

The SPEAKER pro tempore, Mr. CAMP, directed the Corrections Calendar to be called.

When,

¶26.7 MEDICARE AND MEDICAID  
COVERAGE DATE BANK REPEAL

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 2685) to repeal the Medicare and Medicaid Coverage Date Bank.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. CAMP, pursuant to clause 4 of rule XIII, recognized Mr. THOMAS and Mr. STARK, each for 30 minutes.

During debate,

¶26.8 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"QMB's, who are qualified Medicare-Medicaid beneficiaries, are seniors. We are dealing with legislation that deals with people who are employed by employers to collect data for purposes of determining primary and secondary payers, and I believe the gentleman's statements are not germane."

The SPEAKER pro tempore, Mr. CAMP, in response to the point of order said:

"The gentleman from California [Mr. STARK] must confine his remarks to the subject of the bill."

After some further time,

¶26.9 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Mr. Speaker, is the question propounded by the gentleman from Texas [Mr. DOGGETT] germane to this legislation and therefore a question that should be answered?"

Mr. DOGGETT was recognized to speak to the point of order and said:

"Mr. Speaker, surely it is permissible in the course of one of these debates, and I can understand the gentleman's [Mr. THOMAS] desire not to get into this destruction to the health care of our seniors across the country by raising this issue, but surely it is appropriate under the rules of the House to make an inquiry of someone who is opposed to this legislation as to what the legislation affects. That is all I have asked, is whether or not the seniors in American are going to be affected by changing this data bank to seniors who would lose out if there are no standards to protect them in nursing homes."

Mr. THOMAS was recognized to speak to the point of order and said:

"The gentleman from Texas [Mr. DOGGETT] is at a disadvantage. He arrived on the floor not hearing the gentleman from California's [Mr. STARK] opening statement, in which he said he was not opposed to this legislation. There is no opposition to this legislation ...

"The purpose of this debate under the rules is to discuss the matter in front of us, and all this gentleman from

California is trying to do is to maintain decorum and order in the House and request that the Speaker enforce the Rules of the House so that we may have an orderly debate and not traverse the countryside in any and all directions by any individual who may have an honest and earnest attempt to discuss this issue or may be motivated by other reasons."

The SPEAKER pro tempore, Mr. CAMP, overruled the point of order, and said:

"The gentleman has made his point of order. The Chair is prepared to rule.

"The question is relevant to the extent of coverage of the data bank under this bill, and the gentleman from Texas [Mr. DOGGETT] may inquire in order."

After some further time,

¶26.10 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Mr. Speaker, the items that the gentleman [Mr. PALLONE] is ticking off on his finger have no relationship to the information to be collected in this data bank, or any other data bank."

Mr. PALLONE was recognized to speak to the point of order and said:

"Mr. Speaker, I am concerned that that in fact is not the case. The fact of the matter is when you talk about the data bank, which I understand for this specific purpose is linked to how many employees receive private health insurance as opposed to Medicare and what the impact of that is going to be, we have the same thing now with the proposal by Senator Kassenbaum and Senator Kennedy and the gentlewoman from New Jersey [Mrs. ROUKEMA], where we are trying to get passed on the House floor health care insurance reform that will eliminate preexisting conditions and that will allow for portability. The Republican leadership, from what I can see, will not allow it to come to the floor."

The SPEAKER pro tempore, Mr. CAMP, in response to the point of order said:

"The Chair will again rule that the gentleman from New Jersey's [Mr. PALLONE] remarks be confined to the bill at hand."

After some further time,

¶26.11 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Mr. Speaker, I rise to this point of order with the understanding that apparently Members are no longer held to the rule of germaneness. The correct dialogue is nowhere near the intersection of nexus with the legislation, in this gentleman's opinion. I would ask a ruling of the Chair."

The SPEAKER pro tempore, Mr. CAMP, in response to the point of order said:

"The Chair would remind the Members that on November 14th, 1995, the Chair sustained a similar point of order where a Member was unable to maintain a constant connection or nexus between the subject of the bill and his re-

marks on health care generally. The Chair would ask the Members to proceed with that in mind."

After some further time,

¶26.12 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Mr. Speaker, this gentleman is constrained once again to request that the Speaker, in this gentleman's opinion, understand that the simple mention of a data bank does not make the discussion germane to this bill in front of us, to the extent that it would allow the gentleman from California [Mr. STARK], who quite rightly is pushing the envelope as he is trying to do, to discuss the sales of Medigap policies and potential unscrupulous salesmen who might sell these products."

Mr. STARK was recognized to speak to the point of order and said:

"Mr. Speaker, I certainly (like to respond to the point of order), only to suggest to the Chair that in whichever way the Chair sees fit to rule, the Chair certainly understands the issues and has been extremely fair, and I would have no quarrel with him in any event."

The SPEAKER pro tempore, Mr. CAMP, in response to the point of order said:

"The notion of data banks generally and the notion of data banks as contained in the bill are not necessarily the same issue. Again, the Chair would ask the gentleman from California [Mr. STARK] to confine his remarks to the legislation at hand."

After some further time,

¶26.13 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Mr. Speaker, the Speaker knows well my point of order. It is the subject matter and the content of the bill and the question propounded by the gentleman from Texas [Mr. DOGGETT], which has no relevance or germaneness, as we say in our rules, to the subject matter before us."

Mr. STARK was recognized to speak to the point of order and said:

"Mr. Speaker, inoculation is germane to this because many of these employers kept records or were to keep records of who was paying for the inoculations in the Republican Medicare plan, so many people will be denied inoculations. It is, in fact, very important that we point out that the inoculations they are talking about are not the same inoculations that little children are not going to get when the Medicaid cuts come down from the Republicans."

The SPEAKER pro tempore, Mr. CAMP, in response to the point of order said:

"In response to the point of order, the Chair cannot respond to the rhetorical nature of the question stated by the gentleman from Texas [Mr. DOGGETT] by necessarily ruling it irrelevant."

After some further time,

## ¶26.14 POINT OF ORDER

Mr. THOMAS made a point of order, and said:

"Notwithstanding his elegant eloquence, I believe the gentleman from California [Mr. STARK] has once again strayed from the germaneness under the rules of the House."

Mr. STARK was recognized to speak to the point of order, and said:

"I am talking about data base requirements by an employer, an issue raised by the previous speaker, and I believe it is quite germane as it deals with the requirements that employers may be faced with in keeping medical data banks as required by the Federal Government."

Mr. THOMAS was recognized to speak to the point of order, and said:

"I thought the Speaker had already ruled that a discussion of data banks in general as a concept for collecting data is not necessarily germane to a specific data bank which is the subject of this bill."

The SPEAKER pro tempore, Mr. CAMP, sustained the point of order, and said:

"The gentleman is correct. The Chair will state again that on November 14, 1995, the Chair sustained a similar point of order where a Member was unable to maintain a constant nexus between the subject of the bill and the subject of health care generally. The Chair has at least three times today, and does again, sustain that point of order."

After further debate,

The bill 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. CAMP, announced that three-fifths of the Members present had voted in the affirmative.

So, three-fifths of the Members present having voted in favor thereof, the bill was passed.

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

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

¶26.15 COMMUNICATION FROM THE  
CLERK—MESSAGE FROM THE  
PRESIDENT

The SPEAKER pro tempore, Mr. CAMP, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,  
U.S. HOUSE OF REPRESENTATIVES,  
*Washington, DC, March 8, 1996.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, March 8th at 10:40 a.m. and said to contain a message from the President whereby he notifies the Congress of the continuance beyond

March 15, 1996, of the national emergency with respect to Iran.

With warm regards,  
ROBIN H. CARLE,  
*Clerk.*

¶26.16 NATIONAL EMERGENCY WITH  
RESPECT TO IRAN

The Clerk then read the message from the President, as follows:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency declared on March 15, 1995, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701-1706) is to continue in effect beyond March 15, 1996, to the *Federal Register* for publication. This emergency is separate from that declared on November 14, 1979, in connection with the Iranian hostage crisis and therefore requires separate renewal of emergency authorities.

The factors that led me to declare a national emergency with respect to Iran on March 15, 1995, have not been resolved. The actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and its acquisition of weapons of mass destruction and the means to deliver them, continue to threaten the national security, foreign policy, and economy of the United States. Accordingly, I have determined that it is necessary to maintain in force the broad authorities that are in place by virtue of the March 15, 1995, declaration of emergency.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 8, 1996.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-184).

¶26.17 COMMUNICATION FROM THE  
CLERK—MESSAGE FROM THE  
PRESIDENT

The SPEAKER pro tempore, Mr. CAMP, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,  
U.S. HOUSE OF REPRESENTATIVES,  
*Washington, DC, March 11, 1996.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, March 11th at 1:30 p.m. and said to contain a message from the President whereby he sub-

mits a 6-month periodic report on the national emergency with respect to Iran.

With warm regards,  
ROBIN H. CARLE, *Clerk.*

¶26.18 NATIONAL EMERGENCY WITH  
RESPECT TO IRAN

The Clerk then read the message from the President, as follows:

*To the Congress of the United States:*

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order No. 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 and matters relating to that Executive order and Executive Order No. 12959.

1. On March 15, 1995, I issued Executive Order No. 12957 (60 *Fed. Reg.* 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by U.S. persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Congress on March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order No. 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order No. 12959 (60 *Fed. Reg.* 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits transactions such as brokering and other dealing by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits