

surveys and affidavits and shall include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification."

The CHAIRMAN. Are there any amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

**SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE DEFENSE AGAINST CIVIL MONEY DAMAGES.**

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following:

"(5) GOOD FAITH RELIANCE.—(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

"(B) For the purposes of this paragraph, a person engaged in the business of residential real estate transactions may show good faith reliance on the application of the exemption by showing that—

"(i) such person has no actual knowledge that the facility or community is not, or will not, be eligible for such exemption; and

"(ii) the facility or community has certified to such person, in writing and on oath or affirmation, that the facility or community complies with the requirements for such exemption."

The CHAIRMAN. Are there amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCINNIS) having assumed the chair, Mr. DUNCAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, pursuant to House Resolution 126, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CANADY of Florida. Mr. Speaker, I object to the vote on the ground

that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 424, nays 5, not voting 5, as follows:

[Roll No. 297]  
YEAS—424

Abercrombie	Danner	Hastert
Allard	Davis	Hastings (FL)
Andrews	de la Garza	Hastings (WA)
Archer	Deal	Hayes
Armey	DeFazio	Hayworth
Bachus	DeLauro	Hefley
Baesler	DeLay	Hefner
Baker (CA)	Dellums	Heineman
Baker (LA)	Deutsch	Herger
Baldacci	Hilleary	Hillery
Ballenger	Dicks	Hilliard
Barcia	Dingell	Hinchey
Barr	Dixon	Hobson
Barrett (NE)	Doggett	Hoekstra
Barrett (WI)	Dooley	Hoke
Bartlett	Doolittle	Holden
Barton	Dornan	Horn
Bass	Doyle	Hostettler
Bateman	Dreier	Houghton
Beilenson	Duncan	Hoyer
Bentsen	Dunn	Hunter
Bereuter	Durbin	Hutchinson
Bevill	Edwards	Hyde
Bilbray	Ehlers	Inglis
Bilirakis	Ehrlich	Istook
Bishop	Emerson	Jackson-Lee
Bliley	Engel	Jacobs
Blute	English	Jefferson
Boehlert	Ensign	Johnson (CT)
Boehner	Eshoo	Johnson (SD)
Bonilla	Evans	Johnson, E.B.
Bonior	Everett	Johnson, Sam
Bono	Ewing	Johnston
Borski	Farr	Jones
Boucher	Fattah	Kanjorski
Brewster	Fawell	Kaptur
Browder	Fazio	Kasich
Brown (CA)	Fields (LA)	Kelly
Brown (FL)	Fields (TX)	Kennedy (MA)
Brown (OH)	Filner	Kennedy (RI)
Brownback	Flake	Kennelly
Bryant (TN)	Flanagan	Kildee
Bunning	Foglietta	King
Burr	Foley	Kingston
Burton	Forbes	Kingston
Buyer	Ford	Kleczka
Callahan	Fowler	Klink
Calvert	Fox	Klug
Camp	Frank (MA)	Knollenberg
Canady	Franks (CT)	Kolbe
Cardin	Franks (NJ)	LaFalce
Castle	Frelinghuysen	LaHood
Chabot	Frisa	Lantos
Chambliss	Funderburk	Largent
Chenoweth	Furse	Latham
Christensen	Gallegly	LaTourette
Chrysler	Ganske	Laughlin
Clay	Gejdenson	Lazio
Clayton	Gekas	Leach
Clement	Gephardt	Levin
Clinger	Geren	Lewis (CA)
Clyburn	Gibbons	Lewis (GA)
Coble	Gilchrest	Lewis (KY)
Coburn	Gillmor	Lightfoot
Coleman	Gilman	Lincoln
Collins (GA)	Gonzalez	Linder
Collins (IL)	Goodlatte	Lipinski
Collins (MI)	Goodling	Livingston
Combest	Gordon	LoBiondo
Condit	Goss	Lofgren
Conyers	Graham	Longley
Cooley	Green	Lowey
Costello	Greenwood	Lucas
Cox	Gunderson	Luther
Coyne	Gutierrez	Maloney
Cramer	Gutknecht	Manton
Crane	Hall (OH)	Manzullo
Crapo	Hall (TX)	Markey
Creameans	Hamilton	Martinez
Cubin	Hancock	Martini
Cunningham	Hansen	Mascara
	Harman	Matsui

McCarthy	Pombo	Stearns
McCollum	Pomeroy	Stenholm
McCrery	Porter	Stockman
McDade	Portman	Stokes
McDermott	Poshard	Studds
McHale	Pryce	Stump
McHugh	Quillen	Stupak
McInnis	Quinn	Talent
McIntosh	Radanovich	Tanner
McKeon	Rahall	Tate
McKinney	Ramstad	Tauzin
McNulty	Rangel	Taylor (MS)
Meehan	Reed	Taylor (NC)
Meek	Regula	Tejeda
Menendez	Richardson	Thomas
Metcalf	Riggs	Thompson
Meyers	Rivers	Thornberry
Mfume	Roberts	Thornton
Mica	Roemer	Thurman
Miller (CA)	Rogers	Tiahrt
Miller (FL)	Rohrabacher	Torkildsen
Mineta	Ros-Lehtinen	Torres
Minge	Rose	Torricelli
Mink	Roth	Towns
Moakley	Roukema	Traficant
Molinari	Roybal-Allard	Tucker
Mollohan	Royce	Upton
Montgomery	Rush	Velazquez
Moorhead	Sabo	Vento
Moran	Salmon	Visclosky
Morella	Sanders	Volkmer
Murtha	Sanford	Vucanovich
Myrta	Sawyer	Waldholtz
Nadler	Saxton	Walker
Neal	Scarborough	Walsh
Nethercutt	Schaefer	Wamp
Neumann	Schiff	Ward
Ney	Schroeder	Waters
Norwood	Schumer	Watts (OK)
Nussle	Seastrand	Waxman
Oberstar	Sensenbrenner	Weldon (FL)
Obey	Serrano	Weldon (PA)
Olver	Shadegg	Weller
Ortiz	Shaw	White
Orton	Shays	Whitfield
Owens	Shuster	Wicker
Oxley	Sisisky	Williams
Packard	Skaggs	Wilson
Pallone	Skeen	Wise
Parker	Skelton	Wolf
Pastor	Slaughter	Woolsey
Paxon	Smith (MI)	Wyden
Payne (NJ)	Smith (NJ)	Wynn
Payne (VA)	Smith (TX)	Yates
Pelosi	Smith (WA)	Young (AK)
Peterson (FL)	Solomon	Young (FL)
Peterson (MN)	Souder	Zeliff
Petri	Spence	Zimmer
Pickett	Spratt	
	Stark	

NAYS—5

Becerra	Bryant (TX)	Watt (NC)
Berman	Scott	

NOT VOTING—5

Ackerman	Dickey	Reynolds
Chapman	Frost	

□ 1341

Mr. WATT of North Carolina changed his vote from "yea" to "nay."

Mr. RUSH changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 660, the bill just passed.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

### LAST VOTE ON CONTRACT WITH AMERICA—FREE AT LAST

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I will just take a minute. Let me say to my colleagues that here we are on day 92 of the 100 days for the Contract With America and on this overwhelmingly bipartisan vote that we just cast we have made our last vote on the Contract With America.

Let me say to all my colleagues on both sides of the aisle how very proud I am of the way we as a body have conducted our affairs. This has been a difficult schedule. It has been extraordinarily demanding on our families, and if I may close my remarks with this observation, on behalf of our families let me just say: Free at least; free at last.

### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 345

Mr. PICKETT. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Oklahoma [Mr. BREWSTER] be removed from the list of cosponsors of H.R. 345.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

### PROVIDING FOR CONSIDERATION OF H.R. 483, MEDICARE SELECT EXPANSION

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 130 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 130

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of any committee amendment it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except one further amendment in the nature of a substitute which may be offered only by Representative Dingell of Michigan or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an oppo-

nent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Subject to clause 2(l)(5) of rule XI, the Committee on Commerce may file a report to the House on H.R. 483 at any time.

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

AMENDMENT OFFERED BY MS. PRYCE

Ms. PRYCE. Mr. Speaker, I ask unanimous consent that House Resolution 130 be amended on page 2, line 3, by inserting after "bill" the words "for failure to comply with clause (2)(1)(6) of rule XI."

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

Mr. MOAKLEY. Mr. Speaker, reserving the right to object, I would like to know exactly what the gentlewoman from Ohio [Ms. PRYCE] is doing at the present time.

Ms. PRYCE. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. Further reserving the right to object, I yield to the gentlewoman from Ohio.

Ms. PRYCE. Mr. Speaker, the words proposed to be inserted were inadvertently deleted from the text of the rule, even though it is clear from the motion made in committee that those included words were to be reported.

Mr. MOAKLEY. Mr. Speaker, the gentlewoman has a very lucid explanation, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The SPEAKER pro tempore. The resolution is amended.

Ms. PRYCE. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, time is of the essence. That is the basic principle underlying our consideration of this legislation today.

In 1990, Congress created the Medicare Select Program to allow Medicare recipients the option of purchasing a MediGap managed care option. This 15-State demonstration project is set to expire on June 30, a date that is not so far away when you consider that we are about to begin a 3-week district work period. Unless Congress takes prompt action to renew this program, the in-

surance benefits of nearly half a million senior citizens covered by the Medicare Select Program would be in jeopardy.

Failure to extend the program's authority would most likely lead to higher premiums for current enrollees, presenting a new burden for senior citizens who live on fixed incomes.

The legislation before us, crafted by the distinguished gentlewoman from Connecticut [Mrs. JOHNSON], expands this option now being tried successfully in 15 States to seniors in all 50 States, extends the program for a minimum of 5 additional years, and puts it on track to becoming permanent if the Secretary of Health and Human Services certifies that certain conditions have been met.

In order to expedite consideration of this bill in the House, and to ensure that the Senate, will have ample time to debate this issue, the Committee on Rules has reported a fair and balanced rule for this very necessary legislation. Only the rule will be considered by the House today.

Mr. Speaker, the rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce, after which time the bill shall be considered for amendment under the 5-minute rule.

The rule makes in order as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. This bill reflects a consensus position reached by the two committees of jurisdiction in this matter: The Committee on Commerce, and the Committee on Ways and Means.

No amendment to that amendment in the nature of a substitute shall be in order, except one further amendment in the nature of a substitute which may be offered only by Representative DINGELL or his designee. The amendment shall not be subject to further amendment, and is debatable for an hour, which shall be equally divided and controlled by the proponent and an opponent.

Finally, the minority is provided with one motion to recommit, with or without instructions.

Mr. Speaker, health care reform dominated much of the time and attention of the 103d Congress. This year, work has already begun to explore new and innovative ways to make health care more available and affordable for our citizens, especially for older Americans.

As Chairman BLILEY stated before the Committee on Rules last evening, this legislation provides a reasonable balance to permit a very valuable, and arguably successful, program for our senior citizens to continue, while allowing us time to evaluate the program more closely before making it permanent.