

family or medical leave rights to employees than the rights established under this Act or any amendment made by this Act.

(b) LESS PROTECTIVE.—The rights established for employees under this Act or any amendment made by this Act shall not be diminished by any collective bargaining agreement or any employment benefit program or plan.

SEC. 403. ENCOURAGEMENT OF MORE GENEROUS LEAVE POLICIES.

Nothing in this Act or any amendment made by this Act shall be construed to discourage employers from adopting or retaining leave policies more generous than any policies that comply with the requirements under this Act or any amendment made by this Act.

SEC. 404. REGULATIONS.

The Secretary of Labor shall prescribe such regulations as are necessary to carry out title I and this title not later than 120 days after the date of the enactment of this Act.

SEC. 405. EFFECTIVE DATES.

(a) TITLE III.—Title III shall take effect on the date of the enactment of this Act.

(b) OTHER TITLES.—

(1) IN GENERAL.—Except as provided in paragraph (2), titles I, II, and V and this title shall take effect 6 months after the date of the enactment of this Act.

(2) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a collective bargaining agreement in effect on the effective date prescribed by paragraph (1), title I shall apply on the earlier of—

(A) the date of the termination of such agreement; or

(B) the date that occurs 12 months after the date of the enactment of this Act.

TITLE V—COVERAGE OF CONGRESSIONAL EMPLOYEES

SEC. 501. LEAVE FOR CERTAIN SENATE EMPLOYEES.

(a) COVERAGE.—The rights and protections established under sections 101 through 105 shall apply with respect to a Senate employee and an employing office. For purposes of such application, the term “eligible employee” means a Senate employee and the term “employer” means an employing office.

(b) CONSIDERATION OF ALLEGATIONS.—

(1) APPLICABLE PROVISIONS.—The provisions of sections 304 through 313 of the Government Employee Rights Act of 1991 (2 U.S.C. 1204-1213) shall, except as provided in subsections (d) and (e)—

(A) apply with respect to an allegation of a violation of a provision of sections 101 through 105, with respect to Senate employment of a Senate employee; and

(B) apply to such an allegation in the same manner and to the same extent as such sections of the Government Employee Rights Act of 1991 apply with respect to an allegation of a violation under such Act.

(2) ENTITY.—Such an allegation shall be addressed by the Office of Senate Fair Employment Practices or such other entity as the Senate may designate.

(c) RIGHTS OF EMPLOYEES.—The Office of Senate Fair Employment Practices shall ensure that Senate employees are informed of their rights under sections 101 through 105.

(d) LIMITATIONS.—A request for counseling under section 305 of such Act by a Senate employee alleging a violation of a provision of sections 101 through 105 shall be made not later than 2 years after the date of the last event constituting the alleged violation for which the counseling is requested, or not later than 3 years after such date in the case of a willful violation of section 105.

(e) APPLICABLE REMEDIES.—The remedies applicable to individuals who demonstrate a violation of a provision of sections 101

through 105 shall be such remedies as would be appropriate if awarded under paragraph (1) or (3) of section 107(a).

(f) EXERCISE OF RULEMAKING POWER.—The provisions of subsections (b), (c), (d), and (e), except as such subsections apply with respect to section 309 of the Government Employee Rights Act of 1991 (2 U.S.C. 1209), are enacted by the Senate as an exercise of the rulemaking power of the Senate, with full recognition of the right of the Senate to change its rules, in the same manner, and to the same extent, as in the case of any other rule of the Senate. No Senate employee may commence a judicial proceeding with respect to an allegation described in subsection (b)(1), except as provided in this section.

(g) SEVERABILITY.—Notwithstanding any other provision of law, if any provision of section 309 of the Government Employee Rights Act of 1991 (2 U.S.C. 1209) or of subsection (b)(1) insofar as it applies such section 309 to an allegation described in subsection (b)(1)(A), is invalidated, both such section 309 and subsection (b)(1) insofar as it applies such section 309 to such an allegation, shall have no force and effect, and shall be considered to be invalidated for purposes of section 322 of such Act (2 U.S.C. 1221).

(h) DEFINITIONS.—As used in this section:

(1) EMPLOYING OFFICE.—The term “employing office” means the office with the final authority described in section 301(2) of such Act (2 U.S.C. 1201(2)).

(2) SENATE EMPLOYEE.—The term “Senate employee” means an employee described in subparagraph (A) or (B) of section 301(c)(1) of such Act (2 U.S.C. 1201(c)(1)) who has been employed for at least 12 months on other than a temporary or intermittent basis by any employing office.

SEC. 502. LEAVE FOR CERTAIN HOUSE EMPLOYEES.

(a) IN GENERAL.—The rights and protections under sections 102 through 105 (other than section 104(b)) shall apply to any employee in an employment position and any employing authority of the House of Representatives.

(b) ADMINISTRATION.—In the administration of this section, the remedies and procedures under the Fair Employment Practices Resolution shall be applied.

(c) DEFINITION.—As used in this section, the term “Fair Employment Practices Resolution” means rule LI of the Rules of the House of Representatives.

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.

It was decided in the affirmative { Yeas 266 Nays 162

19.22 [Roll No. 20] YEAS—266

Table listing names of members in support of the yeas, including Abercrombie, Ackerman, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Bacchus (FL), Baesler, Barcia, Barlow, Barrett (WI), Becerra, Beilenson, Berman, Bevill, Bilbray, Bishop, Blackwell, Blute, Boehlert, Bonior, Borski, Boucher, Brooks, Brown (CA), Brown (FL), Brown (OH), Bryant, Byrne, Cantwell, Cardin, Castle, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Condit, Conyers, Cooper, Coppersmith, Costello, Coyne, Cramer, Danner, Darden, de la Garza, DeFazio.

Table listing names of members in support of the yeas, including DeLauro, Dellums, Derrick, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Engel, English (AZ), English (OK), Eshoo, Evans, Fazio, Fields (LA), Filner, Fingerhut, Fish, Flake, Foglietta, Ford (MI), Frank (MA), Franks (NJ), Frost, Furse, Gejdenson, Gephardt, Gibbons, Gillmor, Gilman, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Hamburg, Harman, Hastings, Hefner, Hilliard, Hinchey, Hoagland, Hochbrueckner, Hoke, Holden, Horn, Hoyer, Huffington, Hughes, Hyde, Inslee, Jacobs, Jefferson, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Klein, Klink, Klug, Kopetski, Kreidler, LaFalce, Lambert, Lantos, LaRocco, Lazio, Leach, Lehman, Levin, Lewis (GA), Lipinski, Lloyd, Long, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCloskey, McCurdy, McDade, McDermott, McHale, McHugh, McKinney, McNulty, Meehan, Meek, Menendez, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Molinari, Mollohan, Moran, Morella, Murphy, Murtha, Nadler, Natcher, Neal (MA), Neal (NC), Oberstar, Obey, Oliver, Ortiz, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Peterson (FL), Peterson (MN), Petri, Pickle, Pomeroy, Poshard, Price (NC), Quinn, Rahall, Ramstad, Rangel, Ravenel, Reed, Regula, Reynolds, Richardson, Roemer, Ros-Lehtinen, Rose, Rostenkowski, Roukema, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Sawyer, Saxton, Schenk, Schroeder, Schumer, Scott, Serrano, Sharp, Shays, Shepherd, Skaggs, Slaughter, Smith (IA), Smith (NJ), Smith (TX), Snowe, Spratt, Stark, Stokes, Strickland, Studds, Stupak, Sweet, Swift, Synar, Tanner, Taylor (MS), Tejeda, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Tucker, Unsoeld, Velazquez, Vento, Visclosky, Volkmer, Walsh, Washington, Waters, Watt, Waxman, Weldon, Wheat, Whitten, Williams, Wilson, Wise, Woolsey, Wyden, Wynn, Yates, Young (AK), Young (FL), Zimmer.

NAYS—162

Table listing names of members in support of the nays, including Allard, Archer, Arme, Bachus (AL), Baker (CA), Baker (LA), Ballenger, Barrett (NE), Bartlett, Barton, Bateman, Bentley, Bereuter, Bilirakis, Biiley, Boehner, Bonilla, Brewster, Browder, Bunning, Burton, Buyer, Callahan, Camp, Canady, Carr, Clinger, Coble, Collins (GA), Combust, Cox, Crane, Crapo, Cunningham, Deal, DeLay, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Emerson, Everett, Ewing, Fawell, Fields (TX), Fowler, Franks (CT), Gallegly, Gallo, Gekas, Geren, Gilchrest, Gingrich, Glickman, Goodlatte, Goodling, Goss, Grams, Grandy, Greenwood, Gunderson, Hall (TX), Hamilton, Hancock, Hansen, Hastert, Hayes, Hefley, Herger, Hobson, Hoekstra, Houghton, Hunter, Hutchinson, Hutto.

Inglis Michel
 Inhofe Miller (FL)
 Istook Montgomery
 Johnson, Sam Moorhead
 Kasich Myers
 Kim Nussle
 King Orton
 Kingston Oxley
 Knollenberg Packard
 Kolbe Parker
 Kyl Paxon
 Lancaster Payne (VA)
 Laughlin Penny
 Levy Pickett
 Lewis (CA) Pombo
 Lewis (FL) Porter
 Lightfoot Pryce (OH)
 Linder Quillen
 Livingston Ridge
 Manzullo Roberts
 McCandless Rogers
 McCollum Rohrabacher
 McCrery Roth
 McInnis Rowland
 McKeon Royce
 McMillan Santorum
 Meyers Sarpalius
 Mica Schaefer

Schiff Sensenbrenner
 Shaw Shuster
 Sisisky Siskey
 Skeen Skelton
 Skelton Slattery
 Smith (MI) Smith (OR)
 Smith (OR) Solomon
 Solomon Spence
 Spence Stearns
 Stearns Stenholm
 Stenholm Stump
 Stump Sundquist
 Sundquist Talent
 Talent Tauzin
 Tauzin Taylor (NC)
 Taylor (NC) Thomas (CA)
 Thomas (CA) Thomas (WY)
 Thomas (WY) Torkildsen
 Torkildsen Upton
 Upton Valentine
 Valentine Vucanovich
 Vucanovich Walker
 Walker Wolf
 Wolf Zeliff

Bereuter Bilirakis
 Bliley Blute
 Blute Boehlert
 Boehlert Boehner
 Boehner Bonilla
 Bonilla Bunning
 Bunning Burton
 Burton Buyer
 Buyer Callahan
 Callahan Hunter
 Hunter Hutchinson
 Hutchinson Hyde
 Hyde Inglis
 Inglis Inhofe
 Inhofe Istook
 Istook Johnson (CT)
 Johnson (CT) Johnson, Sam
 Johnson, Sam Kasich
 Kasich Kim
 Kim King
 King Kingston
 Kingston Klug
 Klug Knollenberg
 Knollenberg Kolbe
 Kolbe Dickey
 Dickey Lazio
 Lazio Leach
 Leach Levy
 Levy Lewis (CA)
 Lewis (CA) Lewis (FL)
 Lewis (FL) Lightfoot
 Lightfoot Linder
 Linder Livingston
 Livingston Machtley
 Machtley Mann
 Mann Manzullo
 Manzullo McCandless
 McCandless McCollum
 McCollum McCrery
 McCrery McDade
 McDade McHugh
 McHugh McInnis
 McInnis McKeon
 McKeon McMillan
 McMillan Meyers
 Meyers Mica
 Mica Michel
 Michel Miller (FL)
 Miller (FL) Goss
 Goss Moorhead
 Moorhead Morella
 Morella Myers
 Myers Neal (NC)
 Neal (NC) Nussle

Oxley Packard
 Packard Paxon
 Paxon Penny
 Penny Petri
 Petri Pombo
 Pombo Porter
 Porter Pryce (OH)
 Pryce (OH) Quillen
 Quillen Quinn
 Quinn Ramstad
 Ramstad Regula
 Regula Ridge
 Ridge Roberts
 Roberts Rogers
 Rogers Rohrabacher
 Rohrabacher Ros-Lehtinen
 Ros-Lehtinen Roth
 Roth Royce
 Royce Santorum
 Santorum Saxton
 Saxton Schaefer
 Schaefer Schiff
 Schiff Sensenbrenner
 Sensenbrenner Shaw
 Shaw Shays
 Shays Shuster
 Shuster Skeen
 Skeen Smith (MI)
 Smith (MI) Smith (NJ)
 Smith (NJ) Smith (OR)
 Smith (OR) Smith (TX)
 Smith (TX) Snowe
 Snowe Solomon
 Solomon Spence
 Spence Stearns
 Stearns Stump
 Stump Sundquist
 Sundquist Talent
 Talent Taylor (NC)
 Taylor (NC) Thomas (CA)
 Thomas (CA) Thomas (WY)
 Thomas (WY) Torkildsen
 Torkildsen Upton
 Upton Vucanovich
 Vucanovich Walker
 Walker Walsh
 Walsh Weldon
 Weldon Wolf
 Wolf Young (AK)
 Young (AK) Young (FL)
 Young (FL) Zeliff
 Zeliff Zimmer

Lipinski Parker
 Parker Lloyd Pastor
 Pastor Long Payne (NJ)
 Payne (NJ) Lowey Payne (VA)
 Payne (VA) Maloney Pelosi
 Pelosi Manton Peterson (FL)
 Peterson (FL) Margolies-Peterson (MN)
 Margolies-Peterson (MN) Mezvinsky Pickett
 Mezvinsky Pickett Markey Pickle
 Markey Pickle Martinez Pomeroy
 Martinez Pomeroy Matsui Poshard
 Matsui Poshard Mazzoli Price (NC)
 Mazzoli Price (NC) McCloskey Rahall
 McCloskey Rahall McCurdy Rangel
 McCurdy Rangel McDermott Ravenel
 McDermott Ravenel McHale Reed
 McHale Reed McKinney Reynolds
 McKinney Reynolds McNulty Richardson
 McNulty Richardson Meehan Roemer
 Meehan Roemer Meek Rose
 Meek Rose Menendez Rostenkowski
 Menendez Rostenkowski Mfume Roukema
 Mfume Roukema Miller (CA) Rowland
 Miller (CA) Rowland Mineta Roybal-Allard
 Mineta Roybal-Allard Minge Rush
 Minge Rush Mink Sabo
 Mink Sabo Moakley Sanders
 Moakley Sanders Mollohan Sangmeister
 Mollohan Sangmeister Montgomery Sarpalius
 Montgomery Sarpalius Moran Sawyer
 Moran Sawyer Murphy Schenk
 Murphy Schenk Murtha Schroeder
 Murtha Schroeder Nadler Schumer
 Nadler Schumer Natcher Scott
 Natcher Scott Neal (MA) Serrano
 Neal (MA) Serrano Oberstar Sharp
 Oberstar Sharp Obey Shepherd
 Obey Shepherd Olver Sisisky
 Olver Sisisky Ortiz Skaggs
 Ortiz Skaggs Orton Skelton
 Orton Skelton Owens Slattery
 Owens Slattery Pallone Slaughter
 Pallone Slaughter

Smith (IA) Smith (IA)
 Spratt Spratt
 Stark Stark
 Stenholm Stenholm
 Stokes Stokes
 Strickland Strickland
 Studds Studds
 Stupak Stupak
 Sweet Sweet
 Swift Swift
 Synar Synar
 Tanner Tanner
 Tauzin Tauzin
 Taylor (MS) Taylor (MS)
 Tejada Tejada
 Thornton Thornton
 Thurman Thurman
 Torres Torres
 Torricelli Torricelli
 Towns Towns
 Traficant Traficant
 Tucker Tucker
 Unsoeld Unsoeld
 Valentine Valentine
 Velazquez Velazquez
 Vento Vento
 Visclosky Visclosky
 Volkmer Volkmer
 Washington Washington
 Waters Waters
 Watt Watt
 Waxman Waxman
 Wheat Wheat
 Whitten Whitten
 Williams Williams
 Wilson Wilson
 Wise Wise
 Woolsey Woolsey
 Wyden Wyden
 Wynn Wynn
 Yates Yates

NOT VOTING—2

Ford (TN) Henry

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

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. FAWELL moved to recommit the bill to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

Insert before the period at the end of section 502(a) the following: ‘‘, except that with respect to a position on the minority staff of a committee, the term ‘employing authority’ means the ranking minority Member of such committee’’.

Redesignate subsection (c) of section 502 as subsection (d) and insert after subsection (b) the following:

(c) EMPLOYEE ACTION.—Within 90 days of exhausting all procedures authorized under subsection (b), or after 180 days after the timely filing of a complaint under such procedures, an employee may bring a civil action against the employee’s employing authority in the appropriate United States district court. In any such action, the court may order such relief, including damages, interest, attorney fees, expert witness fees, and other costs, as may be ordered by a court under section 107 of this Act.

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 announced that the nays had it.

Mr. FAWELL demanded a recorded vote on agreeing to said motion, 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 negative { Yeas 175 Nays 253

9.23 [Roll No. 21] AYES—175

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

NOES—253

Abercrombie Coppersmith
 Ackerman Costello
 Andrews (ME) Coyne
 Andrews (NJ) Cramer
 Andrews (TX) Danner
 Applegate Darden
 Bacchus (FL) de la Garza
 Baesler Deal
 Barcia DeFazio
 Barlow DeLauro
 Barrett (WI) Dellums
 Becerra Derrick
 Beilenson Deutsch
 Berman Dicks
 Bevill Dingell
 Bilbray Dixon
 Bishop Dooley
 Blackwell Durbin
 Bonior Edwards (CA)
 Borski Edwards (TX)
 Boucher Engel
 Brewster English (AZ)
 Brooks English (OK)
 Browder Eshoo
 Brown (CA) Evans
 Brown (FL) Fazio
 Brown (OH) Fields (LA)
 Bryant Filner
 Byrne Fingerhut
 Cantwell Kleczka
 Cardin Foglietta
 Carr Flake
 Chapman Frank (MA)
 Clay Frost
 Clayton Furse
 Clement Gejdenson
 Clyburn Gephardt
 Coleman Geren
 Collins (IL) Gibbons
 Collins (MI) Glickman
 Condit Gonzalez
 Conyers Gordon
 Cooper Green

Gutierrez Hall (OH)
 Hall (OH) Hall (TX)
 Hall (TX) Hamburg
 Harman Hamilton
 Harman Harman
 Hastings Hastings
 Hayes Hayes
 Hefner Hefner
 Hilliard Hilliard
 Hinchey Hinchey
 Hoagland Hoagland
 Hochbrueckner Hochbrueckner
 Holden Holden
 Hoyer Hoyer
 Hughes Hughes
 Hutto Hutto
 Inslee Inslee
 Jacobs Jacobs
 Jefferson Jefferson
 Johnson (GA) Johnson (GA)
 Johnson (SD) Johnson (SD)
 Johnson, E. B. Johnson, E. B.
 Johnston Johnston
 Kanjorski Kanjorski
 Kaptur Kaptur
 Kennedy Kennedy
 Kennelly Kennelly
 Kildee Kildee
 Kleczka Kleczka
 Klein Klein
 Klink Klink
 Kopetski Kopetski
 Kreidler Kreidler
 LaFalce LaFalce
 Lambert Lambert
 Lancaster Lancaster
 Lantos Lantos
 LaRocco LaRocco
 Laughlin Laughlin
 Lehman Lehman
 Levin Levin
 Lewis (GA) Lewis (GA)

NOT VOTING—2

Ford (TN) Henry

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

The question being put, viva voce, Will the House pass said bill?

The SPEAKER announced that the yeas had it.

Mr. FAWELL demanded a recorded vote on passage of said bill, 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 affirmative { Yeas 265 Nays 163

9.24 [Roll No. 22] AYES—265

Abercrombie Castle Engel
 Ackerman Chapman English (AZ)
 Andrews (ME) Clay English (OK)
 Andrews (NJ) Clayton Eshoo
 Andrews (TX) Clement Evans
 Applegate Clyburn Fazio
 Bacchus (FL) Coleman Fields (LA)
 Baesler Collins (IL) Filner
 Barcia Collins (MI) Fingerhut
 Barlow Condit Fish
 Barrett (WI) Conyers Flake
 Becerra Cooper Foglietta
 Beilenson Coppersmith Ford (MI)
 Berman Costello Frank (MA)
 Bevill Coyne Franks (NJ)
 Bilbray Cramer Frost
 Bishop Danner Furse
 Blackwell de la Garza Gejdenson
 Blute DeFazio Gephardt
 Boehlert DeLauro Gibbons
 Bonior Dellums Gillmor
 Borski Derrick Gilman
 Boucher Deutsch Gonzalez
 Brooks Diaz-Balart Gordon
 Brown (CA) Dicks Green
 Brown (FL) Dingell Gutierrez
 Brown (OH) Dixon Hall (OH)
 Bryant Dooley Hamburg
 Byrne Durbin Harman
 Cantwell Edwards (CA) Hastings
 Cardin Edwards (TX) Hefner