

a health plan issuer meet the standards established under this title pursuant to an enforcement plan filed by the State with the Secretary. A State shall submit such information as required by the Secretary demonstrating effective implementation of the State enforcement law.

(b) **EMPLOYEE HEALTH BENEFIT PLANS.**—With respect to employee health benefit plans, the Secretary shall enforce the reform standards established under this title in the same manner as provided for under sections 502, 504, 506, and 510 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132, 1134, 1136, and 1140). The civil penalties contained in paragraphs (1) and (2) of section 502(c) of such Act (29 U.S.C. 1132(c) (1) and (2)) shall apply to any information required by the Secretary to be disclosed and reported under this section.

(c) **FAILURE TO IMPLEMENT PLAN.**—In the case of the failure of a State to substantially enforce the standards and requirements set forth in this title with respect to group health plans and individual health plans as provided for under the State enforcement plan filed under subsection (a), the Secretary, in consultation with the Secretary of Health and Human Services, shall implement an enforcement plan meeting the standards of this title in such State. In the case of a State that fails to substantially enforce the standards and requirements set forth in this title, each health plan issuer operating in such State shall be subject to civil enforcement as provided for under sections 502, 504, 506, and 510 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132, 1134, 1136, and 1140). The civil penalties contained in paragraphs (1) and (2) of section 502(c) of such Act (29 U.S.C. 1132(c) (1) and (2)) shall apply to any information required by the Secretary to be disclosed and reported under this section.

(d) **APPLICABLE CERTIFYING AUTHORITY.**—As used in this title, the term “applicable certifying authority” means, with respect to—

(1) health plan issuers, the State insurance commissioner or official or officials designated by the State to enforce the requirements of this title for the State involved; and

(2) an employee health benefit, plan, the Secretary.

(e) **REGULATIONS.**—The Secretary may promulgate such regulations as may be necessary or appropriate to carry out this title.

(f) **TECHNICAL AMENDMENT.**—Section 508 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1138) is amended by inserting “and under the Health Insurance Reform Act of 1996” before the period.

Subtitle F—Miscellaneous Provisions

SEC. 191. HEALTH COVERAGE AVAILABILITY STUDY.

(a) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with the Secretary, representatives of State officials, consumers, and other representatives of individuals and entities that have expertise in health insurance and employee benefits, shall conclude a two-part study, and prepare and submit reports, in accordance with this section.

(b) **EVALUATION OF AVAILABILITY.**—Not later than January 1, 1998, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report, concerning—

(1) an evaluation, based on the experience of States, expert opinions, and such additional data as may be available, of the various mechanisms used to ensure the availability of reasonably priced health coverage to employers purchasing group coverage and to individuals purchasing coverage on a non-group basis; and

(2) whether standards that limit the variation in premiums will further the purposes of this Act.

(c) **EVALUATION OF EFFECTIVENESS.**—Not later than January 1, 1999, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report, concerning the effectiveness of the provisions of this Act and the various State laws, in ensuring the availability of reasonably priced health coverage to employers purchasing group coverage and individuals purchasing coverage on a nongroup basis.

SEC. 192. EFFECTIVE DATE.

Except as otherwise provided for in this title, the provisions of this title shall apply as follows:

(1) With respect to group health plans and individual health plans, such provisions shall apply to plans offered, sold, issued, renewed, in effect, or operated on or after January 1, 1997, and

(2) With respect to employee health benefit plans, on the first day of the first plan year beginning on or after January 1, 1997.

SEC. 193. SEVERABILITY.

If any provision of this title or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provisions of such to any person or circumstance shall not be affected thereby.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

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

Mr. **PALLONE** demanded a recorded vote on motion to recommit with instructions, 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 { Yeas 182
negative } Nays 236

¶37.24 [Roll No. 105]
AYES—182

Abercrombie	Cramer	Gutierrez
Ackerman	Danner	Hall (OH)
Andrews	de la Garza	Hamilton
Baessler	DeFazio	Harman
Baldacci	DeLauro	Hastings (FL)
Barcia	Dellums	Hefner
Barrett (WI)	Deutsch	Hilliard
Becerra	Dicks	Hinches
Beilenson	Dingell	Holden
Bentsen	Dixon	Hoyer
Berman	Doggett	Jackson (IL)
Bevill	Dooley	Jackson-Lee
Bishop	Doyle	(TX)
Bonior	Durbin	Jacobs
Borski	Edwards	Jefferson
Boucher	Engel	Johnson (SD)
Browder	Evans	Johnson, E. B.
Brown (CA)	Farr	Johnson
Brown (FL)	Fattah	Kanjorski
Brown (OH)	Fazio	Kaptur
Cardin	Filner	Kennedy (MA)
Chapman	Flake	Kennedy (RI)
Clay	Foglietta	Kennelly
Clayton	Ford	Kildee
Clement	Frank (MA)	Kleczka
Clyburn	Frost	Klink
Coleman	Furse	LaFalce
Collins (MI)	Gejdenson	Lantos
Condit	Gephardt	Levin
Conyers	Gibbons	Lewis (GA)
Costello	Gonzalez	Lincoln
Coyne	Green	Lipinski

Lofgren	Pallone	Slaughter
Lowey	Pastor	Spratt
Luther	Payne (NJ)	Stark
Maloney	Payne (VA)	Stenholm
Manton	Pelosi	Studds
Markey	Peterson (FL)	Stupak
Mascara	Peterson (MN)	Tanner
Matsui	Pomeroy	Tejeda
McCarthy	Quinn	Thompson
McDermott	Rahall	Thornton
McHale	Rangel	Thurman
McKinney	Reed	Torres
Meehan	Richardson	Torricelli
Meek	Rivers	Towns
Menendez	Roemer	Trafiacant
Miller (CA)	Rose	Velazquez
Minge	Roukema	Vento
Mink	Roybal-Allard	Visclosky
Moakley	Rush	Volkmmer
Mollohan	Sabo	Walsh
Moran	Sanders	Ward
Murtha	Sawyer	Waters
Nadler	Schroeder	Watt (NC)
Oberstar	Schumer	Waxman
Obey	Scott	Wilson
Olver	Serrano	Wise
Ortiz	Sisisky	Woolsey
Orton	Skaggs	Wynn
Owens	Skelton	Yates

NOES—236

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

Stearns	Tiahrt	White
Stockman	Torkildsen	Whitfield
Stump	Upton	Wicker
Talent	Vucanovich	Williams
Tate	Waldholtz	Wolf
Tauzin	Walker	Young (AK)
Taylor (MS)	Wamp	Young (FL)
Taylor (NC)	Watts (OK)	Zeliff
Thomas	Weldon (FL)	Zimmer
Thornberry	Weller	

NOT VOTING—13

Bryant (TX)	Martinez	Smith (WA)
Collins (IL)	McNulty	Stokes
Eshoo	Neal	Weldon (PA)
Fields (LA)	Ros-Lehtinen	
Fowler	Smith (TX)	

So the motion to recommit with instructions was not agreed to.

The question being put,

The SPEAKER pro tempore, Mr. COMBEST, announced that pursuant to House Resolution 392, the yeas and nays were ordered.

It was decided in the { Yeas 267
affirmative } Nays 151

¶37.25 [Roll No. 106]
YEAS—267

Allard	Doolittle	Johnson, Sam
Archer	Dreier	Jones
Armedy	Duncan	Kasich
Bachus	Dunn	Kelly
Baessler	Ehlers	Kim
Baker (CA)	Ehrlich	King
Baker (LA)	Emerson	Kingston
Ballegger	English	Klug
Barcia	Ensign	Knollenberg
Barr	Everett	Kolbe
Barrett (NE)	Ewing	LaHood
Bartlett	Fawell	Largent
Barton	Fields (TX)	Latham
Bass	Flanagan	LaTourette
Bateman	Foley	Laughlin
Bereuter	Forbes	Lazio
Bilbray	Fox	Leach
Bilirakis	Franks (CT)	Lewis (CA)
Bliley	Franks (NJ)	Lewis (KY)
Blute	Frelinghuysen	Lightfoot
Boehlert	Frisa	Lincoln
Boehner	Funderburk	Linder
Bonilla	Gallely	Livingston
Bono	Ganske	LoBiondo
Brewster	Gekas	Longley
Browder	Geren	Lucas
Brownback	Gilchrest	Manzullo
Bryant (TN)	Gillmor	Martini
Bunn	Gilman	McCollum
Bunning	Gingrich	McCrery
Burr	Goodlatte	McDade
Burton	Goodling	McHale
Buyer	Gordon	McHugh
Callahan	Goss	McInnis
Calvert	Graham	McIntosh
Camp	Greenwood	McKeon
Campbell	Gunderson	Metcalf
Canady	Gutknecht	Meyers
Castle	Hall (OH)	Mica
Chabot	Hall (TX)	Miller (FL)
Chambliss	Hamilton	Minge
Chenoweth	Hancock	Molinari
Christensen	Hansen	Montgomery
Chrysler	Harman	Moorhead
Clement	Hastert	Moran
Clinger	Hastings (WA)	Morella
Coble	Hayes	Myers
Coburn	Hayworth	Myrick
Collins (GA)	Hefley	Nethercatt
Combest	Hefner	Neumann
Condit	Heineman	Ney
Cooley	Herger	Norwood
Cox	Hillery	Nussle
Cramer	Hobson	Orton
Crane	Hoekstra	Oxley
Crapo	Hoke	Packard
Creameans	Holden	Parker
Cubin	Horn	Pastor
Cunningham	Hostettler	Paxon
Danner	Houghton	Payne (VA)
Davis	Hunter	Peterson (MN)
de la Garza	Hutchinson	Petri
Deal	Hyde	Pickett
DeLay	Inglis	Pombo
Diaz-Balart	Istook	Porter
Dickey	Jacobs	Portman
Dooley	Johnson (CT)	Poshard

Pryce	Shaw	Thornberry
Quillen	Shays	Thornton
Quinn	Shuster	Tiahrt
Radanovich	Sisisky	Torkildsen
Ramstad	Skeen	Traficant
Regula	Smith (MI)	Upton
Riggs	Smith (NJ)	Vucanovich
Roberts	Solomon	Waldholtz
Rogers	Souder	Walker
Rohrabacher	Spence	Walsh
Rose	Stearns	Wamp
Roth	Stenholm	Watts (OK)
Royce	Stockman	Weldon (FL)
Salmon	Studds	Weller
Sanford	Stump	White
Saxton	Talent	Whitfield
Scarborough	Tanner	Wicker
Schaefer	Tate	Wolf
Schiff	Tauzin	Young (AK)
Seastrand	Taylor (MS)	Young (FL)
Sensenbrenner	Taylor (NC)	Zeliff
Shadegg	Thomas	Zimmer

NAYS—151

Abercrombie	Gephardt	Obey
Ackerman	Gibbons	Olver
Andrews	Gonzalez	Ortiz
Baldacci	Green	Owens
Barrett (WI)	Gutierrez	Pallone
Becerra	Hastings (FL)	Payne (NJ)
Beilenson	Hilliard	Pelosi
Bentsen	Hinchee	Peterson (FL)
Berman	Hoyer	Pomeroy
Bevill	Jackson (IL)	Rahall
Bishop	Jackson-Lee	Rangel
Bonior	(TX)	Reed
Borski	Jefferson	Richardson
Boucher	Johnson (SD)	Rivers
Brown (CA)	Johnson, E. B.	Roemer
Brown (FL)	Johnston	Roukema
Brown (OH)	Kanjorski	Roybal-Allard
Cardin	Kaptur	Rush
Chapman	Kennedy (MA)	Sabo
Clay	Kennedy (RI)	Sanders
Clayton	Kennelly	Sawyer
Clyburn	Kildee	Schroeder
Coleman	Klecza	Schumer
Collins (MI)	Klink	Scott
Conyers	LaFalce	Serrano
Costello	Lantos	Skaggs
Coyne	Levin	Slaughter
DeFazio	Lewis (GA)	Spratt
DeLauro	Lipinski	Stark
Dellums	Lofgren	Stupak
Deutsch	Luther	Tejeda
Dicks	Maloney	Thompson
Dingell	Mantony	Thurman
Dixon	Markey	Torres
Doggett	Martinez	Torricelli
Doyle	Mascara	Towns
Durbin	Matsui	Velazquez
Edwards	Matsui	Vento
Engel	McCarthy	Visclosky
Evans	McDermott	Volkmer
Farr	McKinney	Ward
Fattah	Meehan	Waters
Fazio	Meek	Watt (NC)
Filner	Menendez	Waxman
Flake	Miller (CA)	Williams
Foglietta	Mink	Wilson
Ford	Moakley	Wise
Frank (MA)	Mollohan	Woolsey
Frost	Murtha	Wynn
Furse	Nadler	Yates
Gejdenson	Oberstar	

NOT VOTING—14

Bryant (TX)	Fowler	Smith (TX)
Collins (IL)	McNulty	Smith (WA)
Dornan	Neal	Stokes
Eshoo	Ros-Lehtinen	Weldon (PA)
Fields (LA)	Skelton	

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.

¶37.26 CONFERENCE RESIGNATION—MINORITY

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

HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 1996.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, H232,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective immediately, I hereby resign from the conference of H.R. 3019, the Omnibus Appropriations Act for Fiscal Year 1996, Conference Report.

Sincerely,

LOUIS STOKES,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶37.27 CHANGE OF CONFERENCE—H.R. 3019

The SPEAKER pro tempore, Mr. COMBEST, by unanimous consent, appointed Mr. HOYER as a conferee on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3019) making appropriations for fiscal year 1996 to make further downpayment toward a balanced budget, and for other purposes; vice, Mr. STOKES, resigned.

Ordered, That the Clerk notify the Senate thereof.

¶37.28 PROVIDING FOR THE CONFERENCE REPORT ON H.R. 2854

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 393):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2854) to modify the operation of certain agricultural programs. All points of order against the conference report and against its consideration are waived.

SEC. 2. Senate Concurrent Resolution 49 is hereby agreed to.

When said resolution was considered. After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

Pursuant to House Resolution 393, the following concurrent resolution of the Senate (S. Con. Res. 49) providing for certain corrections to be made in the enrollment of H.R. 2854 was considered as adopted:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 2854) to modify the operation of certain agricultural programs, shall make the following corrections:

In section 215—

- (1) in paragraph (1), insert "and" at the end;
- (2) in paragraph (2), strike "; and" at the end and insert a period; and
- (3) strike paragraph (3).

¶37.29 AGRICULTURE REFORM

Mr. ROBERTS, pursuant to House Resolution 393, called up the following conference report (Rept. No. 104-494):

The committee of conference on the disagreeing votes of the two Houses on the