

¶37.18 MESSAGE FROM THE PRESIDENT—  
NATIONAL ENDOWMENT FOR THE ARTS

The SPEAKER pro tempore, Mr. KOLBE, 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 1994.

Over the course of its history, the National Endowment for the Arts has awarded grants for arts projects that reach into every community in the Nation. The agency's mission is public service through the arts, and it fulfills this mandate through support of artistic excellence, our cultural heritage and traditions, individual creativity, education, and public and private partnerships for the arts. Perhaps most importantly, the Arts Endowment encourages arts organizations to reach out to the American people, to bring in new audiences for the performing, literary, and visual arts.

The results over the past 30 years can be measured by the increased presence of the arts in the lives of our fellow citizens. More children have contact with working artists in the classroom, at children's museums and festivals, and in the curricula. More older Americans now have access to museums, concert halls, and other venues. The arts reach into the smallest and most isolated communities, and in our inner cities, arts programs are often a haven for the most disadvantaged, a place where our youth can rediscover the power of imagination, creativity, and hope.

We can measure this progress as well in our re-designed communities, in the buildings and sculpture that grace our cities and towns, and in the vitality of the local economy whenever the arts arrive. The National Endowment for the Arts works the way a Government agency should work—in partnership with the private sector, in cooperation with State and local government, and in service to all Americans. We enjoy a rich and diverse culture in the United States, open to every citizen, and supported by the Federal Government for our common good and benefit.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 28, 1996.

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

¶37.19 PROVIDING FOR THE  
CONSIDERATION OF H.R. 3103

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 392):

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery,

to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes. An amendment in the nature of a substitute consisting of the text of H.R. 3160, modified by the amendment specified in part 1 of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. All points of order against the bill, as amended, and against its consideration are waived (except those arising under section 425(a) of the Congressional Budget Act of 1974). The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, with 45 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, 45 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities; (2) the further amendment specified in part 2 of the Committee on Rules, if offered by the minority leader or his designee, which shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974) or demand for division of the question, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit, which may include instructions only if offered by the minority leader or his designee. The yeas and nays shall be considered as ordered on the question of passage of the bill and on any conference report thereon. Clause 5(c) of rule XXI shall not apply to the bill, amendments thereto, or conference reports thereon.

When said resolution was considered. After debate,

Mr. GOSS moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

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

Mr. GOSS 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 ..... 229  
Nays ..... 186

¶37.20 [Roll No. 103]  
YEAS—229

Allard	Blute	Castle
Archer	Boehlert	Chabot
Armey	Boehner	Chambliss
Bachus	Bonilla	Chenoweth
Baker (CA)	Bono	Christensen
Baker (LA)	Brownback	Chrysler
Ballenger	Bryant (TN)	Clinger
Barr	Bunn	Coble
Barrett (NE)	Bunning	Coburn
Bartlett	Burr	Collins (GA)
Barton	Burton	Combest
Bass	Buyer	Cooley
Bateman	Callahan	Cox
Bereuter	Calvert	Crane
Bilbray	Camp	Crapo
Bilirakis	Campbell	Cremeans
Bliley	Canady	Cubin

Cunningham	Hyde	Pryce
Davis	Inglis	Quillen
Deal	Istook	Quinn
DeLay	Johnson (CT)	Radanovich
Diaz-Balart	Johnson, Sam	Ramstad
Dickey	Jones	Regula
Doolittle	Kasich	Riggs
Dornan	Kelly	Roberts
Dreier	Kim	Rogers
Duncan	King	Rohrabacher
Dunn	Kingston	Roth
Ehlers	Klug	Royce
Ehrlich	Knollenberg	Salmon
Emerson	Kolbe	Sanford
English	LaHood	Saxton
Ensign	Largent	Scarborough
Everett	Latham	Schaefer
Ewing	LaTourette	Schiff
Fawell	Laughlin	Seastrand
Fields (TX)	Lazio	Sensenbrenner
Flanagan	Leach	Shadegg
Foley	Lewis (CA)	Shaw
Forbes	Lewis (KY)	Shays
Fox	Lightfoot	Shuster
Franks (CT)	Linder	Skeen
Franks (NJ)	Livingston	Smith (MI)
Frelinghuysen	LoBiondo	Smith (NJ)
Frisa	Longley	Solomon
Funderburk	Lucas	Souder
Galleghy	Manzullo	Spence
Ganske	Martini	Stearns
Gekas	McCollum	Stockman
Gilchrest	McCrery	Stump
Gillmor	McDade	Talent
Gilman	McHugh	Tate
Goodlatte	McInnis	Tauzin
Goodling	McIntosh	Taylor (NC)
Goss	McKeon	Thomas
Graham	Metcalf	Thornberry
Greenwood	Meyers	Tiaht
Gutknecht	Mica	Torkildsen
Hall (TX)	Miller (FL)	Upton
Hancock	Molinari	Vucanovich
Hansen	Moorhead	Waldholtz
Hastert	Morella	Walker
Hastings (WA)	Myers	Walsh
Hayes	Myrick	Wamp
Hayworth	Nethercutt	Watts (OK)
Hefley	Neumann	Weldon (FL)
Heineman	Ney	Weller
Herger	Norwood	White
Hilleary	Nussle	Whitfield
Hobson	Oxley	Wicker
Hoekstra	Packard	Wolf
Hoke	Parker	Young (AK)
Horn	Paxon	Young (FL)
Hostettler	Petri	Zeliff
Houghton	Pombo	Zimmer
Hunter	Porter	
Hutchinson	Portman	

NAYS—186

Abercrombie	Dicks	Hoyer
Ackerman	Dingell	Jackson (IL)
Andrews	Dixon	Jackson-Lee
Baesler	Doggett	(TX)
Baldacci	Dooley	Jacobs
Barcia	Doyle	Jefferson
Barrett (WI)	Durbin	Johnson (SD)
Beilenson	Edwards	Johnson, E. B.
Bentsen	Engel	Johnson
Berman	Eshoo	Kanjorski
Bevill	Evans	Kaptur
Bishop	Farr	Kennedy (MA)
Bonior	Fattah	Kennedy (RI)
Borski	Fazio	Kennelly
Boucher	Filner	Kildee
Brewster	Flake	Klecicka
Browder	Foglietta	Klink
Brown (CA)	Ford	LaFalce
Brown (FL)	Frank (MA)	Levin
Brown (OH)	Frost	Lewis (GA)
Cardin	Furse	Lincoln
Chapman	Gedjenson	Lipinski
Clay	Gephardt	Lofgren
Clayton	Geren	Lowe
Clement	Gibbons	Luther
Clyburn	Gonzalez	Maloney
Coleman	Gordon	Manton
Collins (MI)	Green	Markey
Condit	Gunderson	Martinez
Costello	Gutierrez	Mascara
Coyne	Hall (OH)	Matsui
Cramer	Hamilton	McCarthy
Danner	Harman	McDermott
de la Garza	Hastings (FL)	McHale
DeFazio	Hefner	McKinney
DeLauro	Hilliard	Meehan
Dellums	Hinche	Meek
Deutsch	Holden	Menendez

Miller (CA)	Rahall	Stupak
Minge	Rangel	Tanner
Mink	Reed	Taylor (MS)
Moakley	Richardson	Tejeda
Mollohan	Rivers	Thompson
Montgomery	Roemer	Thornton
Moran	Rose	Thurman
Murtha	Roukema	Torres
Nadler	Roybal-Allard	Towns
Oberstar	Rush	Traficant
Obey	Sabo	Velazquez
Olver	Sanders	Vento
Ortiz	Sawyer	Visclosky
Orton	Schroeder	Volkmer
Owens	Schumer	Ward
Pallone	Scott	Waters
Pastor	Serrano	Watt (NC)
Payne (NJ)	Sisisky	Waxman
Payne (VA)	Skaggs	Williams
Pelosi	Skelton	Wise
Peterson (FL)	Slaughter	Woolsey
Peterson (MN)	Spratt	Wynn
Pickett	Stark	Yates
Pomeroy	Stenholm	
Poshard	Studds	

NOT VOTING—16

Becerra	Lantos	Stokes
Bryant (TX)	McNulty	Torricelli
Collins (IL)	Neal	Weldon (PA)
Conyers	Ros-Lehtinen	Wilson
Fields (LA)	Smith (TX)	
Fowler	Smith (WA)	

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

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

So 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.

37.21 FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and joint resolution of the House of the following titles:

H.R. 3136. An Act to provide for enactment of the Senior Citizens' Right to Work Act of 1996, the Line-Item Veto Act, and the Small Business Growth and Fairness Act of 1996, and to provide for a permanent increase in the public debt limit; and

H.J. Res. 168. Joint resolution waiving certain enrollment requirements with respect to two bills of the One Hundred Fourth Congress.

The message also announced that the Senate agrees, to the report of the committee of conference on the disagreeing votes of the two House on the amendment of the Senate to the bill (H.R. 2854) "An Act to modify the operation of certain agricultural programs".

37.22 HEALTH CARE COVERAGE

Mr. ARCHER, pursuant to House Resolution 392, called up the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage,

to simplify the administration of health insurance, and for other purposes.

When said bill was considered and read twice.

Pursuant to House Resolution 392, the following amendment in the nature of a substitute consisting of the text of H.R. 3160, modified by the amendment specified in Part 1 of House Report 104-501, was considered as adopted:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Health Coverage Availability and Affordability Act of 1996".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—IMPROVED AVAILABILITY AND PORTABILITY OF HEALTH INSURANCE COVERAGE

Subtitle A—Coverage Under Group Health Plans

Sec. 101. Portability of coverage for previously covered individuals.

Sec. 102. Limitation on preexisting condition exclusions; no application to certain newborns, adopted children, and pregnancy.

Sec. 103. Prohibiting exclusions based on health status and providing for enrollment periods.

Sec. 104. Enforcement.

Subtitle B—Certain Requirements for Insurers and HMOs in the Group and Individual Markets

PART 1—AVAILABILITY OF GROUP HEALTH INSURANCE COVERAGE

Sec. 131. Guaranteed availability of general coverage in the small group market.

Sec. 132. Guaranteed renewability of group coverage.

PART 2—AVAILABILITY OF INDIVIDUAL HEALTH INSURANCE COVERAGE

Sec. 141. Guaranteed availability of individual health insurance coverage to certain individuals with prior group coverage.

Sec. 142. Guaranteed renewability of individual health insurance coverage.

PART 3—ENFORCEMENT

Sec. 151. Incorporation of provisions for State enforcement with Federal fallback authority.

Subtitle C—Affordable and Available Health Coverage Through Multiple Employer Pooling Arrangements

Sec. 161. Clarification of duty of the Secretary of Labor to implement provisions of current law providing for exemptions and solvency standards for multiple employer health plans.

"PART 7—RULES GOVERNING REGULATION OF MULTIPLE EMPLOYER HEALTH PLANS

"Sec. 701. Definitions.

"Sec. 702. Clarification of duty of the Secretary to implement provisions of current law providing for exemptions and solvency standards for multiple employer health plans.

"Sec. 703. Requirements relating to sponsors, boards of trustees, and plan operations.

"Sec. 704. Other requirements for exemption.

"Sec. 705. Maintenance of reserves.

"Sec. 706. Notice requirements for voluntary termination.

"Sec. 707. Corrective actions and mandatory termination.

"Sec. 708. Additional rules regarding State authority."

Sec. 162. Affordable and available fully insured health coverage through voluntary health insurance associations.

Sec. 163. State authority fully applicable to self-insured multiple employer welfare arrangements providing medical care which are not exempted under new part 7.

Sec. 164. Clarification of treatment of single employer arrangements.

Sec. 165. Clarification of treatment of certain collectively bargained arrangements.

Sec. 166. Treatment of church plans.

Sec. 167. Enforcement provisions relating to multiple employer welfare arrangements.

Sec. 168. Cooperation between Federal and State authorities.

Sec. 169. Filing and disclosure requirements for multiple employer welfare arrangements offering health benefits.

Sec. 170. Single annual filing for all participating employers.

Sec. 171. Effective date; transitional rule.

Subtitle D—Definitions; General Provisions

Sec. 191. Definitions; scope of coverage.

Sec. 192. State flexibility to provide greater protection.

Sec. 193. Effective date.

Sec. 194. Rule of construction.

Sec. 195. Findings relating to exercise of commerce clause authority.

TITLE II—PREVENTING HEALTH CARE FRAUD AND ABUSE; ADMINISTRATIVE SIMPLIFICATION; MEDICAL LIABILITY REFORM

Sec. 200. References in title.

Subtitle A—Fraud and Abuse Control Program

Sec. 201. Fraud and abuse control program.

Sec. 202. Medicare integrity program.

Sec. 203. Beneficiary incentive programs.

Sec. 204. Application of certain health anti-fraud and abuse sanctions to fraud and abuse against Federal health care programs.

Sec. 205. Guidance regarding application of health care fraud and abuse sanctions.

Subtitle B—Revisions to Current Sanctions for Fraud and Abuse

Sec. 211. Mandatory exclusion from participation in medicare and State health care programs.

Sec. 212. Establishment of minimum period of exclusion for certain individuals and entities subject to permissive exclusion from medicare and State health care programs.

Sec. 213. Permissive exclusion of individuals with ownership or control interest in sanctioned entities.

Sec. 214. Sanctions against practitioners and persons for failure to comply with statutory obligations.

Sec. 215. Intermediate sanctions for medicare health maintenance organizations.

Sec. 216. Additional exception to anti-kick-back penalties for discounting and managed care arrangements.

Sec. 217. Criminal penalty for fraudulent disposition of assets in order to obtain medicaid benefits.

Sec. 218. Effective date.

Subtitle C—Data Collection

Sec. 221. Establishment of the health care fraud and abuse data collection program.