

English (AZ)	Lehman	Reynolds	Fish	Maloney	Rostenkowski	Livingston	Penny	Slattery
Eshoo	Levin	Richardson	Flake	Mann	Roukema	Manzullo	Pickett	Smith (MI)
Evans	Lewis (GA)	Roemer	Foglietta	Manton	Roybal-Allard	McCandless	Pombo	Smith (OR)
Faleomavaega (AS)	Lipinski	Romero-Barcelo (PR)	Ford (MI)	Margolies-Mezvinsky	Rush	McCollum	Porter	Solomon
Fazio	Lloyd	Rose	Frank (MA)	Markey	Sabo	McCrery	Pryce (OH)	Spence
Fields (LA)	Long	Rostenkowski	Franks (NJ)	Martinez	Sanders	McInnis	Quillen	Stearns
Filner	Lowe	Roybal-Allard	Frost	Matsui	Sangmeister	McKeon	Ridge	Stenholm
Fingerhut	Maloney	Furse	Gejdenson	Mazzoli	Sawyer	McMillan	Roberts	Stump
Flake	Mann	Gephardt	Gephardt	Saxton	Schenk	Meyers	Rogers	Sundquist
Foglietta	Manton	Sabo	Gibbons	McCloskey	Schroeder	Mica	Rohrabacher	Talent
Ford (MI)	Margolies-Mezvinsky	Sanders	Gillmor	McCurdy	Schumer	Michel	Roth	Tauzin
Frank (MA)	Markey	Sangmeister	Gilman	McDade	Scott	Miller (FL)	Rowland	Taylor (NC)
Frost	Martinez	Sawyer	Gonzalez	McDermott	Serrano	Montgomery	Royce	Thomas (CA)
Furse	Matsui	Schenk	Gordon	Serrano	Sharp	Moorhead	Santorum	Thomas (WY)
Gejdenson	Mazzoli	Schroeder	Green	McHugh	Shays	Myers	Sarpalius	Torkildsen
Gephardt	McCloskey	Schumer	Gutierrez	McKinney	Shepherd	Nussle	Schaefer	Upton
Gibbons	McDermott	Scott	Hall (OH)	McNulty	Skaggs	Oberstar	Schiff	Valentine
Glickman	McHale	Serrano	Hamburg	Meehan	Slughter	Orton	Sensenbrenner	Vucanovich
Gonzalez	McKinney	Shepherd	Harman	Meek	Smith (IA)	Oxley	Shaw	Walker
Gordon	McNulty	Slaughter	Hastings	Menendez	Smith (NJ)	Packard	Shuster	Wolf
Green	Meehan	Smith (IA)	Hayes	Mfume	Smith (TX)	Parker	Sisisky	Zeliff
Gutierrez	Meek	Stark	Hefner	Miller (CA)	Snowe	Paxon	Skeen	
Hall (OH)	Menendez	Stokes	Hilliard	Mineta	Spratt	Payne (VA)	Skelton	
Hamburg	Ming	Strickland	Hinche	Minge	Stark			
Hamilton	Mink	Studds	Hoagland	Moakley	Stokes			
Harman	Miller (CA)	Stupak	Hochbrueckner	Molinari	Strickland			
Hastings	Mineta	Sweet	Hoke	Mollohan	Studds			
Hefner	Mink	Swift	Holden	Moran	Stupak			
Hilliard	Moakley	Synar	Horn	Morella	Sweet			
Hinche	Mollohan	Tejada	Hoyer	Murphy	Swift			
Hoagland	Murphy	Thurman	Huffington	Murtha	Synar			
Hochbrueckner	Murtha	Torres	Hughes	Nadler	Tanner			
Holden	Nadler	Torricelli	Hyde	Natcher	Taylor (MS)			
Hoyer	Natcher	Towns	Inslee	Neal (MA)	Tejada			
Inslee	Neal (MA)	Trafficant	Jacobs	Neal (NC)	Thornton			
Jefferson	Norton (DC)	Tucker	Jefferson	Norton (DC)	Thurman			
Johnson (GA)	Oberstar	Underwood (GU)	Johnson (CT)	Obey	Torricelli			
Johnson (SD)	Obey	Unsoeld	Johnson (GA)	Olver	Towns			
Johnson, E. B.	Olver	Velazquez	Johnson (SD)	Ortiz	Trafficant			
Johnston	Owens	Vento	Johnson, E. B.	Owens	Tucker			
Kanjorski	Pallone	Visclosky	Johnston	Pallone	Underwood (GU)			
Kennedy	Parker	Washington	Kanjorski	Pastor	Unsoeld			
Kennelly	Pastor	Waters	Kaptur	Payne (NJ)	Velazquez			
Kildee	Payne (NJ)	Watt	Kennedy	Pelosi	Vento			
Klecicka	Pelosi	Waxman	Kennelly	Peterson (FL)	Visclosky			
Klein	Peterson (FL)	Wheat	Kildee	Peterson (MN)	Volkmer			
Klink	Peterson (MN)	Williams	Klecicka	Petri	Walsh			
Kopetski	Pickle	Wilson	Klein	Pickle	Washington			
Kreidler	Pomeroy	Wise	Klink	Pomeroy	Waters			
LaFalce	Poshard	Woolsey	Klug	Poshard	Watt			
Lantos	Price (NC)	Wyden	Kopetski	Price (NC)	Waxman			
LaRocco	Rahall	Wynn	Kreidler	Quinn	Weldon			
Laughlin	Rangel	Yates	LaFalce	Rahall	Wheat			
	Reed		Lambert	Ramstad	Whitten			
			Lantos	Rangel	Williams			
			LaRocco	Ravenel	Wilson			
			Leach	Reed	Wise			
			Lehman	Regula	Woolsey			
			Levin	Reynolds	Wyden			
			Lewis (GA)	Richardson	Wynn			
			Lipinski	Roemer	Yates			
			Lloyd	Romero-Barcelo (PR)	Young (AK)			
			Long	(PR)	Young (FL)			
			Lowe	Ros-Lehtinen	Zimmer			
			Machtley	Rose				

NOT VOTING—3

Ford (TN) Henry Torres

So the amendment in the nature of a substitute, as modified, as amended, was agreed to.

The SPEAKER resumed the Chair.

When Mrs. KENNELLY, Chairman, pursuant to House Resolution 58, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Mr. SOLOMON demanded a separate vote on the amendment to amend section 102(a)(3) and section 102(b) (the GOODLING amendment).

The question being put, viva voce,

Will the House agree to the following amendment on which a separate vote had been demanded?

Amend section 102(a)(3) and section 102(b) to read as follows:

(3) INTERMITTENT LEAVE.—

(A) IN GENERAL.—Leave under subparagraph (A) or (B) of paragraph (1) shall not be taken by an employee intermittently unless the employee and the employer of the employee agree otherwise. Subject to subparagraph (B), subsection (e), and section 103(b)(5), leave under subparagraph (C) or (D) of paragraph (1) may be taken intermittently when medically necessary.

(B) ALTERNATIVE POSITION.—If an employee requests intermittent leave under subparagraph (C) or (D) of paragraph (1) that is foreseeable based on planned medical treatment, the employer may require such employee to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that—

(i) has equivalent pay and benefits; and
(ii) better accommodates recurring periods of leave than the regular employment position of the employee.

(b) REDUCED LEAVE.—On agreement between the employer and the employee, leave under subsection (a) may be taken on a reduced leave schedule. Such reduced leave schedule shall not result in a reduction in the total amount of leave to which the employee is entitled under subsection (a) beyond the amount of leave actually taken.

The SPEAKER announced that the yeas had it.

Mr. SOLOMON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

NOT VOTING—3

Ford (TN) Henry Moran

So the amendment was agreed to. After some further time,

9.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the amendment in the nature of a substitute, as modified, as amended.

It was decided in the affirmative { Yeas 269 Nays 163

9.20 [Roll No. 18] AYES—269

Abercrombie	Brown (FL)	de Lugo (VI)
Ackerman	Brown (OH)	DeFazio
Andrews (ME)	Bryant	DeLauro
Andrews (NJ)	Byrne	Dellums
Andrews (TX)	Cantwell	Derrick
Applegate	Cardin	Deutsch
Bacchus (FL)	Castle	Diaz-Balart
Baessler	Chapman	Dicks
Barcia	Clay	Dingell
Barlow	Clayton	Dixon
Barrett (WI)	Clement	Dooley
Becerra	Clyburn	Durbin
Beilenson	Coleman	Edwards (CA)
Berman	Collins (IL)	Edwards (TX)
Bevill	Collins (MI)	Engel
Bilbray	Condit	English (AZ)
Bishop	Conyers	English (OK)
Blackwell	Cooper	Eshoo
Blute	Coppersmith	Evans
Boehlert	Costello	Faleomavaega (AS)
Bonior	Coyne	Fazio
Borski	Cramer	Fields (LA)
Boucher	Danner	Filner
Brooks	Darden	Fingerhut
Brown (CA)	de la Garza	

Allard	Crane	Hall (TX)
Archer	Crapo	Hamilton
Armye	Cunningham	Hancock
Bachus (AL)	Deal	Hansen
Baker (CA)	DeLay	Hastert
Baker (LA)	Dickey	Hefley
Ballenger	Doolittle	Heger
Barrett (NE)	Dornan	Hobson
Bartlett	Dreier	Hoekstra
Barton	Duncan	Houghton
Bateman	Dunn	Hunter
Bentley	Emerson	Hutchinson
Bereuter	Everett	Hutto
Bilirakis	Ewing	Inglis
Biley	Fawell	Inhofe
Boehner	Fields (TX)	Istook
Bonilla	Fowler	Johnson, Sam
Brewster	Franks (CT)	Kasich
Browder	Gallely	Kim
Bunning	Gallo	King
Burton	Gekas	Kingston
Buyer	Geren	Knollenberg
Callahan	Gilchrest	Kolbe
Calvert	Gingrich	Kyl
Camp	Glickman	Lancaster
Canady	Goodlatte	Laughlin
Carr	Goodling	Lazio
Clinger	Goss	Levy
Coble	Grams	Lewis (CA)
Collins (GA)	Grandy	Lewis (FL)
Combest	Greenwood	Lightfoot
Cox	Gunderson	Linder

NOES—163

It was decided in the affirmative { Yeas 221
 Nays 204

9.21 [Roll No. 19]
 YEAS—221

Allard	Goodlatte	Packard
Andrews (TX)	Goodling	Parker
Applegate	Goss	Paxon
Archer	Grams	Payne (VA)
Armye	Grandy	Penny
Bacchus (FL)	Greenwood	Petri
Bacchus (AL)	Gunderson	Pickett
Baker (CA)	Hall (TX)	Pombo
Baker (LA)	Hancock	Porter
Ballenger	Hansen	Pryce (OH)
Barrett (NE)	Hastert	Quillen
Bartlett	Hayes	Quinn
Barton	Hefley	Ramstad
Bateman	Heger	Ravenel
Bentley	Hobson	Regula
Bereuter	Hoekstra	Ridge
Bevill	Hoke	Roberts
Bilbray	Horn	Rogers
Bilirakis	Houghton	Rohrabacher
Bliley	Huffington	Ros-Lehtinen
Blute	Hunter	Roth
Boehlert	Hutchinson	Roukema
Boehner	Hutto	Rowland
Bonilla	Hyde	Royce
Brewster	Inglis	Santorum
Browder	Inhofe	Sarpalius
Bunning	Istook	Saxton
Burton	Jacobs	Schaefer
Buyer	Johnson (CT)	Schiff
Callahan	Johnson, Sam	Sensenbrenner
Calvert	Kaptur	Sharp
Camp	Kasich	Shaw
Canady	Kim	Shays
Carr	King	Shuster
Castle	Kingston	Sisisky
Clinger	Klug	Skaggs
Coble	Knollenberg	Skeen
Collins (GA)	Kolbe	Skelton
Combest	Kyl	Slattery
Condit	Lancaster	Smith (MI)
Cooper	Laughlin	Smith (NJ)
Cox	Lazio	Smith (OR)
Cramer	Leach	Smith (TX)
Crane	Levy	Snowe
Crapo	Lewis (CA)	Solomon
Cunningham	Lewis (FL)	Spence
Deal	Lightfoot	Spratt
DeLay	Linder	Stearns
Diaz-Balart	Livingston	Stenholm
Dickey	Machtley	Stump
Doolittle	Manzullo	Sundquist
Dornan	McCandless	Talent
Dreier	McCollum	Tanner
Duncan	McCrary	Tauzin
Dunn	McCurdy	Taylor (MS)
Edwards (TX)	McDade	Taylor (NC)
Emerson	McHugh	Thomas (CA)
English (OK)	McInnis	Thomas (WY)
Everett	McKeon	Thornton
Ewing	McMillan	Torkildsen
Fawell	Meyers	Upton
Fields (TX)	Mica	Valentine
Fish	Michel	Volkmer
Fowler	Miller (FL)	Vucanovich
Franks (CT)	Minge	Walker
Franks (NJ)	Molinari	Walsh
Gallegly	Montgomery	Weldon
Gallo	Moorhead	Whitten
Gekas	Morella	Wolf
Geren	Myers	Young (AK)
Gilchrest	Neal (NC)	Young (FL)
Gillmor	Nussle	Zeliff
Gilman	Orton	Zimmer
Gingrich	Oxley	

NAYS—204

Abercrombie	Brown (FL)	Danner
Ackerman	Brown (OH)	Darden
Andrews (ME)	Bryant	de la Garza
Andrews (NJ)	Byrne	DeFazio
Baesler	Cantwell	DeLauro
Barcia	Cardin	Dellums
Barlow	Chapman	Derrick
Barrett (WI)	Clay	Deutsch
Becerra	Clayton	Dicks
Beilenson	Clement	Dingell
Berman	Clyburn	Dixon
Bishop	Coleman	Dooley
Blackwell	Collins (IL)	Durbin
Bonior	Collins (MI)	Edwards (CA)
Borski	Conyers	Engel
Boucher	Coppersmith	English (AZ)
Brooks	Costello	Eshoo
Brown (CA)	Coyne	Evans

Fazio	Lipinski	Reynolds
Fields (LA)	Lloyd	Richardson
Filner	Long	Roemer
Fingerhut	Lowey	Rose
Foglietta	Maloney	Rostenkowski
Ford (MI)	Mann	Roybal-Allard
Frank (MA)	Manton	Rush
Frost	Margolies-	Sabo
Furse	Mezvinsky	Sanders
Gejdenson	Markey	Sangmeister
Gephardt	Martinez	Sawyer
Gibbons	Matsui	Schenk
Glickman	Mazzoli	Schroeder
Gonzalez	McCloskey	Schumer
Gordon	McDermott	Scott
Green	McHale	Serrano
Gutierrez	McKinney	Shepherd
Hall (OH)	McNulty	Smith (IA)
Hamburg	Meehan	Stark
Hamilton	Meek	Stokes
Harman	Menendez	Strickland
Hastings	Mfume	Studds
Hefner	Miller (CA)	Stupak
Hilliard	Mineta	Swett
Hinchee	Mink	Swift
Hoagland	Moakley	Synar
Hochbrueckner	Mollohan	Tejeda
Holden	Moran	Thurman
Hoyer	Murphy	Torricelli
Hughes	Murtha	Towns
Inslie	Nadler	Trafficant
Jefferson	Natcher	Tucker
Johnson (GA)	Neal (MA)	Unsoeld
Johnson (SD)	Oberstar	Velazquez
Johnson, E. B.	Obey	Vento
Johnston	Olver	Visclosky
Kanjorski	Ortiz	Washington
Kennedy	Owens	Waters
Kennelly	Pallone	Watt
Kildee	Pastor	Waxman
Kleczka	Payne (NJ)	Wheat
Klein	Pelosi	Williams
Klink	Peterson (FL)	Wilson
Kopetski	Peterson (MN)	Wise
Kreidler	Pickle	Woolsey
LaFalce	Pomeroy	Wyden
Lantos	Poshard	Wynn
LaRocco	Price (NC)	Yates
Lehman	Rahall	
Levin	Rangel	
Lewis (GA)	Reed	

NOT VOTING—5

Flake	Henry	Torres
Ford (TN)	Lambert	

So the amendment was agreed to.

The question being put, *viva voce*,

Will the House agree to the following amendment in the nature of a substitute, as amended?

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Family and Medical Leave Act of 1993”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.

TITLE I—GENERAL REQUIREMENTS FOR LEAVE

- Sec. 101. Definitions.
- Sec. 102. Leave requirement.
- Sec. 103. Certification.
- Sec. 104. Employment and benefits protection.
- Sec. 105. Prohibited acts.
- Sec. 106. Investigative authority.
- Sec. 107. Enforcement.
- Sec. 108. Special rules concerning employees of local educational agencies.
- Sec. 109. Notice.

TITLE II—LEAVE FOR CIVIL SERVICE EMPLOYEES

Sec. 201. Leave requirement.

TITLE III—COMMISSION ON LEAVE

- Sec. 301. Establishment.
- Sec. 302. Duties.
- Sec. 303. Membership.
- Sec. 304. Compensation.
- Sec. 305. Powers.
- Sec. 306. Termination.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Effect on other laws.
- Sec. 402. Effect on existing employment benefits.
- Sec. 403. Encouragement of more generous leave policies.
- Sec. 404. Regulations.
- Sec. 405. Effective dates.

TITLE V—COVERAGE OF CONGRESSIONAL EMPLOYEES

- Sec. 501. Leave for certain Senate employees.
- Sec. 502. Leave for certain House employees.

SEC. 2. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the number of single-parent households and two-parent households in which the single parent or both parents work is increasing significantly;

(2) it is important for the development of children and the family unit that fathers and mothers be able to participate in early childrearing and the care of family members who have serious health conditions;

(3) the lack of employment policies to accommodate working parents can force individuals to choose between job security and parenting;

(4) there is inadequate job security for employees who have serious health conditions that prevent them from working for temporary periods;

(5) due to the nature of the roles of men and women in our society, the primary responsibility for family caretaking often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men; and

(6) employment standards that apply to one gender only have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(b) **PURPOSES.**—It is the purpose of this Act—

(1) to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity;

(2) to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition;

(3) to accomplish the purposes described in paragraphs (1) and (2) in a manner that accommodates the legitimate interests of employers;

(4) to accomplish the purposes described in paragraphs (1) and (2) in a manner that, consistent with the Equal Protection Clause of the Fourteenth Amendment, minimizes the potential for employment discrimination on the basis of sex by ensuring generally that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons, on a gender-neutral basis; and

(5) to promote the goal of equal employment opportunity for women and men, pursuant to such clause.

TITLE I—GENERAL REQUIREMENTS FOR LEAVE

SEC. 101. DEFINITIONS.
 As used in this title: