

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

It was decided in the affirmative { Yeas 342
Nays 69
Answered present 12

¶49.12 [Roll No. 177]
YEAS—342

Abercrombie	Ehlers	Kucinich
Aderholt	Ehrlich	LaFalce
Allen	Emerson	LaHood
Archer	English	Lampson
Armye	Ensign	Lantos
Bachus	Eshoo	Largent
Baessler	Etheridge	Latham
Baker	Evans	LaTourette
Baldacci	Everett	Lazio
Ballenger	Ewing	Leach
Barcia	Farr	Lewis (CA)
Barr	Fawell	Lewis (KY)
Barrett (NE)	Foley	Linder
Barrett (WI)	Forbes	Lipinski
Bartlett	Ford	Livingston
Barton	Fossella	LoBiondo
Bass	Fowler	Lofgren
Bentsen	Fox	Lowe
Bereuter	Frelinghuysen	Lucas
Berry	Frost	Luther
Bilbray	Gallegly	Maloney (CT)
Bilirakis	Ganske	Manton
Blagojevich	Gejdenson	Manzullo
Bliley	Gekas	Mascara
Blumenauer	Gephardt	McCarthy (MO)
Blunt	Gibbons	McCarthy (NY)
Boehlert	Gilchrest	McCollum
Boehner	Gillmor	McCrery
Bonilla	Gilman	McHale
Bono	Goode	McHugh
Borski	Goodlatte	McInnis
Boswell	Goodling	McIntosh
Boucher	Gordon	McIntyre
Boyd	Goss	McKeon
Brady (TX)	Graham	McNulty
Bryant	Granger	Meehan
Bunning	Green	Menendez
Burr	Greenwood	Metcalf
Burton	Gutierrez	Mica
Buyer	Gutknecht	Miller (FL)
Callahan	Hall (OH)	Minge
Calvert	Hall (TX)	Mink
Camp	Hamilton	Moakley
Campbell	Hansen	Mollohan
Canady	Hastert	Moran (KS)
Cannon	Hastings (WA)	Morella
Capps	Hayworth	Myrick
Cardin	Hefley	Neal
Castle	Hefner	Nethercutt
Chabot	Herger	Neumann
Chambliss	Hill	Ney
Chenoweth	Hilleary	Northup
Christensen	Hinojosa	Norwood
Clement	Hobson	Nussle
Coble	Hoekstra	Obey
Coburn	Holden	Ortiz
Collins	Hooley	Oxley
Combest	Horn	Packard
Condit	Hostettler	Pallone
Cook	Houghton	Pappas
Cooksey	Hoyer	Pascroll
Costello	Hulshof	Paul
Cox	Hunter	Paxon
Coyne	Hutchinson	Pease
Cramer	Hyde	Peterson (MN)
Crane	Inglis	Peterson (PA)
Crapo	Istook	Petri
Cubin	Jenkins	Pickering
Cunningham	John	Pitts
Danner	Johnson (CT)	Pombo
Davis (FL)	Johnson (WI)	Pomeroy
Davis (IL)	Jones	Porter
Davis (VA)	Kanjorski	Portman
Deal	Kaptur	Poshard
DeLauro	Kasich	Price (NC)
DeLay	Kelly	Pryce (OH)
Diaz-Balart	Kennedy (RI)	Quinn
Dickey	Kennelly	Radanovich
Dingell	Kildee	Rahall
Dixon	Kilpatrick	Ramstad
Doggett	Kim	Redmond
Dooley	King (NY)	Regula
Doolittle	Kingston	Reyes
Doyle	Klecza	Riggs
Dreier	Klink	Riley
Duncan	Klug	Rivers
Dunn	Knollenberg	Roemer
Edwards	Kolbe	Rogan

Rogers	Sisisky	Taylor (NC)
Rohrabacher	Skeen	Thomas
Ros-Lehtinen	Skelton	Thornberry
Rothman	Smith (MI)	Thune
Roukema	Smith (NJ)	Thurman
Royce	Smith (OR)	Tiahrt
Ryun	Smith (TX)	Tierney
Sabo	Smith, Adam	Trafficant
Salmon	Smith, Linda	Turner
Sanders	Snowbarger	Upton
Sandlin	Snyder	Walsh
Sanford	Solomon	Wamp
Sawyer	Souder	Watkins
Saxton	Spence	Watts (OK)
Scarborough	Spratt	Waxman
Stabenow	Stabenow	Weldon (FL)
Schaffer, Bob	Stearns	Weldon (PA)
Schumer	Stenholm	Weller
Sensenbrenner	Strickland	Weygand
Sessions	Stump	White
Shadegg	Stupak	Whitfield
Shaw	Sununu	Wicker
Shays	Talent	Wise
Sherman	Tanner	Wolf
Shimkus	Tauzin	Young (AK)
Shuster	Taylor (MS)	Young (FL)

NAYS—69

Ackerman	Hinchey	Owens
Andrews	Jackson (IL)	Pastor
Becerra	Jackson-Lee	Payne
Bonior	(TX)	Pickett
Brady (PA)	Jefferson	Rangel
Brown (CA)	Johnson, E. B.	Rodriguez
Brown (FL)	Kennedy (MA)	Royal-Allard
Brown (OH)	Lee	Rush
Carson	Levin	Scott
Clay	Lewis (GA)	Serrano
Clyburn	Markey	Skaggs
Conyers	Marquez	Slaughter
Cummings	Matsui	Stark
DeGette	McDermott	Stokes
Delahunt	McKinney	Thompson
Deutsch	Meek (FL)	Towns
Dicks	Millender-	Velazquez
Engel	McDonald	Vento
Fattah	Miller (CA)	Visclosky
Fazio	Moran (VA)	Waters
Filner	Murtha	Wexler
Furse	Nadler	Wynn
Hastings (FL)	Oberstar	Yates
Hilliard	Olver	

ANSWERED "PRESENT"—12

Berman	Frank (MA)	Sanchez
Bishop	Kind (WI)	Tauscher
Clayton	Maloney (NY)	Watt (NC)
DeFazio	McGovern	Woolsey

NOT VOTING—10

Bateman	Johnson, Sam	Pelosi
Franks (NJ)	McDade	Torres
Gonzalez	MEEKS (NY)	
Harman	Parker	

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.

¶49.13 MESSAGE FROM THE PRESIDENT—
MIA COOPERATION—POLAND-HUNGRY-
CZECH REPUBLIC

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

To the Congress of the United States:

In accordance with the resolution of advice and consent to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic, adopted by the Senate of the United States on April 30, 1998, I hereby certify to the Congress that, in connection with Condition (5), each of the governments of Poland, Hungary, and the Czech Republic are fully cooperating with United States efforts to obtain the fullest possible accounting of captured and missing U.S. personnel from

past military conflicts or Cold War incidents, to include (A) facilitating full access to relevant archival material, and (B) identifying individuals who may possess knowledge relative to captured and missing U.S. personnel, and encouraging such individuals to speak with United States Government officials.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 21, 1998.

By unanimous consent, the message was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105-256).

¶49.14 ORDER OF BUSINESS—AMENDMENT
DURING CONSIDERATION OF H.R. 3616

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That, during further consideration of the bill (H.R. 3616) to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1999, and for other purposes, pursuant to House Resolution 441, the amendment by Mr. THOMAS presently at the desk be deemed to have been included as the last amendment printed in part D of House Report 105-544.

¶49.15 DOD AUTHORIZATION

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to House Resolution 441 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3616) to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1999, and for other purposes.

Mr. PEASE, Acting Chairman, assumed the chair; and after some time spent therein,

The Committee rose informally to receive a message from the Senate.

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

¶49.16 FURTHER MESSAGE FROM THE
SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate passed a concurrent resolution of the following title, in which concurrence of the House is requested:

S. Con. Res. 98. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The Committee resumed its sitting; and after some further time spent therein,

¶49.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. THORNBERRY:

At the end of title VII (page 197, after line 5), add the following new section:

SEC. 726. DEMONSTRATION PROJECT TO INCLUDE CERTAIN COVERED BENEFICIARIES WITHIN FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM.

(a) DEMONSTRATION PROJECT.—(1) Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

“§1108. Health care coverage through Federal Employees Health Benefits program: demonstration project

“(a) FEHBP OPTION DEMONSTRATION.—The Secretary of Defense, after consulting with the other administering Secretaries, shall enter into an agreement with the Office of Personnel Management to conduct a demonstration project under which not more than 70,000 eligible covered beneficiaries described in subsection (b) and residing within one of the areas covered by the demonstration project may be enrolled in health benefits plans offered through the Federal Employees Health Benefits program under chapter 89 of title 5.

“(b) ELIGIBLE COVERED BENEFICIARIES.—(1) An eligible covered beneficiary under this subsection is—

“(A) a member or former member of the uniformed services described in section 1074(b) of this title who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.);

“(B) a dependent of such a member described in section 1076(b) or 1076(a)(2)(B) of this title;

“(C) a dependent of a member of the uniformed services who died while on active duty for a period of more than 30 days; or

“(D) a dependent described in section 1076(b) or 1076(a)(2)(B) of this title who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act, regardless of the member's or former member's eligibility for such hospital insurance benefits.

“(2) A covered beneficiary described in paragraph (1) shall not be required to satisfy any eligibility criteria specified in chapter 89 of title 5 as a condition for enrollment in health benefits plans offered through the Federal Employee Health Benefits program under the demonstration project.

“(3) Covered beneficiaries who are eligible to enroll in the Federal Employment Health Benefits program under chapter 89 of title 5 as a result of civil service employment with the United States Government shall not be eligible to enroll in a Federal Employees Health Benefits plan under this section.

“(c) AREA OF DEMONSTRATION PROJECT.—The Secretary of Defense and the Director of the Office of Personnel Management shall jointly identify and select the geographic areas in which the demonstration project will be conducted. The Secretary and the Director shall establish at least six, but not more than ten, such demonstration areas. In establishing the areas, the Secretary and Director shall include—

“(1) a site that includes the catchment area of one or more military medical treatment facilities;

“(2) a site that is not located in the catchment area of a military medical treatment facility;

“(3) a site at which there is a military medical treatment facility that is a Medicare Subvention Demonstration project site under section 1896 of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

“(4) not more than one site for each TRICARE region.

“(d) TIME FOR DEMONSTRATION PROJECT.—(1) The Secretary of Defense shall conduct the demonstration project during three contract years under the Federal Employees Health Benefits program.

“(2) Eligible covered beneficiaries shall, as provided under the agreement pursuant to subsection (a), be permitted to enroll in the demonstration project during the open season for the year 2000 (conducted in the fall of 1999). The demonstration project shall terminate on December 31, 2002.

“(e) PROHIBITION AGAINST USE OF MTFs.—Eligible covered beneficiaries who participate in the demonstration project shall not be eligible to receive care at a military medical treatment facility.

“(f) TERM OF ENROLLMENT.—(1) The minimum period of enrollment in a Federal Employees Health Benefits plan under this section shall be three years.

“(2) A beneficiary who elects to enroll in such a plan, and who subsequently discontinues enrollment in the plan before the end of the period described in paragraph (1), shall not be eligible to reenroll in the plan.

“(3) An eligible beneficiary enrolled in a Federal Employees Health Benefits plan under this section may change plans during the open enrollment period in the same manner as any other Federal Employees Health Benefits program beneficiary may change plans.

“(g) SEPARATE RISK POOLS; CHARGES.—(1) The Office of Personnel Management shall require health benefits plans under chapter 89 of title 5 that participate in the demonstration project to maintain a separate risk pool for purposes of establishing premium rates for covered beneficiaries who enroll in such a plan in accordance with this section.

“(2) The Office shall determine total subscription charges for self only or for family coverage for covered beneficiaries who enroll in a health benefits plan under chapter 89 of title 5 in accordance with this section, which shall include premium charges paid to the plan and amounts described in section 8906(c) of title 5 for administrative expenses and contingency reserves.

“(h) GOVERNMENT CONTRIBUTIONS.—The Secretary of Defense shall be responsible for the Government contribution for an eligible covered beneficiary who enrolls in a health benefits plan under chapter 89 of title 5 in accordance with this section, except that the amount of the contribution may not exceed the amount of the Government contribution which would be payable if the electing individual were an employee enrolled in the same health benefits plan and level of benefits.

“(i) EFFECT OF CANCELLATION.—The cancellation by a covered beneficiary of coverage under the Federal Employee Health Benefits program shall be irrevocable during the term of the demonstration project.

“(j) REPORT REQUIREMENTS.—(1) The Secretary of Defense and the Director of the Office of Personnel Management shall jointly submit to Congress a report containing the information described in paragraph (2)—

“(A) not later than the date that is 15 months after the date that the Secretary begins to implement the demonstration project; and

“(B) not later than the date that is 39 months after the date that the Secretary begins to implement the demonstration project.

“(2) The reports required by paragraph (1) shall include—

“(A) information on the number of eligible covered beneficiaries who opt to participate in the demonstration project;

“(B) an analysis of the percentage of eligible covered beneficiaries who participate in the demonstration project as compared to usage rates for similarly situated Federal retirees;

“(C) information on eligible covered beneficiaries who opt to participate in the demonstration project who did not have Medi-

care Part B coverage before opting to participate in the project;

“(D) an analysis of the enrollment rates and cost of health services provided to eligible covered beneficiaries who opt to participate in the demonstration project as compared with other enrollees in the Federal Employees Health Benefits Program under title 5, United States Code;

“(E) an analysis of how the demonstration project affects the accessibility of health care in military medical treatment facilities, and a description of any unintended effects on the treatment priorities in those facilities in the demonstration area;

“(F) an analysis of any problems experienced by the Department of Defense in managing the demonstration project;

“(G) a description of the effects of the demonstration project on medical readiness and training at military medical treatment facilities located in the demonstration area, and a description of the probable effects that making the project permanent would have on medical readiness and training;

“(H) an examination of the effects that the demonstration project, if made permanent, would be expected to have on the overall budget of the Department of Defense, the budget of the Office of Personnel and Management, and the budgets of individual military medical treatment facilities;

“(I) an analysis of whether the demonstration project affects the cost to the Department of Defense of prescription drugs or the accessibility, availability, and cost of such drugs to covered beneficiaries;

“(J) a description of any additional information that the Secretary of Defense or the Director of the Office of Personnel Management deem appropriate and that would assist Congress in determining the viability of expanding the project to all Medicare-eligible members of the uniformed services and their dependents; and

“(K) recommendations on whether covered beneficiaries—

“(i) should be given more than one chance to enroll in a Federal Employees Health Benefits plan under this section;

“(ii) should be eligible to enroll in such a plan only during the first year following the date that the covered beneficiary becomes eligible to receive hospital insurance benefits under title XVIII of the Social Security Act; or

“(iii) should be eligible to enroll in the plan only during the two-year period following the date on which the beneficiary first becomes eligible to enroll in a Federal Employees Health Benefits plan under this section.

“(k) COMPTROLLER GENERAL REPORT.—Not later than 39 months after the Secretary begins to implement the demonstration project, the Comptroller General shall submit to Congress a report examining the same criteria required to be examined under subsection (j)(2).”

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1108. Health care coverage through Federal Employees Health Benefits program: demonstration project.”

(b) CONFORMING AMENDMENTS.—Chapter 89 of title 5, United States Code, is amended—

(1) in section 8905—

(A) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(B) by inserting after subsection (c) the following new subsection:

“(d) An individual whom the Secretary of Defense determines is an eligible covered beneficiary under subsection (b) of section 1108 of title 10 may enroll, as part of the demonstration project under such section, in

a health benefits plan under this chapter in accordance with the agreement under subsection (a) of such section between the Secretary and the Office and applicable regulations under this chapter.”;

(2) in section 8906(b)—
(A) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting in lieu thereof “paragraphs (2), (3), and (4)”;

(B) by adding at the end the following new paragraph:
“(4) In the case of individuals who enroll, as part of the demonstration project under section 1108 of title 10, in a health benefits plan in accordance with section 8905(d) of this title, the Government contribution shall

be determined in accordance with section 1108(h) of title 10.”; and

(3) in section 8906(g)—
(A) in paragraph (1), by striking “paragraph (2)” and inserting in lieu thereof “paragraphs (2) and (3)”;

(B) by adding at the end the following new paragraph:
“(3) The Government contribution described in subsection (b)(4) for beneficiaries who enroll, as part of the demonstration project under section 1108 of title 10, in accordance with section 8905(d) of this title shall be paid as provided in section 1108(h) of title 10.”

(C) DISPOSAL OF NATIONAL DEFENSE STOCKPILE MATERIALS TO OFFSET COSTS.—

(1) DISPOSAL REQUIRED.—Subject to paragraphs (2) and (3), the President shall dispose of materials contained in the National Defense Stockpile and specified in the table in subsection (b) so as to result in receipts to the United States in amounts equal to—

- (A) \$89,000,000 during fiscal year 1999;
(B) \$104,000,000 during fiscal year 2000;
(C) \$95,000,000 during fiscal year 2001; and
(D) \$72,000,000 during fiscal year 2002.

(2) LIMITATION ON DISPOSAL QUANTITY.—The total quantities of materials authorized for disposal by the President under paragraph (1) may not exceed the amounts set forth in the following table:

Authorized Stockpile Disposals

Table with 2 columns: Material for disposal, Quantity. Rows include Chromium Ferroalloy Low Carbons (92,000 short tons), Diamond Stones (3,000,000 carats), Palladium (1,227,831 troy ounces), and Platinum (439,887 troy ounces).

(3) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of materials under paragraph (1) to the extent that the disposal will result in—

(A) undue disruption of the usual markets of producers, processors, and consumers of the materials proposed for disposal; or
(B) avoidable loss to the United States.

(4) TREATMENT OF RECEIPTS.—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of materials under paragraph (1) shall be—

(A) deposited into the general fund of the Treasury; and

(B) used to offset the revenues that will be lost as a result of the implementation of the demonstration project under section 1108 of title 10, United States Code (as added by subsection (a)).

(5) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in paragraph (1) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials specified in the table in paragraph (2).

It was decided in the affirmative ... Yeas 420
Nays 1
Answered present 1

Large list of names in columns, including Cunningham, Gutierrez, Leach, Pallone, Sabo, Stump, Danner, Gutknecht, Lee, Pappas, Salmon, Stupak, etc.

49.18 [Roll No. 178]
AYES—420

Table of names in columns, including Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Army, etc.

NOES—1
Thomas
ANSWERED “PRESENT”—1
Ganske
NOT VOTING—11
Bateman, Gonzalez, Harman, Johnson, Sam, McGovern, MEEKS (NY), Parker, Pickett, Skaggs, Torres, Wicker

So the amendment was agreed to.
The Committee rose informally to receive a message from the President.

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

49.19 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was commu-