Ramstad	Sensenbrenner	Talent
Ravenel	Shaw	Taylor (NC)
Regula	Shays	Thomas (CA)
Ridge	Shuster	Thomas (WY)
Roberts	Skeen	Torkildsen
Rogers	Smith (MI)	Upton
Rohrabacher	Smith (NJ)	Vucanovich
Ros-Lehtinen	Smith (OR)	Walker
Roth	Smith (TX)	Walsh
Roukema	Snowe	Weldon
Royce	Solomon	Wolf
Santorum	Spence	Young (AK)
Saxton	Stearns	Young (FL)
Schaefer	Stump	Zeliff
Schiff	Sundquist	Zimmer

NOT VOTING—5

Ford (TN)	Henry	Washington
Geren	Sharp	

So the motion to lay the appeal on the table was agreed to.

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

¶9.9 COMMISSION ON CIVIL RIGHTS

The SPEAKER, pursuant to the provisions of section 2(b) of Public Law 98–183, reappointed to the Commission on Civil Rights, Ms. Mary Frances Berry from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶9.10 FAMILY AND MEDICAL LEAVE

The SPEAKER, pursuant to House Resolution 58 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1) to grant family and temporary medical leave under certain circumstances.

The SPEAKER designated Mrs. KENNELLY as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Ms. LONG, assumed the Chair.

When Mrs. KENNELLY, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶9.11 HOUR OF MEETING

On motion of Mr. REED, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12 o'clock noon on Thursday, February 4, 1993.

¶9.12 FAMILY AND MEDICAL LEAVE

The SPEAKER pro tempore, Ms. LONG, pursuant to House Resolution 58 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. 1) to grant family and temporary medical leave under certain circumstances.

Mrs. KENNELLY, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶9.13 RECORDED VOTE

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

Add at the end of section 102 the following:

(g) REQUIREMENTS TREATED AS SATISFIED IF CAFETERIA PLAN PROVIDES FOR LEAVE.—The requirements of this Act shall be treated as satisfied with respect to any eligible employee if—

(1) such employee is a participant in a cafeteria plan (as defined in section 125(d) of the Internal Revenue Code of 1986) which is maintained by the employer and meets the requirements of section 125 of the Internal Revenue Code of 1986,

(2) one of the benefits such employee may choose under the plan is leave with respect to which the plan provides at least the rights and protections provided under this Act, and

(3) such plan provides reasonable methods for the valuation of such leave.

It was decided in the negative ..... { Yeas ..... 187 / Nays 244

¶9.14 [Roll No. 15]

AYES—187

Allard	Dornan	Inglis
Archer	Dreier	Inhofe
Armey	Duncan	Istook
Bachus (AL)	Dunn	Johnson (CT)
Baker (CA)	Edwards (TX)	Johnson, Sam
Baker (LA)	Emerson	Kasich
Ballenger	Everett	Kim
Barcia	Ewing	King
Barrett (NE)	Fawell	Kingston
Bartlett	Fields (TX)	Knollenberg
Barton	Fowler	Kolbe
Bateman	Franks (CT)	Kopetski
Bentley	Gallegly	Kyl
Bereuter	Gallo	Lancaster
Bilirakis	Gekas	Lazio
Bliley	Geren	Leach
Blute	Gilchrest	Levy
Boehner	Gillmor	Lewis (CA)
Bonilla	Gingrich	Lewis (FL)
Brewster	Goodlatte	Lightfoot
Bunning	Goodling	Linder
Burton	Goss	Livingston
Buyer	Grams	Lloyd
Callahan	Grandy	Manzullo
Calvert	Greenwood	McCandless
Camp	Gunderson	McCollum
Canady	Hall (TX)	McCrery
Carr	Hamilton	McDade
Castle	Hancock	Upton
Clinger	Hansen	Valentine
Coble	Hastert	Volkmer
Collins (GA)	Hayes	Vucanovich
Combest	Hefley	Walker
Condit	Herger	Walsh
Cox	Hobson	Weldon
Crane	Hoekstra	Whitten
Crapo	Hoke	Wolf
Cunningham	Horn	Young (AK)
de la Garza	Houghton	Young (FL)
Deal	Huffington	Zeliff
DeLay	Hunter	Zimmer
Dickey	Hutchinson	
Doolittle	Hyde	

NAYS—204

Abercrombie	Clyburn	Filner
Ackerman	Coleman	Fingerhut
Andrews (ME)	Collins (IL)	Foglietta
Andrews (NJ)	Collins (MI)	Ford (MI)
Baesler	Conyers	Frank (MA)
Barcia	Coppersmith	Frost
Barlow	Costello	Furse
Barrett (WI)	Coyne	Gejdenson
Becerra	Danner	Gephardt
Beilenson	Darden	Gibbons
Berman	de la Garza	Glickman
Bishop	DeFazio	Gonzalez
Blackwell	DeLauro	Gordon
Bonior	Dellums	Green
Borski	Derrick	Gutierrez
Boucher	Deutsch	Hall (OH)
Brooks	Dicks	Hamburg
Brown (CA)	Dingell	Hamilton
Brown (FL)	Dixon	Harman
Brown (OH)	Dooley	Hastings
Bryant	Durbin	Hefner
Byrne	Edwards (CA)	Hilliard
Cantwell	Engel	Hinchey
Cardin	English (AZ)	Hoagland
Chapman	Eshoo	Hochbrueckner
Clay	Evans	Holden
Clayton	Fazio	Hoyer
Clement	Fields (LA)	Hughes
Inslee	Menendez	Sawyer
Jefferson	Mfume	Schenk
Johnson (GA)	Miller (CA)	Schroeder
Johnson (SD)	Mineta	Schumer
Johnson, E. B.	Mink	Scott
Johnston	Moakley	Serrano
Kanjorski	Mollohan	Shepherd
Kennedy	Moran	Slaughter
Kennelly	Murphy	Smith (IA)
Kildee	Murtha	Stark
Kleczka	Nadler	Stokes
Klein	Natcher	Strickland
Klink	Neal (MA)	Studds
Kopetski	Oberstar	Stupak
Kreidler	Obey	Swett
LaFalce	Olver	Swift
Lantos	Ortiz	Synar
LaRocco	Owens	Tejeda
Lehman	Pallone	Thurman
Levin	Pastor	Torricelli
Lewis (GA)	Payne (NJ)	Towns
Lipinski	Pelosi	Traficant
Lloyd	Peterson (FL)	Tucker
Long	Peterson (MN)	Unsoeld
Lowey	Pickle	Velazquez
Maloney	Pomeroy	Vento
Mann	Poshard	Visclosky
Manton	Price (NC)	Washington
Margolies-Mezvinsky	Rahall	Waters
	Rangel	Watt
Markey	Reed	Waxman
Martinez	Reynolds	Wheat
Matsui	Richardson	Williams
Mazzoli	Roemer	Wilson
McCloskey	Rose	Wise
McDermott	Rostenkowski	Woolsey
McHale	Roybal-Allard	Wyden
McKinney	Rush	Wynn
McNulty	Sabo	Yates
Meehan	Sanders	
Meek	Sangmeister	

NOT VOTING—5

Flake	Henry	Torres
Ford (TN)	Lambert	

So the amendment was not agreed to.

After some further time,

¶9.15 RECORDED VOTE

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

Amend section 101(2)(B) to add a new clause as follows:

(iii) any employee of an employer whose absence during leave would clearly result in substantial and grievous economic injury to the operations of the employer or substantial endangerment to the health and safety of other employees of the employer or the public.

Amend section 101(2)(C) to read as follows:

(c) DETERMINATION.—

(A) CLAUSE (ii).—For purposes of determining whether an employee meets the hours of service requirement specified in subparagraph (A)(ii), the legal standards established under section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall apply.

(B) CLAUSE (iii).—The exception in subparagraph (A)(iii) shall apply only if—

(i) the employer notices the employee of intent of the employer to deny leave on such basis at the time the employer determines that such injury or endangerment would occur; and

(ii) in any case in which the leave has commenced, the employee elects not to return to employment after receiving such notice.

In section 104, strike out subsection (b) and redesignate subsection (c) as subsection (b).

It was decided in the negative ..... { Yeas ..... 185 / Nays 238

¶9.16 [Roll No. 16]

AYES—185

Allard	Baker (CA)	Bartlett
Archer	Baker (LA)	Barton
Armey	Ballenger	Bateman
Bachus (AL)	Barrett (NE)	Bentley