

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 policyholder 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

- 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 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 Lipsinki Lifgren 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 Owens Pallone Pastor Payne (NJ) Poshard Rahall Rangel Reed Richardson Rivers Roemer Roybal-Allard Rush Sanders Skaggs Slaughter Spratt Stark Stenholm Stokes Studds Stupak Tauzin Taylor (MS) Tejeda Thompson Thornton Torres Torricelli Towns Traficant Tucker Velazquez Vento Visclosky Volkmer Ward Waters Watt (NC) Waxman Williams Wilson Wise Woolsey Wyden Wynn Yates

NOES—246

- Allard Archer Arney Bachus Baker (CA) Baker (LA) Ballenger Barr Barrett (NE) Bartlett Barton Bass Bateman Bereuter Beville 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 Coble Coburn Collins (GA) Combust Cooley Cox Cramer Crane Crapo Cremeans Cubin Cunningham Davis Deal DeLay Diaz-Balart Doolittle Dornan Dreier Duncan Dunn Ehlers Ehrlich Emerson English English Everett Ewing Fawell Fawell Fields (TX) Flanagan Foley Forbes Fowler Fox Franks (CT) Franks (NJ) Frelinghuysen Frisa Funderburk Gallegly Ganske Gekas Geren Gilchrest Gillmor Gilman Goodlatte Goodling Goss Graham Greenwood Gunderson Gutknecht Hancock Hansen Harman Hastert Hastings (WA) Hayworth Hefley Heineman Herger Hilleary Hobson Hoekstra Hoke Horn Hostettler Houghton Hunter Hutchinson Hyde Inglis Istook Jacobs Johnson (CT) Johnson, Sam Jones Kasich Kelly Kennelly Kim King Kingston Klug

- Knollenberg LaHood Largent Latham LaTourette Laughlin Lazio Leach Lewis (CA) Lewis (KY) Lightfoot Linder Livingston LoBiondo Longley Lucas Manzullo Martini McCollum McCrery McDade McHugh McInnis McIntosh McKeon Metcalf Meyers Mica Miller (FL) Minge Molinari 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-

- Abercrombie Andrews Baesler Baldacci Barcia Barrett (WI) Becerra Beilenson Bentsen Berman Bonior Borski

mines (based on the results of the study under subparagraph (A)) that—

“(i) such amendments have not resulted in savings of premiums costs to those enrolled in medicare select policies (in comparison to their enrollment in medicare supplemental policies that are not medicare select policies and that provide comparable coverage).

“(ii) there have been significant additional expenditures under the medicare program as a result of such amendments, or

“(iii) access to and quality of care has been significantly diminished as a result of such amendments.”.

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. HOBSON, announced that the yeas had it.

Mrs. JOHNSON of Connecticut demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 408  
Nays ..... 14

¶57.27 [Roll No. 302]  
AYES—408

- Allard Clay
- Andrews Clayton
- Archer Clement
- Bachus Clinger
- Baessler Clyburn
- Baker (CA) Coble
- Baker (LA) Coburn
- Baldacci Coleman
- Ballenger Collins (GA)
- Barcia Collins (IL)
- Barr Collins (MI)
- Barrett (NE) Combest
- Barrett (WI) Condit
- Bartlett Cooley
- Barton Costello
- Bass Cox
- Bateman Coyne
- Becerra Cramer
- Beilenson Crane
- Bentsen Crapo
- Bereuter Creameans
- Berman Cubin
- Bevill Cunningham
- Bilbray Danner
- Billfrakis Davis
- Bishop de la Garza
- Bliley Deal
- Blute DeFazio
- Boehlert DeLauro
- Boehner DeLay
- Bonilla Deutsch
- Bonior Diaz-Balart
- Bono Dicks
- Borski Dixon
- Boucher Doggett
- Brewster Dooley
- Browder Doolittle
- Brown (FL) Dornan
- Brown (OH) Doyle
- Brownback Dreier
- Bryant (TN) Duncan
- Bryant (TX) Dunn
- Bunn Durbin
- Bunning Edwards
- Burr Ehlers
- Burton Ehrlich
- Buyer Emerson
- Callahan Engel
- Calvert English
- Camp Ensign
- Canady Eshoo
- Cardin Evans
- Castle Everrett
- Chabot Farr
- Chambliss Fawell
- Chenoweth Fazio
- Christensen Fields (LA)
- Chrysler 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
- Gilmor
- Gilman
- 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
- Jones
- Kanjorski
- Kaptur
- Kasich
- Kelly
- Kennedy (MA)
- Kennelly
- Kildee
- Kim
- King
- Kingston
- Klecicka
- Klink
- Klug
- Knollenberg
- LaFalce
- LaHood
- Lantos
- Largent
- Latham
- LaTourette
- Laughlin
- Lazio
- Leach
- Levin
- Lewis (CA)
- Lewis (GA)
- Lewis (KY)
- Lightfoot
- Lincoln
- Linder
- Lipinski
- Livingston
- LoBiondo
- Lofgren
- Longley
- Lowey
- Lucas
- Luther
- Maloney
- Manton
- Manzullo
- Markey
- Martinez
- Martini
- Mascara
- Matsui
- McCarthy
- McCollum
- McCreery
- McDade
- McHale
- McHugh
- McInnis
- McIntosh
- McKeon
- McKinney
- McNulty
- Meehan
- Meek
- Menendez
- Metcalf

- NOES—14
- Abercrombie
  - Conyers
  - Dellums
  - Dingell
  - Fattah
  - Gonzalez
  - Johnston
  - Kennedy (RI)
  - McDermott
  - Mink
  - Stark
  - Stupak
  - Waters
  - Watt (NC)

- NOT VOTING—12
- Ackerman
  - Armey
  - Brown (CA)
  - Chapman
  - Dickey
  - Ewing
  - Frost
  - Kolbe
  - Payne (NJ)
  - Pelosi
  - Reynolds
  - Shuster

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.

- Schroeder
- Schumer
- Scott
- Seastrand
- Sensenbrenner
- Serrano
- Shadegg
- Shaw
- Shays
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (MI)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Solomon
- Souder
- Spence
- Spratt
- Stearns
- Stenholm
- Stockman
- Stokes
- Studds
- Stump
- Talent
- Tanner
- Tate
- Tauzin
- Taylor (MS)
- Taylor (NC)
- Tejeda
- Thomas
- Thompson
- Thornberry
- Thornton
- Thurman
- Tiahrt
- Torkildsen
- Torres
- Torricelli
- Towns
- Traficant
- Tucker
- Upton
- Velazquez
- Vento
- Visclosky
- Volkmer
- Vucanovich
- Waldholtz
- Walker
- Walsh
- Wamp
- Ward
- Watts (OK)
- Waxman
- Weldon (FL)
- Weldon (PA)
- Weller
- White
- Whitfield
- Wicker
- Williams
- Wilson
- Wise
- Wolf
- Woolsey
- Wyden
- Wynn
- Yates
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

¶57.28 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. CLINGER, by unanimous consent,

*Ordered*, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶57.29 MESSAGE FROM THE PRESIDENT

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

¶57.30 MESSAGE FROM THE PRESIDENT—ENVIRONMENTAL QUALITY

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

*To the Congress of the United States:*

The United States has always been blessed with an abundance of natural resources. Together with the ingenuity and determination of the American people, these resources have formed the basis of our prosperity. They have given us the opportunity to feed our people, power and industry, create our medicines, and defend our borders—and we have a responsibility to be good stewards of our heritage. In recent decades, however, rapid technological advances and population growth have greatly enhanced our ability to have an impact on our surroundings—and we do not always pause to contemplate the consequences of our actions. Far too often, our short-sighted decisions cause the greatest harm to the very people who are least able to influence them—future generations.

We have a moral obligation to represent the interests of those who have no voice in today's decisions—our children and grandchildren. We have a responsibility to see that they inherit a productive and livable world that allows their families to enjoy the same or greater opportunities than we ourselves have enjoyed. Those of us who still believe in the American Dream will settle for no less. Those who say that we cannot afford both a strong economy and a healthy environment are ignoring the fact that the two are inextricably linked. Our economy will not remain strong for long if we continue to consume renewable resources faster than they can be replenished, or nonrenewable resources faster than we can develop substitutes; America's fishing and timber-dependent communities will not survive for long if we destroy our fisheries and our forests. Whether the subject is deficit spending or the stewardship of our fisheries, the issue is the same: we should not pursue a strategy of short-term gain that will harm future generations.

Senators Henry Jackson and Ed Muskie, and Congressman John Dingell understood this back in 1969 when they joined together to work for passage of the National Environmental Policy Act. At its heart, the National Environmental Policy Act is about our rela-