area of the issuer of the medicare select policy,

"(ii) the time of renewal of such policy, and

"(iii) at the end of the 12-month-period beginning on the date such policy first becomes effective if the policy is canceled or non-renewed by the policyholder or certificateholder at the end of such period.

"(C) A policy described in this subparagraph is a policy that meets the 1991 Model NAIC Regulation or 1991 Federal Regulation and other requirements of section 1882 of the Social Security Act (without regard to subsection (t)) and the terms and conditions (including premium levels) described in this subparagraph are terms and conditions comparable to the terms and conditions that the policyholder or certificateholder would have had if the policyholder or certificateholder had been enrolled in a policy not under section 1882(t) of such Act during the period in which the policyholder or certificateholder was enrolled in a policy under such section 1882(t).

"(D) The Secretary of Health and Human Services is authorized to issue such regulations as may be necessary to carry out this paragraph."

It was decided in the { Yeas ..... 175  
negative ..... } Nays ..... 246

57.26

[Roll No. 301]

AYES—175

Abercrombie  
Andrews  
Baesler  
Baldacci

Barcia  
Barrett (WI)  
Becerra  
Beilenson

Bentsen  
Berman  
Bonior  
Borski

Brewster  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Cardin  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Condit  
Conyers  
Costello  
Coyne  
Danner  
de la Garza  
DeFazio  
DeLauro  
DeLuomo  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Durbin  
Edwards  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Furse  
Gejdenson  
Gephardt  
Gibbons  
Gonzalez  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Hastings (FL)  
Hayes  
Hefner

Allard  
Archer  
Armey  
Bachus  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bono  
Boucher  
Browder  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chenoweth  
Christensen  
Chrysler  
Clinger

Hilliard  
Hinchey  
Holden  
Hoyer  
Jackson-Lee  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kildee  
Kleczka  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lincoln  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Mink  
Moakley  
Mollohan  
Montgomery  
Moran  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Orton

NOES—246

Coble  
Coburn  
Collins (GA)  
Combest  
Cooley  
Cox  
Cramer  
Crane  
Crapo  
Cremeans  
Cubin  
Cunningham  
Davis  
Deal  
DeLay  
Diaz-Balart  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas

Knollenberg  
LaHood  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
LoBiondo  
Lingley  
Lucas  
Manzullo  
Martini  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Minge  
Molinaro  
Moorhead  
Morella  
Myers  
Myrick  
Nethercutt  
Neumann  
Ney  
Norwood

Nussle  
Oxley  
Packard  
Parker  
Paxon  
Payne (VA)  
Peterson (FL)  
Peterson (MN)  
Petri  
Pombo  
Pomeroy  
Porter  
Portman  
Pryce  
Quillen  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Sabo  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays

Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stockman  
Stump  
Talent  
Tanner  
Tate  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Torkildsen  
Upton  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOT VOTING—13

Ackerman  
Brown (CA)  
Chambliss  
Chapman  
Collins (MI)  
Dickey  
Frost  
Kolbe  
Pelosi  
Pickett  
Reynolds  
Rose  
Shuster

So the amendment in the nature of a substitute was not agreed to.

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

When Mr. BONILLA, Chairman, pursuant to House Resolution 130, 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. PERMITTING MEDICARE SELECT POLICIES TO BE OFFERED IN ALL STATES FOR AN EXTENDED PERIOD.**

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended to read as follows:

"(c) EFFECTIVE DATE.—(1) The amendments made by this section shall only apply—

"(A) in 15 States (as determined by the Secretary of Health and Human Services) and such other States as elect such amendments to apply to them, and

"(B) subject to paragraph (2), during the 8½ year period beginning with 1992.

"(2)(A) The Secretary of Health and Human Services shall conduct a study that compares the health care costs, quality of care, and access to services under medicare select policies with that under other medicare supplemental policies. The study shall be based on surveys of appropriate age-adjusted sample populations. The study shall be completed by December 31, 1998.

"(B) The Secretary shall determine during 1999 whether the amendments made by this section shall remain in effect beyond the 8½ year period described in paragraph (1)(B). Such amendments shall remain in effect beyond such period unless the Secretary deter-