

of Michigan, Mr. COYNE, Mr. DEUTSCH, Mr. FINGERHUT, Ms. FURSE, Mr. GEJDENSON, Mr. GILMAN, Mr. GUTIERREZ, Mr. HAMBURG, Mr. HOCHBRUECKNER, Mr. HUGHES, Ms. E.B. JOHNSON, Mr. KANJORSKI, Ms. LAMBERT, Mr. LEWIS of Georgia, Ms. LOWEY, Ms. MARGOLIES-MEZVINSKY, Mr. McHALE, Ms. MCKINNEY, Ms. MEEK, Mr. MENENDEZ, Mr. MINGE, Mr. NADLER, Mr. OBEY, Mr. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. SHEPHERD, Mr. SKAGGS, Mr. STOKES, Mr. TORRICELLI, Mr. TUCKER, Mr. WATT, and Mr. YATES.

H.R. 2: Mr. ANDREWS of New Jersey, Mr. BECERRA, Mr. BROWN of California, Ms. DELAURO, Mr. DELLUMS, Mr. FIELDS of Louisiana, Mr. GUTIERREZ, Mr. HALL of Ohio, Ms. HARMAN, Ms. E.B. JOHNSON, Mr. MORAN, Mr. NEAL of Massachusetts, Mr. OBEY, Mr. OLVER, Mr. PETERSON of Minnesota, Ms. VELAZQUEZ, and Mr. WYNN.

H.R. 4: Ms. BYRNE.

H.R. 5: Mr. BONIOR, Mr. FORD of Michigan, Mr. GEPHARDT, Mr. MINETA, Mr. ANDREWS of New Jersey, Mr. ANDREWS of Maine, Mr. APPLIGATE, Mr. BACCHUS of Florida, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. BORSKI, Mr. CARDIN, Mr. CLYBURN, Mr. COSTELLO, Mr. COYNE, Mr. DE LUGO, Ms. DELAURO, Mr. DEFazio, Mr. DELLUMS, Mr. DICKS, Mr. DURBIN, Mr. EDWARDS of California, Mr. ENGEL, Mr. FILNER, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GLICKMAN, Mr. GONZALEZ, Mr. GENE GREEN, Mr. HAMILTON, Mr. HINCHEY, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. HUGHES, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KENNELLY, Mr. KILDEE, Mr. KLING, Mr. LAFALCE, Mr. LEHMAN, Ms. MALONEY, Mr. MCCLOSKEY, Mr. McHALE, Mr. MCHUGH, Ms. MEEK, Mr. MILLER of California, Mrs. MINK, Mr. MOAKLEY, Mr. MORAN, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBEY, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PENNY, Mr. POMEROY, Mr. RAHALL, Mr. REYNOLDS, Mr. ROEMER, Mr. RUSH, Mr. SANDERS, Mr. SCHUMER, Mr. SERRANO, Mr. SKAGGS, Mr. SMITH of New Jersey, Mr. STARK, Mr. STOKES, Mr. TORRICELLI, Mrs. UNSOELD, Ms. VELAZQUEZ, Mr. VENTO, Mr. VISCOLOSKY, Mr. WASHINGTON, Mr. WAXMAN, Mr. WILLIAMS, Mr. WISE, Ms. WOOLSEY, Mr. STRICKLAND, Mrs. COLLINS of Michigan, Mr. MARTINEZ, Mr. OBERSTAR, Mr. MURPHY, Mr. SCOTT, Ms. ESHOO, Mr. KOPETSKI, Mr. WYNN, Mr. GUTIERREZ, Ms. ENGLISH of Arizona, Mr. DIXON, Mr. WILSON, Mr. STUPAK, Mr. RANGEL, Mr. LANTOS, Mr. HASTINGS, Mr. EVANS, and Ms. BYRNE.

H.R. 7: Mr. GUTIERREZ and Ms. NORTON.

H.R. 18: Mr. ACKERMAN, Mr. BREWSTER, Ms. SHEPHERD, Mr. FRANK of Massachusetts, Mr. ROHRABACHER, Ms. MALONEY, Ms. MOLINARI, Mr. BAESLER, Ms. LAMBERT, Mr. MFUME, Mr. RAHALL, Mrs. UNSOELD, Mr. ANDREWS of New Jersey, Mr. HOCHBRUECKNER, Mr. FLAKE, Mr. BACCHUS of Florida, Mr. CHAPMAN, Mr. ROMERO-BARCELO, Mr. CRAMER, Mr. McNULTY, Mr. GRANDY, Mr. OBERSTAR, Mr. DICKS, Mr. TANNER, Mr. OXLEY, Mr. FOGLIETTA, Mr. REED, Mr. SHAYS, Mr. MARTINEZ, Mr. HUTCHINSON, Ms. NORTON, Mr. ORTON, Mr. DE LUGO, Mr. SPRATT, Mrs. LLOYD, Mr. MCCLOSKEY, Mr. MACTHLEY, Mr. GUTIERREZ, Mr. HASTINGS, Mr. CLAY, Mr. ABERCROMBIE, and Mr. WATT.

H.R. 23: Mr. MOORHEAD.

H.R. 24: Mr. ARMEY, Mr. EVERETT, Mr. GOSS, Mr. HERGER, Mrs. MEYERS of Kansas, and Mr. SPENCE.

H.R. 25: Mr. BLACKWELL, Mr. COLEMAN of Texas, Mr. DELLUMS, Mr. EVANS, Mr. GREENWOOD, Mr. HAMBURG, Mr. JOHNSTON of Florida, Mr. LEVIN, Mr. MARTINEZ, Ms. NORTON, Mr. PAYNE of New Jersey, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. SCOTT, Mr. SHEPHERD, Mr. SKAGGS, Mr. SMITH, of Oregon, Mr. STARK, and Mr. VELAZQUEZ.

H.R. 26: Mr. DELLUMS, Mr. FORD of Michigan, Mr. JOHNSTON of Florida, Mr. OLVER,

Mr. SABO, Mr. SKAGGS, Mr. SWIFT, Ms. WOOLSEY, and Mr. WYNN.

H.R. 34: Mr. QUILLEN, Mr. PARKER, Mrs. COLLINS of Michigan, and Mr. EMERSON.

H.R. 37: Mr. MCCANDLESS, Mr. SCHIFF, Mr. FROST, and Mr. LEVY.

H.R. 93: Mr. MCCREERY, Mr. TAUZIN, Mr. PACKARD, Mr. SAM JOHNSON, Mr. MCMILLAN, Mr. BEVILL, Mr. WALKER, Mr. LEWIS of Florida, Mr. HYDE, Mr. CLINGER, Mr. DORNAN, Mr. PETE GEREN, Mr. DUNCAN, Mr. GOSS, Mr. PORTER, Mr. COX, Ms. DUNN, Mr. WALSH, Mr. SOLOMON, and Mr. GINGRICH.

H.R. 94: Mr. BALLENGER, Mr. GOODLING, Mr. WALSH, Mr. MOORHEAD, Mr. SKEEN, and Mr. BERREUTER.

H.R. 118: Mr. PASTOR, Mr. TEJEDA, Mr. CHAPMAN, Mr. ROMERO-BARCELO, Mr. ANDREWS of Texas, Mr. EDWARDS of Texas, and Mr. WYNN.

H.R. 159: Mr. WALSH, Mr. TUCKER, Mr. MCHUGH, and Mr. DIAZ-BALART.

H.R. 163: Mr. SOLOMON and Mr. WALSH.

H.R. 166: Mr. KLUG.

H.R. 299: Mr. GILCHREST, Mr. MORAN, and Mr. TORRES.

H.R. 301: Mr. GALLEGLY, Mr. BLUTE, Mr. PACKARD, Mr. GOODLING, Mr. LEWIS of Florida, Mr. SOLOMON, and Mr. MCCANDLESS.

H.R. 302: Mr. GREENWOOD, Mr. HAYES of Louisiana, Mr. INHOFE, Mr. KIM, Mrs. MEYERS of Kansas, Mr. REGULA, and Ms. SHEPHERD.

H.R. 304: Mr. DORNAN, Mr. HANCOCK, Mr. HERGER, Ms. LONG, Mr. MACTHLEY, Mr. RAMSTAD, and Mrs. ROUKEMA.

H.R. 306: Mr. FAWELL, Mr. DORNAN, Mr. PACKARD, Mr. WALSH, Mr. ARMEY, Mr. HERGER, and Mr. DOOLITTLE.

H.R. 324: Mr. PETERSON of Florida, Mr. ROYCE, Mr. GREENWOOD, Mr. WALSH, Mr. SOLOMON, Mr. FISH, Mr. BAKER of California, Mr. RANGEL, Mr. ZELIFF, and Mr. PETE GEREN.

H.R. 349: Mr. CLEMENT, Mr. STARK, and Ms. DELAURO.

H.R. 419: Mr. LAFALCE, Ms. KAPTUR, Mr. GUNDERSON, Mr. MANN, and Mr. SCOTT.

H.R. 441: Mr. ANDREWS of Maine.

H.R. 454: Ms. WOOLSEY.

H.R. 465: Mr. HALL of Ohio.

H.R. 494: Mrs. COLLINS of Michigan, Mr. SCOTT, Mr. FROST, Ms. MEEK, Mr. MANZULLO, Mr. EVANS, Mr. MCKEON, and Mr. BLACKWELL.

H.R. 499: Mr. HINCHEY, Mr. UNDERWOOD, Mr. WYNN, Mr. PETERSON of Florida, Mrs. COLLINS of Michigan, Ms. MEEK, Mr. RUSH, Mr. WATT, Mr. HUGHES, Mr. STOKES, Mr. CLAY, Ms. ROYBAL-ALLARD, Mr. BECERRA, and Mr. SARPALUIS.

H.R. 526: Mr. DIXON, Mr. GUTIERREZ, Mr. MACTHLEY, Mr. MCCLOSKEY, Mr. WATT, Mr. HASTINGS, and Mr. GENE GREEN.

H.R. 538: Mr. ACKERMAN, Mrs. COLLINS of Michigan, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. MARTINEZ, Mr. MILLER of California, Mrs. MORELLA, Ms. NORTON, Mr. OWENS, Mr. PAYNE of New Jersey, Ms. SLAUGHTER, Mr. TOWNS, and Mrs. UNSOELD.

H.R. 543: Mr. YOUNG of Alaska.

H.R. 546: Mr. CLEMENT, Mr. FROST, Mr. MARTINEZ, Mr. LIVINGSTON, Mr. HOCHBRUECKNER, and Mr. HERGER.

H.R. 556: Mr. FRANKS of New Jersey.

H.R. 557: Mr. FRANKS of New Jersey.

H.R. 562: Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. INGLIS, and Mr. BARTLETT.

H.R. 563: Mr. COX, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, and Mr. BARTLETT.

H.R. 567: Mr. SAXTON, Mr. BARTLETT, and Mr. MACTHLEY.

H.R. 570: Mr. DORNAN, Mrs. VUCANOVICH, Mr. SISISKY, and Mrs. JOHNSON of Connecticut.

H.R. 571: Mr. FROST, Mrs. MEYERS of Kansas, Mrs. VUCANOVICH, Mr. BALLENGER, Mrs. JOHNSON of Connecticut, Mr. RAVENEL, and Mr. HUGHES.

H.R. 583: Ms. FOWLER and Mr. HASTINGS.

H.R. 584: Ms. FOWLER, Mr. DIAZ-BALART, and Mr. HASTINGS.

H.R. 585: Mr. WELDON.

H.R. 667: Mr. STUMP, Mr. BACCHUS of Florida, Mr. MICA, Mr. INHOFE, Mr. FIELDS of Texas, Mr. DOOLITTLE, Mr. HANCOCK, Mr. RAMSTAD, Mr. COBLE, Mr. DUNCAN, Mr. STEARNS, Mr. INGLIS, Mr. SMITH of Texas, Mrs. BENTLEY, Mr. DELAY, Mr. BAKER of Louisiana, Mr. BUNNING, Mr. ROHRABACHER, Mr. QUILLEN, Mr. ARCHER, Mr. GRAMS, Mr. MCCOLLUM, Mr. SKEEN, Mr. GALLEGLY, Mr. EMERSON, Mr. HUTCHINSON, Mr. COMBEST, Mr. BATEMAN, Mr. SOLOMON, Mr. COLLINS of Georgia, Mr. HANSEN, Mr. BARTLETT, Mr. EVERETT, Mr. SUNQUIST, Mr. CRANE, Mr. GOSS, Mr. HERGER, Mr. SPENCE, and Mr. ROGERS.

H.J. Res. 1: Mr. RANGEL, Mr. SCOTT, Ms. WOOLSEY, and Mr. SCHUMER.

H.J. Res. 46: Mr. FIELDS of Texas.

H.J. Res. 61: Mr. ALLARD, Mr. ARMEY, Mr. BAKER of California, Mr. BALLENGER, Mr. BERREUTER, Mr. BLUTE, Mr. EWING, Mr. GALLEGLY, Mr. GINGRICH, Mr. GRAMS, Mr. GOSS, Mr. HANCOCK, Mr. HERGER, Mr. KNOLLENBERG, Mr. LEVY, Mr. MCCOLLUM, Ms. MOLINARI, Mr. OXLEY, Mr. PETRI, Mr. POMBO, Mr. PORTER, Mr. RAMSTAD, Mr. ROHRABACHER, Mr. SAXTON, Mr. SENSENBRENNER, Mr. SMITH of Oregon, Mr. SOLOMON, Mr. STEARNS, Mr. STUMP, and Mr. ZELIFF.

H.J. Res. 68: Mr. TEJEDA, Mr. HOCHBRUECKNER, Mr. WAXMAN, Mr. HUGHES, Mr. COBLE, Mr. LIPINSKI, Ms. WOOLSEY, Mr. ACKERMAN, Mr. DINGELL, Mrs. COLLINS of Michigan, Ms. MEEK, Mr. WYNN, Mr. RANGEL, and Mr. LANCASTER.

H. Con. Res. 6: Mr. CRAMER, Mr. GREENWOOD, Mr. FRANK of Massachusetts, Mr. CRANE, Mr. PETRI, Mr. HOEKSTRA, Mr. CASTLE, Mr. SPRATT, Mr. INHOFE, and Mr. HASTINGS.

H. Con. Res. 15: Mr. ANDREWS of New Jersey, Mr. TOWNS, Mr. PETERSON of Florida, Mr. PASTOR, Mr. KOPETSKI, Mr. HUGHES, Mr. MINETA, Mr. TORRES, and Mr. HAMBURG.

H. Con. Res. 24: Mr. BONIOR, Mr. SENSENBRENNER, Mr. BOUCHER, Mr. RICHARDSON, Mrs. KENNELLY, and Mr. KING.

H. Res. 16: Mr. ROTH, Mr. BEVILL, Mr. FAWELL, Mr. SKEEN, Mr. FIELDS of Texas, Mr. HANCOCK, Mr. BARRETT of Nebraska, Mr. SOLOMON, Mr. BATEMAN, Mr. MYERS of Indiana, Mr. PETRI, and Mr. EMERSON.

H. Res. 32: Ms. LOWEY, Mr. LEVY, Mr. SKAGGS, Ms. WOOLSEY, Mr. EVANS, Mr. ENGEL, and Mr. KING.

H. Res. 40: Mr. SANDERS, Mr. FRANK of Massachusetts, Ms. WOOLSEY, Mr. EVANS, Mrs. SCHROEDER, and Mrs. MORELLA.

H. Res. 41: Mr. MAZZOLI, Mr. JACOBS, and Mr. FRANK of Massachusetts.

H. Res. 45: Mr. GREENWOOD, Mr. SOLOMON, Mr. SENSENBRENNER, Mr. BAKER of California, and Mr. LIVINGSTON.

18.18 PETITIONS, ETC.

Under clause 1 of rule XXII, follows:

11. The SPEAKER presented a petition of Office of the County Legislature, Suffolk County, NY, relative to reinstating funding for Peconic Bay Estuary; which was referred to the Committee on Merchant Marine and Fisheries.

WEDNESDAY, FEBRUARY 3, 1993 (9)

The House was called to order by the SPEAKER.

19.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, February 2, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

19.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

627. A letter from the Comptroller General of the United States, transmitting an updated compilation of historical information and statistics regarding rescissions proposed by the executive branch and rescissions enacted by Congress (H. Doc. No. 103-44); to the Committee on Appropriations and ordered to be printed.

628. A letter from the Chairman, Federal Housing Finance Board, transmitting the Board's annual report on the low-income housing and community development activities of the Federal Home Loan Bank System for the years 1990 and 1991, pursuant to 12 U.S.C. 1430(j)(12)(A); to the Committee on Banking, Finance and Urban Affairs.

629. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-408, "District of Columbia Unemployment Compensation Comprehensive Improvements Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

630. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-409, "Regional Interstate Banking Act of 1985 Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

631. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-410, "Air Pollution Control Act of 1984 National Ambient Air Quality Standards Attainment Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

632. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-411, "District of Columbia Solid Waste Management and Multi-Material Recycling Act of 1988 Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

633. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-412, "Authorization for Medical Consent for Children in the Care of Adults Other Than Parents Temporary Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

634. A letter from the Vice Chairman, Chief Financial Officer, Potomac Electric Power Co., transmitting a copy of the balance sheet of Potomac Electric Power Co. as of December 31, 1992, pursuant to D.C. Code, section 43-513; to the Committee on the District of Columbia.

635. A letter from the Secretary of Education, transmitting final regulations—Minority Science Improvement Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

636. A letter from the Administrator, Office of Juvenile Justice and Delinquency Prevention, transmitting a copy of OJJDP's report entitled "The Study of American Indian and Alaska Native Juvenile Justice Systems," pursuant to 42 U.S.C. 5662; to the Committee on Education and Labor.

637. A letter from the Deputy Director, Defense Security Assistance Agency, transmitting a report of those foreign military sales customers with approved cash flow financing in excess of \$100 million as of October 1, 1992, pursuant to 22 U.S.C. 2765; to the Committee on Foreign Affairs.

638. A letter from the Acting Assistant Secretary for Legislative Affairs, Depart-

ment of State, transmitting a report in compliance with sections 116(d)(1) and 502B(b) of the Foreign Assistance Act of 1961, pursuant to 22 U.S.C. 2304(a)(2) and 2151n(d); to the Committee on Foreign Affairs.

639. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93-14, designating refugees, displaced persons, and victims of conflict from Tajikistan as qualifying for assistance under section 2(b)(2) of the Migration and Refugee Assistance Act, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

640. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report in compliance with section 116(d)(3) of the Foreign Assistance Act of 1961, pursuant to 22 U.S.C. 2151n(d); to the Committee on Foreign Affairs.

641. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

642. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's determination (93-8) on the eligibility of the Federated State of Micronesia to be furnished defense articles and services, pursuant to 2 U.S.C. 2311(a) and 2753(a)(1); to the Committee on Foreign Affairs.

643. See Journal of January 5, 1993.

644. A letter from the Secretary of Agriculture, transmitting the semiannual management report for the period April 1, 1992 through September 30, 1992, pursuant to Public Law 100-504; to the Committee on Government Operations.

645. A letter from the Secretary of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period April 1, 1992 through September 30, 1991, and the semiannual management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

646. A letter from the Secretary of Labor, transmitting the semiannual report of the Inspector General for the period April 1 through September 30, 1992, including the semiannual management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

647. A letter from the Secretary of Transportation, transmitting the semiannual report of the Inspector General for the period April 1, 1992 through September 30, 1992, and Management Report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

648. A letter from the Comptroller General, General Accounting Office, transmitting the list of all reports issued or released in December 1992, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

649. A letter from the Comptroller General, General Accounting Office, transmitting the GAO's annual report for fiscal year 1992 and a supplement summary tables of GAO personnel assigned to congressional committees for fiscal year 1992, pursuant to 31 U.S.C. 719(a); to the Committee on Government Operations.

650. A letter from the Acting Secretary of Veterans Affairs, transmitting the semiannual report of the Inspector General for the period April 1, 1992 through September 30, 1992, and the Department's Management Report on actions taken in response to audit recommendations, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526, 2640); to the Committee on Government Operations.

651. A letter from the Chairman, Advisory Commission on Intergovernmental Rela-

tions, transmitting the Commission's 34th annual report of the Advisory Commission on Intergovernmental Relations, pursuant to 42 U.S.C. 4275(3); to the Committee on Government Operations.

652. A letter from the Administrator, Agency for International Development, transmitting the semiannual report of the Agency's Inspector General for the period April 1, 1992 through September 30, 1992, and the semiannual report on audit management and resolution, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

653. A letter from the Director, ACTION, transmitting the two semiannual reports on activities pursuant to the Inspector General Act and the management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

654. A letter from the Executive Secretary, Barry M. Goldwater Scholarship and Excellence in Education Foundation, transmitting an annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

655. A letter from the Chairman, Board for International Broadcasting, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

656. A letter from the Executive Director, Committee for Purchasing From the Blind and Other Severely Handicapped, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

657. A letter from the Chairman, Corporation for Public Broadcasting, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

658. A letter from the U.S. Commissioner, Delaware River Basin Commission, transmitting an annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

659. A letter from the Department of the Navy, transmitting the Navy Exchange Service Command Retirement Plan, years ended December 31, 1991 and 1990, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

660. A letter from the Acting Assistant Secretary (Management)/Chief Financial Officer, Department of the Treasury, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1992, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

661. A letter from the Attorney General, Department of Justice, transmitting the semiannual report of the inspector general for the period April 1, 1992 through September 30, 1992 and the management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

662. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report of the Office of Inspector General covering the period April 1, 1992 through September 30, 1992, and the semiannual management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

663. A letter from the Assistant to the President for the Office of Management and Administration, Executive Office of the President, transmitting a report of activities

under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

664. A letter from the Chairman, Farm Credit System Assistance Board, transmitting the annual report on audit and investigative coverage; to the Committee on Government Operations.

665. A letter from the Chief Executive Officer, Farm Credit System Insurance Corporation, transmitting the annual report of audit and investigative coverage; to the Committee on Government Operations.

666. A letter from the Inspector General, General Services Administration, transmitting the semiannual audit report; to the Committee on Government Operations.

667. A letter from the Administrator, General Services Administration, transmitting the semiannual report on the activities of the Department's inspector general for the period April 1, 1992 through September 30, 1992, and the semiannual management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

668. A letter from the Public Printer, Government Printing Office, transmitting the semiannual management report on audits; to the Committee on Government Operations.

669. A letter from the Chairman, Harry S. Truman Scholarship Foundation, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

670. A letter from the Director, Institute of Museum Services, transmitting the annual report on audit and investigative activities; to the Committee on Government Operations.

671. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

672. A letter from the Executive Director, Marine Mammal Commission, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

673. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report of the Office of Inspector General, and the management report on the status of audit, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

674. A letter from the Chairman, National Commission on Responsibilities for Financing Postsecondary Education, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

675. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on activities pursuant to the Inspector General Act, accompanied by the management's report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

676. A letter from the Chairman, National Transportation Safety Board, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

677. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the annual report on audit and investigative activities; to the Committee on Government Operations.

678. A letter from the Chief of Staff, Office of the U.S. Nuclear Waste Negotiator, transmitting the annual report on audit and investigative coverage; to the Committee on Government Operations.

679. A letter from the Director, Office of Government Ethics, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1992, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

680. A letter from the Inspector General, Office of Personnel Management, transmitting the semiannual report of the inspector general for the period of April 1, 1992 through September 30, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

681. A letter from the President, Overseas Private Investment Corporation, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

682. A letter from the Chairman, Board of Directors, Panama Canal Commission, transmitting the semiannual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

683. A letter from the Secretary of Labor, Pension Benefit Guaranty Corporation, transmitting the semiannual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

684. A letter from the Chairman, Postal Rate Commission, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

685. A letter from the Secretary of Defense, transmitting the semiannual report on audit, inspection, and investigative activities; to the Committee on Government Operations.

686. A letter from the Secretary of Education, transmitting the semiannual audit followup report; to the Committee on Government Operations.

687. A letter from the Secretary of Education, transmitting the semiannual report on audit followup; to the Committee on Government Operations.

688. A letter from the Director, Selective Service System, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 100-504 to the Committee on Government Operations.

689. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the Inspector General for the period April 1, 1992 through September 30, 1992, including the management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

690. A letter from the Executive Director, State Justice Institute, transmitting the annual report on activities pursuant to the Inspector General Act; to the Committee on Government Operations.

691. A letter from the Chairman, Thrift Depositor Protection Oversight Board, transmitting an annual report on activities pursuant to the Inspector General Act; pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

692. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

693. A letter from the Director, U.S. Trade and Development Agency, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

694. A letter from the Staff Director, United States Commission on Civil Rights, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

695. A letter from the Executive Director, United States Holocaust Memorial Council, transmitting the annual report on activities pursuant to the Inspector General Act; pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

696. A letter from the Chairman, United States Nuclear Waste Technical Review Board, transmitting the annual report on activities pursuant to the Inspector General Act, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

697. A letter from the Chairman, Federal Election Commission, transmitting 63 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); to the Committee on House Administration.

698. A letter from the Secretary of the Interior, transmitting a report on four compensatory royalty agreements relating to oil or gas which were entered into during fiscal year 1991 involving unleased Government lands, pursuant to 30 U.S.C. 226(j); to the Committee on Natural Resources.

699. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Eleventh Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (fiscal year 1988), pursuant to 15 U.S.C. 18a; to the Committee on the Judiciary.

700. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Twelfth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (fiscal year 1989), pursuant to 15 U.S.C. 18a; to the Committee on the Judiciary.

701. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Thirteenth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (fiscal year 1990), pursuant to 15 U.S.C. 18a; to the Committee on the Judiciary.

702. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Fourteenth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (fiscal year 1991), pursuant to 15 U.S.C. 18a; to the Committee on the Judiciary.

703. A letter from the Administrator, Maritime Administration, transmitting a copy of the most recent publication of the Maritime Administration entitled, "The Jones Act, A 72 Year Old Cabotage Law and A 203 Year Old Tradition"; to the Committee on Merchant Marine and Fisheries.

704. A letter from the Assistant to the Chairman and Secretary, Board of Directors, Panama Canal Commission, transmitting the Commission's report, including unaudited financial statements, covering the operations of the Panama Canal during fiscal year 1992, pursuant to 22 U.S.C. 3722; to the Committee on Merchant Marine and Fisheries.

705. A letter from the Chairman, U.S. International Trade Commission, transmitting the Commission's seventy-second quarterly report on trade between the United States and the nonmarket economy countries, pursuant to 19 U.S.C. 2440; to the Committee on Ways and Means.

706. A letter from the President and CEO, Resolution Trust Corporation, transmitting the status report for the month of December 1992 (The 1988-89 FSLIC Assistance Agreements), pursuant to 12 U.S.C. 1441a note; jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs.

707. A letter from the Comptroller of the Department of Defense, transmitting the quarterly report on program activities for facilitation of weapons destruction and non-proliferation in the former Soviet Union; jointly, to the Committees on Appropriations and Foreign Affairs.

708. A letter from the Administrator, Federal Aviation Administration, transmitting the report of progress on developing and certifying the Traffic Alert and Collision Avoidance System (TCAS) for the third and fourth quarters of 1992, pursuant to Public Law 100-223, section 203(b) (101 Stat. 1518); jointly, to the Committees on Public Works and Transportation and Science, Space, and Technology.

709. A letter from the Secretary of Labor, transmitting the annual report on employment and training programs for veterans during program year 1990 (July 1, 1990 through June 30, 1991) and fiscal year 1991 (October 1, 1990 through September 30, 1991), pursuant to 38 U.S.C. 4107(c) and 4212(c); jointly, to the Committees on Veterans' Affairs and Education and Labor.

¶9.3 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER, pursuant to the provisions of clause 1 of rule XLVIII and clause 6(f) of rule X, appointed as members of the Permanent Select Committee on Intelligence, the following Members: Messrs. GLICKMAN, RICHARDSON, DICKS, DIXON, TORRICELLI, COLEMAN, SKAGGS, BILBRAY, Ms. PELOSI, Messrs. LAUGHLIN, CRAMER, REED, COMBEST, BEREUTER, DORNAN, YOUNG of Florida, GEKAS, HANSEN, and LEWIS of California.

¶9.4 PROVIDING FOR THE CONSIDERATION OF H.R. 1

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 58):

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. 1) to grant family and temporary medical leave under certain circumstances. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI are waived. General debate shall be confined to the bill and shall not exceed three hours and twenty minutes, with ninety minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, ninety minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accom-

panying this resolution, modified by the amendment printed in section 2 of this resolution. The amendment in the nature of a substitute, as modified, shall be considered as read. No amendment to the amendment in the nature of a substitute, as modified, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments 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 amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At the end of section 101 add the following:

“(14) SPOUSE.—The term spouse means a husband or wife under the law of any State.”.

When said resolution was considered. After debate,

Mr. GORDON moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

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

Mr. GORDON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 246
Nays 176

¶9.5 [Roll No. 12] YEAS—246

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

Gordon	Matsui	Sabo
Green	Mazzoli	Sanders
Gutierrez	McCluskey	Sangmeister
Hall (OH)	McCurry	Sarpalius
Hall (TX)	McDermott	Sawyer
Hamburg	McHale	Schenk
Hamilton	McKinney	Schroeder
Harman	McNulty	Schumer
Hastings	Meehan	Scott
Hayes	Meek	Serrano
Hefner	Menendez	Shepherd
Hilliard	Mfume	Sisisky
Hinchee	Miller (CA)	Skaggs
Hoagland	Mineta	Skelton
Hochbrueckner	Minge	Slattery
Holden	Mink	Slougher
Hoyer	Moakley	Smith (IA)
Hughes	Mollohan	Spratt
Hutto	Montgomery	Stark
Inslee	Moran	Stenholm
Jefferson	Murphy	Stokes
Johnson (GA)	Murtha	Strickland
Johnson (SD)	Nadler	Studds
Johnson, E.B.	Natcher	Stupak
Johnston	Neal (MA)	Swett
Kanjorski	Neal (NC)	Swift
Kaptur	Oberstar	Synar
Kennedy	Obey	Tanner
Kennelly	Olver	Tauzin
Kildee	Ortiz	Tejeda
Kleczka	Owens	Thornton
Klein	Pallone	Thurman
Klink	Parker	Torres
Kopetski	Pastor	Torricelli
Kreidler	Payne (VA)	Towns
LaFalce	Pelosi	Trafcant
Lambert	Penny	Tucker
Lancaster	Peterson (FL)	Unsoeld
Lantos	Peterson (MN)	Valentine
LaRocco	Pickett	Velazquez
Laughlin	Pickle	Vento
Lehman	Pomeroy	Visclosky
Levin	Poshard	Volkmer
Lewis (GA)	Price (NC)	Waters
Lipinski	Rahall	Watt
Lloyd	Rangel	Waxman
Long	Reed	Wheat
Lowey	Reynolds	Williams
Maloney	Richardson	Wise
Mann	Roemer	Woolsey
Manton	Rose	Wyden
Margolies-Mezvinsky	Rostenkowski	Wynn
Markey	Rowland	Yates
Martinez	Roybal-Allard	
	Rush	

NAYS—176

Allard	Everett	Kim
Archer	Ewing	King
Armey	Fawell	Kingston
Bachus (AL)	Fields (TX)	Klug
Baker (CA)	Fish	Knollenberg
Baker (LA)	Fowler	Kolbe
Ballenger	Franks (CT)	Kyl
Barrett (NE)	Franks (NJ)	Lazio
Bartlett	Galleghy	Leach
Barton	Gallo	Levy
Bentley	Gekas	Lewis (CA)
Bereuter	Gilchrest	Lewis (FL)
Bilirakis	Gillmor	Lightfoot
Bliley	Gilman	Linder
Blute	Gingrich	Livingston
Boehlert	Goodlatte	Machtley
Boehner	Goodling	Manzullo
Bonilla	Goss	McCandless
Bunning	Grams	McCollum
Burton	Grandy	McCrum
Buyer	Greenwood	McDade
Callahan	Gunderson	McHugh
Calvert	Hancock	McInnis
Camp	Hansen	McKeon
Canady	Hastert	McMillan
Castle	Hefley	Meyers
Clinger	Heger	Mica
Coble	Hobson	Michel
Collins (GA)	Hoekstra	Miller (FL)
Combest	Hoke	Molinari
Cox	Horn	Moorhead
Crane	Houghton	Morella
Crapo	Huffington	Myers
Cunningham	Hunter	Nussle
DeLay	Hutchinson	Orton
Diaz-Balart	Hyde	Oxley
Dickey	Inglis	Packard
Doolittle	Inhofe	Paxon
Dornan	Istook	Petri
Dreier	Jacobs	Pombo
Duncan	Johnson (CT)	Porter
Dunn	Johnson, Sam	Pryce (OH)
Emerson	Kasich	Quillen

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

NOT VOTING—8

Bateman	Payne (NJ)	Whitten
Ford (TN)	Sharp	Wilson
Henry	Washington	

So the previous question on the resolution was ordered.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER *pro tempore*, Mr. McNULTY, 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	259

19.6 [Roll No. 13] YEAS—259

Abercrombie	Derrick	Jacobs
Ackerman	Deutsch	Jefferson
Andrews (ME)	Diaz-Balart	Johnson (GA)
Andrews (NJ)	Dicks	Johnson (SD)
Andrews (TX)	Dingell	Johnson, E. B.
Applegate	Dixon	Johnston
Bacchus (FL)	Dooley	Kanjorski
Baesler	Durbin	Kaptur
Barcia	Edwards (CA)	Kennedy
Barlow	Edwards (TX)	Kennelly
Becerra	Engel	Kildee
Beilenson	English (AZ)	Klecicka
Berman	English (OK)	Klein
Bevill	Eshoo	Klink
Bilbray	Evans	Kopetski
Bishop	Fazio	Kreidler
Blackwell	Fields (LA)	LaFalce
Boehlert	Filner	Lambert
Bonior	Fingerhut	Lancaster
Borski	Flake	Lantos
Boucher	Foglietta	LaRocco
Brewster	Ford (MI)	Laughlin
Brooks	Frank (MA)	Lehman
Browder	Franks (NJ)	Levin
Brown (CA)	Frost	Lewis (GA)
Brown (FL)	Furse	Lipinski
Brown (OH)	Gejdenson	Long
Bryant	Gephardt	Lowey
Byrne	Geren	Machtley
Cantwell	Gibbons	Maloney
Cardin	Gilman	Mann
Chapman	Glickman	Manton
Clay	Gonzalez	Margolies-
Clayton	Gordon	Mezvinsky
Clement	Green	Markey
Clyburn	Gunderson	Martinez
Coleman	Gutierrez	Matsui
Collins (IL)	Hall (OH)	Mazzoli
Collins (MI)	Hall (TX)	McCloskey
Condit	Hamilton	McCurdy
Conyers	Harman	McDermott
Cooper	Hastings	McHale
Coppersmith	Hayes	McKinney
Costello	Hefner	McNulty
Coyne	Hilliard	Meehan
Cramer	Hinchey	Meek
Danner	Hoagland	Menendez
Darden	Hochbrueckner	Mfume
de la Garza	Holden	Miller (CA)
Deal	Hoyer	Mineta
DeFazio	Hughes	Minge
DeLauro	Hutto	Mink
Dellums	Inslee	Moakley

Mollohan	Roemer	Stupak
Montgomery	Rose	Swett
Moran	Rostenkowski	Swift
Morella	Roukema	Synar
Murphy	Rowland	Tanner
Murtha	Roybal-Allard	Tauzin
Nadler	Rush	Taylor (MS)
Natcher	Sabo	Tejeda
Neal (MA)	Sanders	Thornton
Neal (NC)	Sangmeister	Thurman
Oberstar	Sarpalius	Torres
Obey	Sawyer	Torrice
Olver	Saxton	Towns
Ortiz	Schen	Traficant
Owens	Schroeder	Tucker
Pallone	Schumer	Unsoeld
Parker	Scott	Valentine
Pastor	Serrano	Velazquez
Payne (NJ)	Shays	Vento
Payne (VA)	Shepherd	Visclosky
Peterson (FL)	Sisisky	Volkmer
Peterson (MN)	Skaggs	Walsh
Pickett	Skelton	Waters
Pickle	Slattery	Watt
Pomeroy	Slaughter	Wheat
Poshard	Smith (IA)	Whitten
Price (NC)	Smith (NJ)	Williams
Quinn	Snowe	Wise
Rahall	Spratt	Woolsey
Ramstad	Stark	Wyden
Rangel	Stenholm	Wynn
Reed	Stokes	Yates
Reynolds	Strickland	Young (AK)
Richardson	Studds	

NAYS—164

Allard	Gingrich	Miller (FL)
Archer	Goodlatte	Molinari
Army	Goodling	Moorhead
Bachus (AL)	Goss	Myers
Baker (CA)	Grams	Nussle
Baker (LA)	Grandy	Orton
Ballenger	Greenwood	Oxley
Barrett (NE)	Hancock	Packard
Bartlett	Hansen	Paxon
Barton	Hastert	Pelosi
Bateman	Hefley	Penny
Bentley	Herge	Petri
Bereuter	Hobson	Pombo
Bilirakis	Hoekstra	Porter
Bilely	Hoke	Pryce (OH)
Blute	Horn	Quillen
Boehner	Houghton	Ravenel
Bonilla	Huffington	Regula
Bunning	Hunter	Ridge
Burton	Hutchinson	Roberts
Buyer	Hyde	Rogers
Callahan	Inglis	Rohrabacher
Calvert	Inhofe	Ros-Lehtinen
Camp	Istook	Roth
Canady	Johnson (CT)	Royce
Carr	Johnson, Sam	Santorum
Castle	Kasich	Schaefer
Clinger	Kim	Schiff
Coble	King	Sensenbrenner
Collins (CA)	Kingston	Shaw
Combust	Klug	Shuster
Cox	Knollenberg	Skeen
Crane	Kolbe	Smith (MI)
Crapo	Kyl	Smith (OR)
Cunningham	Lazio	Smith (TX)
DeLay	Leach	Solomon
Dickey	Levy	Spence
Doolittle	Lewis (CA)	Stearns
Dornan	Lewis (FL)	Stump
Dreier	Lightfoot	Sundquist
Duncan	Linder	Talent
Dunn	Livingston	Taylor (NC)
Emerson	Lloyd	Thomas (CA)
Everett	Manzullo	Thomas (WY)
Ewing	McCandless	Torkildsen
Fawell	McCollum	Upton
Fields (TX)	McCrery	Vucanovich
Fish	McDade	Walker
Fowler	McHugh	Waxman
Franks (CT)	McInnis	Weldon
Gallegly	McKeon	Wolf
Gallo	McMillan	Young (FL)
Gekas	Meyers	Zeliff
Gilchrist	Mica	Zimmer
Gillmor	Michel	

NOT VOTING—7

Barrett (WI)	Henry	Wilson
Ford (TN)	Sharp	
Hamburg	Washington	

So 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.

19.7 PRIVILEGES OF THE HOUSE

Mr. SOLOMON submitted the following resolution:

Whereas Article I, section 1, of the Constitution provides that, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives;" and

Whereas Article I, section 2, of the Constitution provides that, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States;" and

Whereas the Committee of the Whole is a device used by the House under which all House members act together to debate and amend bills raising revenues or directly or indirectly appropriating money; and

Whereas the Committee of the Whole is an integral part of the legislative process and the means by which the House of Representatives exercises its legislative powers and prerogatives under the Constitution; and

Whereas on January 5, 1993, the House, in the resolution adopting the Rules of the House for the 103rd Congress (H. Res. 5), included provisions authorizing the Resident Commissioner from Puerto Rico and the delegates from the District of Columbia, Guam, American Samoa and the Virgin Islands to vote in and preside over the Committee of the Whole; and

Whereas attempts to refer the proposal to a select committee to study its constitutionality and to separately vote on such proposal were prevented by procedural votes, and the House was thereby precluded from making a separate determination as to whether such provisions are in conformance with constitutional requirements and Members' sworn duty to uphold the Constitution; and

Whereas such proposal affects the representational rights of duly elected Members of the House under the Constitution and could result in a derogation or denial of such rights; and

Whereas such proposal affects the constitutional lawmaking prerogatives of the House and its Members and the integrity of the process by which bills are considered, and thus raises a question of the privileges of the House; and

Whereas the House has just adopted a resolution making it in order for the Speaker to declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of legislation, and this represents the first instance in the 103rd Congress in which the House is resolving into the Committee of the Whole under the provisions of the new rule allowing non-Members of the House to vote in and Chair the Committee of the Whole; and

Whereas the inability and failure of the House to make a separate determination as to the constitutionality of the proposal prior to this first use of the new rule presents the House with an "extraordinary question" under the Constitution requiring a separate determination and thus raises a question of the privileges of the House; Now, therefore, be it

Resolved, That, as a matter of the constitutional privileges of the House to make all laws and to preserve the integrity of its proceedings and the representational rights of its Members, the implementation of those provisions of House Rules as adopted on January 5, 1993, authorizing the Resident Commissioner from Puerto Rico and the Delegates from the District of Columbia, American Samoa, the Virgin Islands and Guam to vote in and preside over the Committee of

the Whole, shall be delayed until such time that the House has made a separate determination as to whether such provisions can and should be implemented by a Rule of the House, consistent with Article I, sections 1 and 2, of the Constitution.

The SPEAKER made the following statement:

"Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within two legislative days from its being properly noticed. In the current circumstances, however, the Chair is inclined to entertain the matter raised by the gentleman from New York [Mr. SOLOMON] at this point."

Accordingly,

Mr. SOLOMON addressed the Chair, and said:

"Mr. Speaker, the resolution that has been presented calls for a delay in the implementation of those provisions of House rules which would permit non-Member Delegates to vote in and chair the Committee of the Whole until the House has made a separate determination as to whether the House can and should implement such a rule under the existing provisions of the Constitution.

"It clearly raises a question of the privileges of the House for a variety of reasons stated in the precedents of the House under which we operate. It is being offered in a timely manner since the House is about to resolve into the Committee of the Whole for the first time in this 103d Congress under the provision of this new rule.

"In support of this question of privilege, I wish to cite section 662 of the House Rules and Manual, which states that questions of privilege of the House are those which affect 'the integrity of the processes by which bills are considered,' especially when a process is of questionable constitutionality.

"In such instances, the precedents made clear that the issue raises an extraordinary question under the Constitution which is eligible for separate consideration and determination by the House.

"In this regard, the section cites a question of privilege resolution offered on August 15, 1978, involving 'the constitutional question of the vote required to pass a joint resolution extending the State ratification period of a proposed Constitutional amendment.'

"The manual, at section 664 elaborates that this involved 'an extraordinary question * * * where the House had not otherwise made a separate determination on that procedural question' as to whether a majority or two-thirds vote was required to pass a joint resolution extending the ratification period for a constitutional amendment, 'and where consideration of the joint resolution had been made in order.'

"In that instance, after the special order for the joint resolution had been adopted, a question of privilege resolu-

tion was offered which would have required a two-thirds rather than majority vote to pass the joint resolution. After the Chair ruled as to its legitimacy, the question of privilege resolution was subsequently tabled by the House.

"By the same token, the pending question of privilege resolution raises an extraordinary question under the Constitution, on which the House has not made a separate determination. And that extraordinary question is whether delegates can be granted voting privileges in the Committee of the Whole by a rule of the House, or whether a constitutional amendment would be required.

"The resolution specifically requires the House, before implementing the Delegate voting rule, to make a separate determination as to whether the rule can and should be implemented consistent with the provisions of sections 1 and 2 of article I of the Constitution.

"Numerous Supreme Court decisions have held that while the right of the House to determine its own rules of proceeding under the Constitution is nearly absolute, it may not by its rules violate constitutional rights or ignore constitutional mandates.

"In this instance, not only are the representational rights of House Members involved, but the rights of their constituents to equal representation as well.

"In the present instance, as with the 1978 precedent I have cited, the House has never made a separate determination as to whether Delegate voting in the Committee of the Whole can be authorized by rule or whether it requires a constitutional amendment.

"The adoption of House Resolution 5 on January 5 of this year cannot be construed as a separate determination of that issue since the Delegate voting provisions constituted only three of over 20 changes in House rules made by that resolution, all of which were adopted by a single vote.

"Moreover, on three occasions when that House rules resolution was called up or under consideration, attempts to separate the Delegate voting issue were rebuffed by rulings or procedures:

"First on the refusal of the Speaker to recognize a Member to offer a question of privilege resolution that would have required a separate vote;

"Second, on a motion to refer the resolution to a select committee to study and report on the constitutionality of the Delegate voting provisions; and

"Third, on a motion to commit with instructions to delete the Delegate voting provisions. In all three instances, opportunities to separately determine the efficacy and constitutionality of the delegate voting provisions were blocked by procedural moves.

"For the House to protect itself against overreaching its constitutional rulemaking powers, the extraordinary-questioning doctrine enunciated in the 1978 precedent must be applied to such a serious constitutional issue as this.

"The second precedent I will cite in support of this resolution is found at section 664 of the manual, 'a question of privileges of the House is raised' when there is an alleged 'denial of representational rights.'

"While the precedent cited in that incident involved inequitable party ratios at the subcommittee level, the same principle should apply to the possible derogation or denial of representational rights of House Members in the Committee of the Whole where the votes of non-Members could make the difference on important questions.

"Mr. Speaker, I realize that it might be argued that this resolution does not constitute a question of privilege because it might be interpreted as changing the rules of the House.

"However, that is not the case because the resolution only calls for a delay in the implementation of the rule until the House has made a separate determination as to whether it should be implemented in light of the requirements of article I of the Constitution.

"In 1978 precedent, a question of privilege resolution was ruled proper even though it sought to alter the number of Members required to approve the extension from a majority to two-thirds.

"If anything, the 1978 precedent was more far-reaching than the pending question since it would have changed rules already adopted which required only a majority vote for passing legislation brought under a special rule.

"No pretense was made that the joint resolution was framed as an amendment to the Constitution requiring a two-thirds vote of both Houses, let alone ratification by three-fourths of the States.

"And yet the Chair's holding in that 1978 precedent makes clear that it involved extraordinary question under the Constitution, and the resolution therefore constituted a legitimate question of privilege.

"The pending question of privilege resolution does not attempt to force a two-thirds vote of the House to permit implementation of the delegate voting rule. It simply requires the House, by simple majority vote, to make a determination that implementation of the rule is permissible under the Constitution.

"Such a determination could be made immediately after the question of privilege resolution is adopted, and the House could then proceed with the consideration of the pending legislation based on the determination made by the House.

"In conclusion, Mr. Speaker, the issues raised by this resolution clearly involve a question of the privileges of the House and should therefore be allowed for consideration and determination by the House.

"Let us do it the right way. The Chair can do it right now by letting us pass this resolution and then bringing up a resolution which would speak to the admissibility, speak to the con-

stitutionality, and then go ahead with the vote, but we are entitled to that, and so are the people we represent, Mr. Speaker. I would hope that the Chair would rule in my favor.”

The SPEAKER ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

“The gentleman from New York [Mr. SOLOMON] was kind enough to furnish the Chair a copy of his resolution and his supporting arguments citing certain precedents.

“On August 15, 1978, Speaker O’Neill ruled that a question of the privileges of the House may be based on an assertion that the immediate determination of an extraordinary procedural question is indispensable to the integrity of its impending proceedings, where that procedural question was not otherwise addressed in the rules of the House.

“In that case, the question of the vote required to pass a joint resolution proposing an extension of the ratification deadline for a constitutional amendment already passed by Congress and submitted to the State legislatures was not directly addressed in the rules of the House. Indeed, on that occasion the House had not otherwise made a separate determination on that procedural question either in the context of the adoption of its rules for that Congress or of any specific rule.

“In that case, there was no prior House determination of the procedural question being challenged. The uncertainty of the very nature of the extension joint resolution on that occasion—that is, whether it represented legislation passable by a majority or was more tantamount to a constitutional amendment, and whether it required presentation to the President—belied the argument that the rules of the House clearly addressed the procedure.

“In the instant case, the provisions of clause 2 of rule XII and clauses 1(a) and 2(d) of rule XXIII adopted as part of House Resolution 5 on January 5, 1993, specifically address the procedures complained of and sought to be delayed in the pending resolution. A delay in the implementation of a rule is in essence a change in that rule.

“The precedents are clear that the validity of an existing rule of the House may not be challenged under the guise of a question of privilege, whether or not that existing rule was separately adopted by a vote of the House or as part of a package of rules adopted by the House.

“As cited in section 664 of the House rules and manual, the Speaker ruled on January 23, 1984, that a resolution directing that the party ratios of all standing committees, subcommittees, and staffs of the House be changed within a time certain to reflect overall party ratios in the House was held to constitute a change in the rules of the House and not to constitute a proper question of the privileges of the House, since House rules already provided mechanisms for changing the selection

of committee members and staff. The Speaker ruled that because the rules complained of could be properly addressed by proposed rules changes which could be presented to the House in a privileged manner, that is, by resolution reported from the Committee on Rules or discharged therefrom, or in that case by privileged resolutions from the respective party caucuses relating to committee membership, it was not in order to collaterally challenge the fairness of an adopted rule under the guise of a question of privilege.

“By contrast, the ruling of October 2, 1984, cited by the gentleman from New York, involved a situation where the rules of the House did not address the alleged unfairness complained of—subcommittee ratios—and where the resolution offered as a question of privilege only admonished the House to respect the representational rights of minority committee members and did not constitute a directive or admonition to change any rule. That precedent does not support the proposition that the House may as a question of privilege collaterally challenge the fairness or validity of an adopted rule.

“The Chair rules that the resolution does not state a question of privilege under rule IX.”

Mr. SOLOMON appealed the ruling of the Chair.

Mr. GEPHARDT moved to lay the appeal on the table.

The question being put, viva voce, Will the House lay on the table the appeal of the ruling of the Chair?

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 $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 251 \\ \text{affirmative} \dots\dots\dots \left\{ \begin{array}{l} \text{Nays} \dots\dots 174 \end{array} \right. \end{array} \right.$

¶9.8 [Roll No. 14]
YEAS—251

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

Hall (TX)	McCurdy	Sanders
Hamburg	McDermott	Sangmeister
Hamilton	McHale	Sarpaluis
Harman	McKinney	Sawyer
Hastings	McNulty	Schenk
Hayes	Meehan	Schroeder
Hefner	Meek	Schumer
Hilliard	Menendez	Scott
Hinchey	Mfume	Serrano
Hoagland	Miller (CA)	Shepherd
Hochbrueckner	Mineta	Sisisky
Holden	Minge	Skaggs
Hoyer	Mink	Skelton
Hughes	Moakley	Slattery
Hutto	Mollohan	Slughter
Inslee	Montgomery	Slaughter (IA)
Jacobs	Moran	Spratt
Jefferson	Murphy	Stark
Johnson (GA)	Murtha	Stenholm
Johnson (SD)	Nadler	Stokes
Johnson, E. B.	Natcher	Strickland
Johnston	Neal (MA)	Studds
Kanjorski	Neal (NC)	Stupak
Kaptur	Oberstar	Sweet
Kennedy	Obey	Swift
Kennelly	Olver	Synar
Kildee	Ortiz	Tanner
Klecзка	Orton	Tauzin
Klein	Owens	Taylor (MS)
Klink	Pallone	Tejeda
Kopetski	Parker	Thornton
Kreidler	Pastor	Thurman
LaFalce	Payne (NJ)	Torres
Lambert	Payne (VA)	Torricelli
Lancaster	Pelosi	Towns
Lantos	Penny	Trafcant
LaRocco	Peterson (FL)	Tucker
Laughlin	Peterson (MN)	Unsoeld
Lehman	Pickett	Valentine
Levin	Pickle	Velazquez
Lewis (GA)	Pomeroy	Vento
Lipinski	Poshard	Visclosky
Lloyd	Price (NC)	Volkmer
Long	Rahall	Waters
Lowey	Rangel	Watt
Maloney	Reed	Waxman
Mann	Reynolds	Wheat
Manton	Richardson	Whitten
Margolies-	Roemer	Williams
Mezvinisky	Rose	Wilson
Markey	Rostenkowski	Wise
Martinez	Rowland	Woolsey
Matsui	Roybal-Allard	Wyden
Mazzoli	Rush	Wynn
McCloskey	Sabo	Yates

NAYS—174

Allard	Emerson	Kim
Archer	Everett	King
Armey	Ewing	Kingston
Bachus (AL)	Fawell	Klug
Baker (CA)	Fields (TX)	Knollenberg
Baker (LA)	Fish	Kolbe
Ballenger	Fowler	Kyl
Barrett (NE)	Franks (CT)	Lazio
Bartlett	Franks (NJ)	Leach
Barton	Gallely	Levy
Bateman	Gallo	Lewis (CA)
Bentley	Gekas	Lewis (FL)
Bereuter	Gilchrest	Lightfoot
Bilirakis	Gillmor	Linder
Bliley	Gilman	Livingston
Blute	Gingrich	Machtley
Boehlert	Goodlatte	Manzullo
Boehner	Goodling	McCandless
Bonilla	Goss	McCollum
Bunning	Grams	McCrery
Burton	Grandy	McDade
Buyer	Greenwood	McHugh
Callahan	Gunderson	McInnis
Calvert	Hancock	McKeon
Camp	Hansen	McMillan
Canady	Hastert	Meyers
Castle	Hefley	Mica
Clinger	Herger	Michel
Coble	Hobson	Miller (FL)
Collins (GA)	Hoekstra	Molinari
Combest	Hoke	Moorhead
Cox	Horn	Morella
Crane	Houghton	Myers
Crapo	Huffington	Nussle
Cunningham	Hunter	Oxley
DeLoach	Hutchinson	Packard
Diaz-Balart	Hyde	Paxon
Dickey	Inglis	Petri
Doolittle	Inhofe	Pombo
Dornan	Istook	Porter
Dreier	Johnson (CT)	Pryce (OH)
Duncan	Johnson, Sam	Quillen
Dunn	Kasich	Quinn

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 } Yeas 187
negative } 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
Klecзка	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-	Rahall	Waters
Mezvinsky	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 } Yeas 185
negative } 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

Bereuter Hansen Payne (VA) Lehman Ortiz Shepherd
Billbray Hastert Penny Levin Orton Skaggs
Billirakis Hayes Petri Lewis (GA) Owens Slaughter
Blute Pickett Lipinski Pallone Smith (IA)
Boehner Herger Pombo Long Parker Snowe
Bonilla Hobson Porter Lowey Pastor Stark
Brewster Hoekstra Pryce (OH) Machtley Payne (NJ) Stokes
Bunning Hoke Quillen Maloney Pelosi Strickland
Burton Quinn Mann Peterson (FL) Studds
Buyer Houghton Ramstad Manton Peterson (MN) Stupak
Callahan Huffington Regula Margolies-Pickel Sweet
Calvert Hughes Ridge Mezvinsky Pomeroy Swift
Camp Hunter Roberts Markey Poshard Synar
Canady Hutchinson Rogers Martinez Price (NC) Tanner
Carr Hyde Rohrabacher Matsui Rahall Tejeda
Castle Inglis Roth Mazzoli Rangel Thornton
Clinger Inhofe Rowland McCloskey Ravenel Thurman
Collins (GA) Istook Royce McCurdy Reed Torres
Combust Johnson (CT) Santorum McDermott Reynolds Torricelli
Cox Johnson, Sam Schaefer McHale Richardson Towns
Crane Kasich Schiff McKinney Roemer Traficant
Crapo Kim Sensenbrenner McNulty Romero-Barcelo Tucker
Cunningham King Shaw Meehan (PR) Underwood (GU)
Deal Kingston Shuster Meek Unsoeld
DeLay Knollenberg Siskey Menendez Rose Velazquez
Dickey Kolbe Miller (CA) Rostenkowski Vento
Doolittle Kyl Skelton Mineta Roukema Visclosky
Dornan Lancaster Slattery Mink Roybal-Allard Volkmer
Dreier Lazio Smith (MI) Moakley Rush Watt
Duncan Leach Smith (NJ) Molinari Sabo Waxman
Dunn Levy Smith (OR) Mollohan Sanders Wheat
Edwards (TX) Lewis (CA) Morella Sangmeister Williams
Emerson Lewis (FL) Solomon Murphy Sarpalius Wilson
Everett Lightfoot Spence Murtha Sawyer Wise
Ewing Linder Spratt Nadler Saxton Wilson Woolsey
Fawell Livingston Stearns Natcher Schenk Wyden
Fields (TX) Lloyd Stenholm Neal (MA) Schroeder Wynn
Fowler Stump Norton (DC) Schumder Yates
Franks (CT) McCandless Sundquist Oberstar Scott Young (FL)
Gallegly Talant Oby Sharp Shays
Gallo McCrery Tauzin Olver
Gekas McDade Taylor (MS)
Geren McHugh Taylor (NC)
Gilchrist McInnis Thomas (CA)
Gillmor McKeon Thomas (WY)
Gilman Meyers Torkildsen
Gingrich Mica Upton
Glickman Michel Valentine
Goodlatte Miller (FL) Vucanovich
Goodling Minge Walker
Goss Montgomery Walsh
Grams Moorhead Weldon
Grandy Myers Whitten
Greenwood Neal (NC) Wolf
Gunderson Nussle Young (AK)
Hall (TX) Oxley Zeliff
Hamilton Packard Zimmer
Hancock Paxon

NOES—238

Abercrombie Cooper Gejdenson
Ackerman Coppersmith Gephardt
Andrews (ME) Costello Gibbons
Andrews (NJ) Coyne Gonzalez
Andrews (TX) Cramer Gordon
Applegate Danner Green
Bacchus (FL) Darden Gutierrez
Baesler de la Garza Hall (OH)
Barcia de Lugo (VI) Hamburg
Barlow DeFazio Harman
Barrett (WI) DeLauro Hefner
Becerra Dellums Hilliard
Beilenson Derrick Hinchey
Berman Deutsch Hoagland
Bevill Diaz-Balart Hochbrueckner
Bishop Dicks Holden
Blackwell Dingell Hoyer
Boehlert Dixon Hutto
Bonior Dooley Insole
Borski Durbin Jacobs
Boucher Edwards (CA) Jefferson
Brooks Engel Johnson (GA)
Browder English (AZ) Johnson (SD)
Brown (CA) English (OK) Johnson, E.B.
Brown (FL) Eshoo Johnston
Brown (OH) Evans Kanjorski
Bryant Faleomavaega Kennedy
Byrne (AS) Kennelly
Cantwell Fazio Kildee
Cardin Fields (LA) Kleczka
Chapman Filner Klein
Clay Fingerhut Klink
Clayton Fish Klug
Clement Flake Kopetski
Clyburn Foglietta Kreidler
Coleman Ford (MI) LaFalce
Collins (IL) Frank (MA) Lambert
Collins (MI) Franks (NJ) Lantos
Condit Frost LaRocco
Conyers Furse Laughlin

Lehman Ortiz Shepherd
Levin Orton Skaggs
Lewis (GA) Owens Slaughter
Lipinski Pallone Smith (IA)
Long Parker Snowe
Lowey Pastor Stark
Machtley Payne (NJ) Stokes
Maloney Pelosi Strickland
Mann Peterson (FL) Studds
Manton Peterson (MN) Stupak
Margolies-Pickel Sweet
Mezvinsky Pomeroy Swift
Markey Poshard Synar
Martinez Price (NC) Tanner
Matsui Rahall Tejeda
Mazzoli Rangel Thornton
McCloskey Ravenel Thurman
McCurdy Reed Torres
McDermott Reynolds Torricelli
McHale Richardson Towns
McKinney Roemer Traficant
McNulty Romero-Barcelo Tucker
Meehan (PR) Underwood (GU)
Meek Unsoeld
Menendez Rose Velazquez
Miller (CA) Rostenkowski Vento
Mineta Roukema Visclosky
Mink Roybal-Allard Volkmer
Moakley Rush Watt
Molinari Sabo Waxman
Mollohan Sanders Wheat
Morella Sangmeister Williams
Murphy Sarpalius Wilson
Murtha Sawyer Wise
Nadler Saxton Wilson Woolsey
Natcher Schenk Wyden
Neal (MA) Schroeder Wynn
Norton (DC) Schumder Yates
Oberstar Scott Young (FL)
Oby Sharp Shays

NOT VOTING—12

Bliley Henry Moran
Coble Kaptur Serrano
Ford (TN) McMillan Washington
Hastings Mfume Waters

So the amendment was not agreed to.
After some further time,

9.17 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 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.

It was decided in the affirmative { Yeas 223
Nays 209

9.18 [Roll No. 17]
AYES—223

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

NOES—209

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

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	Mfume	Strickland	Hinche	Minge	Stark			
Hamilton	Mfume	Studds	Hoagland	Mink	Stokes			
Harman	Miller (CA)	Stupak	Hochbrueckner	Moakley	Strickland			
Hastings	Mineta	Sweet	Hoke	Molinari	Studds			
Hefner	Mink	Swift	Holden	Mollohan	Stupak			
Hilliard	Moakley	Synar	Horn	Moran	Sweet			
Hinche	Mollohan	Tejada	Hoyer	Morella	Swift			
Hoagland	Murphy	Thurman	Huffington	Murphy	Synar			
Hochbrueckner	Murtha	Torres	Hughes	Murtha	Tanner			
Holden	Nadler	Torricelli	Hyde	Nadler	Taylor (MS)			
Hoyer	Natcher	Towns	Inslee	Natcher	Tejada			
Inslee	Neal (MA)	Trafficant	Jacobs	Neal (MA)	Thornton			
Jefferson	Norton (DC)	Tucker	Jefferson	Neal (NC)	Thurman			
Johnson (GA)	Oberstar	Underwood (GU)	Johnson (CT)	Norton (DC)	Torricelli			
Johnson (SD)	Obey	Unsoeld	Johnson (GA)	Obey	Towns			
Johnson, E. B.	Olver	Velazquez	Johnson (SD)	Olver	Trafficant			
Johnston	Owens	Vento	Johnson, E. B.	Ortiz	Tucker			
Kanjorski	Pallone	Visclosky	Johnston	Owens	Underwood (GU)			
Kennedy	Parker	Washington	Kanjorski	Pallone	Pastor			
Kennelly	Pastor	Waters	Kaptur	Ansoeld	Velazquez			
Kildee	Payne (NJ)	Watt	Kennedy	Payne (NJ)	Vento			
Klecicka	Pelosi	Waxman	Kennelly	Pelosi	Visclosky			
Klein	Peterson (FL)	Wheat	Kildee	Peterson (FL)	Volkmer			
Klink	Peterson (MN)	Williams	Klecicka	Peterson (MN)	Walsh			
Kopetski	Pickle	Wilson	Klein	Petri	Washington			
Kreidler	Pomeroy	Wise	Klink	Pickle	Waters			
LaFalce	Poshard	Woolsey	Klug	Pomeroy	Watt			
Lantos	Price (NC)	Wyden	Kopetski	Poshard	Waxman			
LaRocco	Rahall	Wynn	Kreidler	Price (NC)	Weldon			
Laughlin	Rangel	Yates	LaFalce	Quinn	Wheat			
	Reed		Lambert	Rahall	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	Lowey	Young (FL)			
			Machtley	Ros-Lehtinen	Zimmer			
				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	Sweet
Hinchey	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:

(1) **COMMERCE.**—The terms “commerce” and “industry or activity affecting commerce” mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include “commerce” and any “industry affecting commerce”, as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142 (1) and (3)).

(2) **ELIGIBLE EMPLOYEE.**—

(A) **IN GENERAL.**—The term “eligible employee” means an employee who has been employed—

(i) for at least 12 months by the employer with respect to whom leave is requested under section 102; and

(ii) for at least 1,250 hours of service with such employer during the previous 12-month period.

(B) **EXCLUSIONS.**—The term “eligible employee” does not include—

(i) any Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code (as added by title II of this Act); or

(ii) any employee of an employer who is employed at a worksite at which such employer employs less than 50 employees if the total number of employees employed by that employer within 75 miles of that worksite is less than 50.

(C) **DETERMINATION.**—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.

(3) **EMPLOY; EMPLOYEE; STATE.**—The terms “employ”, “employee”, and “State” have the same meanings given such terms in subsections (c), (e), and (g) of section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203 (c), (e), and (g)).

(4) **EMPLOYER.**—

(A) **IN GENERAL.**—The term “employer”—

(i) means any person engaged in commerce or in any industry or activity affecting commerce who employs 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year;

(ii) includes—

(I) any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer; and

(II) any successor in interest of an employer; and

(iii) includes any “public agency”, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).

(B) **PUBLIC AGENCY.**—For purposes of subparagraph (A)(iii), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(5) **EMPLOYMENT BENEFITS.**—The term “employment benefits” means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an “employee benefit plan”, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

(6) **HEALTH CARE PROVIDER.**—The term “health care provider” means—

(A) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or

(B) any other person determined by the Secretary to be capable of providing health care services.

(7) **PARENT.**—The term “parent” means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.

(8) **PERSON.**—The term “person” has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(9) **REDUCED LEAVE SCHEDULE.**—The term “reduced leave schedule” means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.

(11) **SERIOUS HEALTH CONDITION.**—The term “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves—

(A) inpatient care in a hospital, hospice, or residential medical care facility; or

(B) continuing treatment by a health care provider.

(12) **SON OR DAUGHTER.**—The term “son or daughter” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

(14) **SPOUSE.**—The term spouse means a husband or wife under the law of any State.

SEC. 102. LEAVE REQUIREMENT.

(a) **IN GENERAL.**—

(1) **ENTITLEMENT TO LEAVE.**—Subject to section 103, an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period for one or more of the following:

(A) Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.

(B) Because of the placement of a son or daughter with the employee for adoption or foster care.

(C) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.

(D) Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

(2) **EXPIRATION OF ENTITLEMENT.**—The entitlement to leave under subparagraphs (A) and (B) of paragraph (1) for a birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

Amendment offered by Mr. GOODLING: 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.

(2) **ALTERNATIVE POSITION.**—If an employee requests intermittent leave, or leave on a reduced leave schedule, under subparagraph (C) or (D) of subsection (a)(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—

(A) has equivalent pay and benefits; and

(B) better accommodates recurring periods of leave than the regular employment position of the employee.

(c) **UNPAID LEAVE PERMITTED.**—Except as provided in subsection (d), leave granted under subsection (a) may consist of unpaid leave. Where an employee is otherwise exempt under regulations issued by the Secretary pursuant to section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)), the compliance of an employer with this title by providing unpaid leave shall not affect the exempt status of the employee under such section.

(d) **RELATIONSHIP TO PAID LEAVE.**—

(1) **UNPAID LEAVE.**—If an employer provides paid leave for fewer than 12 workweeks, the additional weeks of leave necessary to attain the 12 workweeks of leave required under this title may be provided without compensation.

(2) **SUBSTITUTION OF PAID LEAVE.**—

(A) **IN GENERAL.**—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or family leave of the employee for leave provided under subparagraph (A), (B), or (C) of subsection (a)(1) for any part of the 12-week period of such leave under such subsection.

(B) **SERIOUS HEALTH CONDITION.**—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or medical or sick leave of the employee for leave provided under subparagraph (C) or (D) of subsection (a)(1) for any part of the 12-week period of such leave under such subsection, except that nothing in this title shall require an employer to provide paid sick leave or paid medical leave in any situation in which such employer would not normally provide any such paid leave.

(e) **FORESEEABLE LEAVE.**—

(1) **REQUIREMENT OF NOTICE.**—In any case in which the necessity for leave under subparagraph (A) or (B) of subsection (a)(1) is foreseeable based on an expected birth or placement, the employee shall provide the employer with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

(2) **DUTIES OF EMPLOYEE.**—In any case in which the necessity for leave under subparagraph (C) or (D) of subsection (a)(1) is foreseeable based on planned medical treatment, the employee—

(A) shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate; and

(B) shall provide the employer with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the treatment re-

quires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

(f) SPOUSES EMPLOYED BY THE SAME EMPLOYER.—In any case in which a husband and wife entitled to leave under subsection (a) are employed by the same employer, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during any 12-month period, if such leave is taken—

(1) under subparagraph (A) or (B) of subsection (a)(1); or

(2) to care for a sick parent under subparagraph (C) of such subsection.

SEC. 103. CERTIFICATION.

(a) IN GENERAL.—An employer may require that a request for leave under subparagraph (C) or (D) of section 102(a)(1) be supported by a certification issued by the health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee, as appropriate. The employee shall provide, in a timely manner, a copy of such certification to the employer.

(b) SUFFICIENT CERTIFICATION.—Certification provided under subsection (a) shall be sufficient if it states—

(1) the date on which the serious health condition commenced;

(2) the probable duration of the condition;

(3) the appropriate medical facts within the knowledge of the health care provider regarding the condition;

(4)(A) for purposes of leave under section 102(a)(1)(C), a statement that the eligible employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent; and

(B) for purposes of leave under section 102(a)(1)(D), a statement that the employee is unable to perform the functions of the position of the employee; and

(5) in the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.

(c) SECOND OPINION.—

(1) IN GENERAL.—In any case in which the employer has reason to doubt the validity of the certification provided under subsection (a) for leave under subparagraph (C) or (D) of section 102(a)(1), the employer may require, at the expense of the employer, that the eligible employee obtain the opinion of a second health care provider designated or approved by the employer concerning any information certified under subsection (b) for such leave.

(2) LIMITATION.—A health care provider designated or approved under paragraph (1) shall not be employed on a regular basis by the employer.

(d) RESOLUTION OF CONFLICTING OPINIONS.—

(1) IN GENERAL.—In any case in which the second opinion described in subsection (c) differs from the opinion in the original certification provided under subsection (a), the employer may require, at the expense of the employer, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee concerning the information certified under subsection (b).

(2) FINALITY.—The opinion of the third health care provider concerning the information certified under subsection (b) shall be considered to be final and shall be binding on the employer and the employee.

(e) SUBSEQUENT RECERTIFICATION.—The employer may require that the eligible employee obtain subsequent recertifications on a reasonable basis.

SEC. 104. EMPLOYMENT AND BENEFITS PROTECTION.

(a) RESTORATION TO POSITION.—

(1) IN GENERAL.—Except as provided in subsection (b), any eligible employee who takes leave under section 102 for the intended purpose of the leave shall be entitled, on return from such leave—

(A) to be restored by the employer to the position of employment held by the employee when the leave commenced; or

(B) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(2) LOSS OF BENEFITS.—The taking of leave under section 102 shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

(3) LIMITATIONS.—Nothing in this section shall be construed to entitle any employee to—

(A) the accrual of any seniority or employment benefits during any period of leave; or

(B) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

(4) CERTIFICATION.—As a condition of restoration under paragraph (1) for an employee who has taken leave under section 102(a)(1)(D), the employer may have a uniformly applied practice or policy that requires each such employee to receive certification from the health care provider of the employee that the employee is able to resume work, except that nothing in this paragraph shall supersede a valid State or local law or a collective bargaining agreement that governs the return to work of such employees.

(5) CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit an employer from requiring an employee on leave under section 102 to report periodically to the employer on the status and intention of the employee to return to work.

(b) EXEMPTION CONCERNING CERTAIN HIGHLY COMPENSATED EMPLOYEES.—

(1) DENIAL OF RESTORATION.—An employer may deny restoration under subsection (a) to any eligible employee described in paragraph (2) if—

(A) such denial is necessary to prevent substantial and grievous economic injury to the operations of the employer;

(B) the employer notifies the employee of the intent of the employer to deny restoration on such basis at the time the employer determines that such injury would occur; and

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

(2) AFFECTED EMPLOYEES.—An eligible employee described in paragraph (1) is a salaried eligible employee who is among the highest paid 10 percent of the employees employed by the employer within 75 miles of the facility at which the employee is employed.

(c) MAINTENANCE OF HEALTH BENEFITS.—

(1) COVERAGE.—Except as provided in paragraph (2), during any period that an eligible employee takes leave under section 102, the employer shall maintain coverage under any “group health plan” (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

(2) FAILURE TO RETURN FROM LEAVE.—The employer may recover the premium that the employer paid for maintaining coverage for the employee under such group health plan during any period of unpaid leave under section 102 if—

(A) the employee fails to return from leave under section 102 after the period of leave to

which the employee is entitled has expired; and

(B) the employee fails to return to work for a reason other than—

(i) the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave under subparagraph (C) or (D) of section 102(a)(1); or

(ii) other circumstances beyond the control of the employee.

(3) CERTIFICATION.—

(A) ISSUANCE.—An employer may require that a claim that an employee is unable to return to work because of the continuation, recurrence, or onset of the serious health condition described in paragraph (2)(B)(i) be supported by—

(i) a certification issued by the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate, in the case of an employee unable to return to work because of a condition specified in section 102(a)(1)(C); or

(ii) a certification issued by the health care provider of the eligible employee, in the case of an employee unable to return to work because of a condition specified in section 102(a)(1)(D).

(B) COPY.—The employee shall provide, in a timely manner, a copy of such certification to the employer.

(C) SUFFICIENCY OF CERTIFICATION.—

(i) LEAVE DUE TO SERIOUS HEALTH CONDITION OF FAMILY MEMBER.—The certification described in subparagraph (A)(i) shall be sufficient if the certification states that the employee is needed to care for the son, daughter, spouse, or parent who has a serious health condition on the date that the leave of the employee expired.

(ii) LEAVE DUE TO SERIOUS HEALTH CONDITION OF EMPLOYEE.—The certification described in subparagraph (A)(ii) shall be sufficient if the certification states that a serious health condition prevented the employee from being able to perform the functions of the position of the employee on the date that the leave of the employee expired.

SEC. 105. PROHIBITED ACTS.

(a) INTERFERENCE WITH RIGHTS.—

(1) EXERCISE OF RIGHTS.—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise, any right provided under this title.

(2) DISCRIMINATION.—It shall be unlawful for any employer to discharge or in any other manner discriminate against any individual for opposing any practice made unlawful by this title.

(b) INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.—It shall be unlawful for any person to discharge or in any other manner discriminate against any individual because such individual—

(1) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this title;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this title; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this title.

SEC. 106. INVESTIGATIVE AUTHORITY.

(a) IN GENERAL.—To ensure compliance with the provisions of this title, or any regulation or order issued under this title, the Secretary shall have, subject to subsection (c), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)).

(b) OBLIGATION TO KEEP AND PRESERVE RECORDS.—Any employer shall make, keep, and preserve records pertaining to compliance with this title in accordance with section 11(c) of the Fair Labor Standards Act of

1938 (29 U.S.C. 211(c)) and in accordance with regulations issued by the Secretary.

(c) **REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.**—The Secretary shall not under the authority of this section require any employer or any plan, fund, or program to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this title or any regulation or order issued pursuant to this title, or is investigating a charge pursuant to section 107(b).

(d) **SUBPOENA POWERS.**—For the purposes of any investigation provided for in this section, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

SEC. 107. ENFORCEMENT.

(a) **CIVIL ACTION BY EMPLOYEES.**—

(1) **LIABILITY.**—Any employer who violates section 105 shall be liable to any eligible employee affected—

(A) for damages equal to—

(i) the amount of—

(I) any wages, salary, employment benefits, or other compensation denied or lost to such employee by reason of the violation; or

(II) in a case in which wages, salary, employment benefits, or other compensation have not been denied or lost to the employee, any actual monetary losses sustained by the employee as a direct result of the violation, such as the cost of providing care, up to a sum equal to 12 weeks of wages or salary for the employee;

(ii) the interest on the amount described in clause (i) calculated at the prevailing rate; and

(iii) an additional amount as liquidated damages equal to the sum of the amount described in clause (i) and the interest described in clause (ii), except that if an employer who has violated section 105 proves to the satisfaction of the court that the act or omission which violated section 105 was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of section 105, such court may, in the discretion of the court, reduce the amount of the liability to the amount and interest determined under clauses (i) and (ii), respectively; and

(B) for such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(2) **RIGHT OF ACTION.**—An action to recover the damages or equitable relief prescribed in paragraph (1) may be maintained against any employer (including a public agency) in any Federal or State court of competent jurisdiction by any one or more employees for and in behalf of—

(A) the employees; or

(B) the employees and other employees similarly situated.

(3) **FEES AND COSTS.**—The court in such an action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) **LIMITATIONS.**—The right provided by paragraph (2) to bring an action by or on behalf of any employee shall terminate—

(A) on the filing of a complaint by the Secretary in an action under subsection (d) in which restraint is sought of any further delay in the payment of the amount described in paragraph (1)(A) to such employee by an employer responsible under paragraph (1) for the payment; or

(B) on the filing of a complaint by the Secretary in an action under subsection (b) in which a recovery is sought of the damages described in paragraph (1)(A) owing to an eli-

gible employee by an employer liable under paragraph (1);

unless the action described in subparagraph (A) or (B) is dismissed without prejudice on motion of the Secretary.

(b) **ACTION BY THE SECRETARY.**—

(1) **ADMINISTRATIVE ACTION.**—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 105 in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(2) **CIVIL ACTION.**—The Secretary may bring an action in any court of competent jurisdiction to recover the damages described in subsection (a)(1)(A).

(3) **SUMS RECOVERED.**—Any sums recovered by the Secretary pursuant to paragraph (2) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each employee affected. Any such sums not paid to an employee because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

(c) **LIMITATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), an action may be brought under this section not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(2) **WILLFUL VIOLATION.**—In the case of such action brought for a willful violation of section 105, such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(3) **COMMENCEMENT.**—In determining when an action is commenced by the Secretary under this section for the purposes of this subsection, it shall be considered to be commenced on the date when the complaint is filed.

(d) **ACTION FOR INJUNCTION BY SECRETARY.**—The district courts of the United States shall have jurisdiction, for cause shown, in an action brought by the Secretary—

(1) to restrain violations of section 105, including the restraint of any withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to eligible employees; or

(2) to award such other equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(e) **SOLICITOR OF LABOR.**—The Solicitor of Labor may appear for and represent the Secretary on any litigation brought under this section.

SEC. 108. SPECIAL RULES CONCERNING EMPLOYEES OF LOCAL EDUCATIONAL AGENCIES.

(a) **APPLICATION.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, the rights (including the rights under section 104, which shall extend throughout the period of leave of any employee under this section), remedies, and procedures under this title shall apply to—

(A) any "local educational agency" (as defined in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12))) and an eligible employee of the agency; and

(B) any private elementary or secondary school and an eligible employee of the school.

(2) **DEFINITIONS.**—For purposes of the application described in paragraph (1):

(A) **ELIGIBLE EMPLOYEE.**—The term "eligible employee" means an eligible employee of an agency or school described in paragraph (1).

(B) **EMPLOYER.**—The term "employer" means an agency or school described in paragraph (1).

(b) **LEAVE DOES NOT VIOLATE CERTAIN OTHER FEDERAL LAWS.**—A local educational agency and a private elementary or secondary school shall not be in violation of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), solely as a result of an eligible employee of such agency or school exercising the rights of such employee under this title.

(c) **INTERMITTENT LEAVE AND LEAVE ON A REDUCED SCHEDULE FOR INSTRUCTIONAL EMPLOYEES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), in any case in which an eligible employee employed principally in an instructional capacity by any such educational agency or school requests leave under subparagraph (C) or (D) of section 102(a)(1) that is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the agency or school may require that such employee elect either—

(A) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or

(B) 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.

(2) **APPLICATION.**—The elections described in subparagraphs (A) and (B) of paragraph (1) shall apply only with respect to an eligible employee who complies with section 102(e)(2).

(d) **RULES APPLICABLE TO PERIODS NEAR THE CONCLUSION OF AN ACADEMIC TERM.**—The following rules shall apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity by any such educational agency or school:

(1) **LEAVE MORE THAN 5 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under section 102 more than 5 weeks prior to the end of the academic term, the agency or school may require the employee to continue taking leave until the end of such term, if—

(A) the leave is of at least 3 weeks duration; and

(B) the return to employment would occur during the 3-week period before the end of such term.

(2) **LEAVE LESS THAN 5 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under subparagraph (A), (B), or (C) of section 102(a)(1) during the period that commences 5 weeks prior to the end of the academic term, the agency or school may require the employee to continue taking leave until the end of such term, if—

(A) the leave is of greater than 2 weeks duration; and

(B) the return to employment would occur during the 2-week period before the end of such term.

(3) **LEAVE LESS THAN 3 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under subparagraph (A), (B), or (C) of section 102(a)(1) during the period that commences 3 weeks prior to the end of the academic term and the duration of the leave is greater than 5 working days, the agency or school may require the employee to continue to take leave until the end of such term.

(e) **RESTORATION TO EQUIVALENT EMPLOYMENT POSITION.**—For purposes of determina-

tions under section 104(a)(1)(B) (relating to the restoration of an eligible employee to an equivalent position), in the case of a local educational agency or a private elementary or secondary school, such determination shall be made on the basis of established school board policies and practices, private school policies and practices, and collective bargaining agreements.

(f) REDUCTION OF THE AMOUNT OF LIABILITY.—If a local educational agency or a private elementary or secondary school that has violated this title proves to the satisfaction of the court that the agency, school, or department had reasonable grounds for believing that the underlying act or omission was not a violation of this title, such court may, in the discretion of the court, reduce the amount of the liability provided for under section 107(a)(1)(A) to the amount and interest determined under clauses (i) and (ii), respectively, of such section.

SEC. 109. NOTICE.

(a) IN GENERAL.—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the Secretary, setting forth excerpts from, or summaries of, the pertinent provisions of this title and information pertaining to the filing of a charge.

(b) PENALTY.—Any employer that willfully violates this section may be assessed a civil money penalty not to exceed \$100 for each separate offense.

TITLE II—LEAVE FOR CIVIL SERVICE EMPLOYEES

SEC. 201. LEAVE REQUIREMENT.

(a) CIVIL SERVICE EMPLOYEES.—

(1) IN GENERAL.—Chapter 63 of title 5, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER V—FAMILY AND MEDICAL LEAVE

“§ 6381. Definitions

“For the purpose of this subchapter—

“(1) the term ‘employee’ means any individual who—

“(A) is an ‘employee’, as defined by section 6301(2), including any individual employed in a position referred to in clause (v) or (ix) of section 6301(2), but excluding any individual employed by the government of the District of Columbia and any individual employed on a temporary or intermittent basis; and

“(B) has completed at least 12 months of service as an employee (within the meaning of subparagraph (A));

“(2) the term ‘health care provider’ means—

“(A) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; and

“(B) any other person determined by the Director of the Office of Personnel Management to be capable of providing health care services;

“(3) the term ‘parent’ means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter;

“(4) the term ‘reduced leave schedule’ means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee;

“(5) the term ‘serious health condition’ means an illness, injury, impairment, or physical or mental condition that involves—

“(A) inpatient care in a hospital, hospice, or residential medical care facility; or

“(B) continuing treatment by a health care provider; and

“(6) the term ‘son or daughter’ means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

“(A) under 18 years of age; or

“(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“§ 6382. Leave requirement

“(a)(1) Subject to section 6383, an employee shall be entitled to a total of 12 administrative workweeks of leave during any 12-month period for one or more of the following:

“(A) Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.

“(B) Because of the placement of a son or daughter with the employee for adoption or foster care.

“(C) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.

“(D) Because of a serious health condition that makes the employee unable to perform the functions of the employee’s position.

“(2) The entitlement to leave under subparagraph (A) or (B) of paragraph (1) based on the birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

“(b)(1) Leave under subparagraph (A) or (B) of subsection (a)(1) shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the employing agency of the employee agree otherwise. Subject to paragraph (2), subsection (e)(2), and section 6383(b)(5), leave under subparagraph (C) or (D) of subsection (a)(1) may be taken intermittently or on a reduced leave schedule when medically necessary. In the case of an employee who takes leave intermittently or on a reduced leave schedule pursuant to this paragraph, any hours of leave so taken by such employee shall be subtracted from the total amount of leave remaining available to such employee under subsection (a), for purposes of the 12-month period involved, on an hour-for-hour basis.

“(2) If an employee requests intermittent leave, or leave on a reduced leave schedule, under subparagraph (C) or (D) of subsection (a)(1) that is foreseeable based on planned medical treatment, the employing agency may require such employee to transfer temporarily to an available alternative position offered by the employing agency for which the employee is qualified and that—

“(A) has equivalent pay and benefits; and

“(B) better accommodates recurring periods of leave than the regular employment position of the employee.

“(c) Except as provided in subsection (d), leave granted under subsection (a) shall be leave without pay.

“(d) An employee may elect to substitute for leave under subparagraph (A), (B), (C), or (D) of subsection (a)(1) any of the employee’s accrued or accumulated annual or sick leave under subchapter I for any part of the 12-week period of leave under such subsection, except that nothing in this subchapter shall require an employing agency to provide paid sick leave in any situation in which such employing agency would not normally provide any such paid leave.

“(e)(1) In any case in which the necessity for leave under subparagraph (A) or (B) of subsection (a)(1) is foreseeable based on an expected birth or placement, the employee shall provide the employing agency with not less than 30 days’ notice, before the date the leave is to begin, of the employee’s intention to take leave under such subparagraph, except that if the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

“(2) In any case in which the necessity for leave under subparagraph (C) or (D) of subsection (a)(1) is foreseeable based on planned medical treatment, the employee—

“(A) shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employing agency, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate; and

“(B) shall provide the employing agency with not less than 30 days’ notice, before the date the leave is to begin, of the employee’s intention to take leave under such subparagraph, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

“§ 6383. Certification

“(a) An employing agency may require that a request for leave under subparagraph (C) or (D) of section 6382(a)(1) be supported by certification issued by the health care provider of the employee or of the son, daughter, spouse, or parent of the employee, as appropriate. The employee shall provide, in a timely manner, a copy of such certification to the employing agency.

“(b) A certification provided under subsection (a) shall be sufficient if it states—

“(1) the date on which the serious health condition commenced;

“(2) the probable duration of the condition;

“(3) the appropriate medical facts within the knowledge of the health care provider regarding the condition;

“(4)(A) for purposes of leave under section 6382(a)(1)(C), a statement that the employee is needed to care for the son, daughter, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent; and

“(B) for purposes of leave under section 6382(a)(1)(D), a statement that the employee is unable to perform the functions of the position of the employee; and

“(5) in the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.

“(c)(1) In any case in which the employing agency has reason to doubt the validity of the certification provided under subsection (a) for leave under subparagraph (C) or (D) of section 6382(a)(1), the employing agency may require, at the expense of the agency, that the employee obtain the opinion of a second health care provider designated or approved by the employing agency concerning any information certified under subsection (b) for such leave.

“(2) Any health care provider designated or approved under paragraph (1) shall not be employed on a regular basis by the employing agency.

“(d)(1) In any case in which the second opinion described in subsection (c) differs from the original certification provided under subsection (a), the employing agency may require, at the expense of the agency, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employing agency and the employee concerning the information certified under subsection (b).

“(2) The opinion of the third health care provider concerning the information certified under subsection (b) shall be considered to be final and shall be binding on the employing agency and the employee.

“(e) The employing agency may require, at the expense of the agency, that the employee obtain subsequent recertifications on a reasonable basis.

“§ 6384. Employment and benefits protection

“(a) Any employee who takes leave under section 6382 for the intended purpose of the leave shall be entitled, upon return from such leave—

“(1) to be restored by the employing agency to the position held by the employee when the leave commenced; or

“(2) to be restored to an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment.

“(b) The taking of leave under section 6382 shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

“(c) Except as otherwise provided by or under law, nothing in this section shall be construed to entitle any restored employee to—

“(1) the accrual of any employment benefits during any period of leave; or

“(2) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

“(d) As a condition to restoration under subsection (a) for an employee who takes leave under section 6382(a)(1)(D), the employing agency may have a uniformly applied practice or policy that requires each such employee to receive certification from the health care provider of the employee that the employee is able to resume work.

“(e) Nothing in this section shall be construed to prohibit an employing agency from requiring an employee on leave under section 6382 to report periodically to the employing agency on the status and intention of the employee to return to work.

“§ 6385. Prohibition of coercion

“(a) An employee shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with the exercise of any rights which such other employee may have under this subchapter.

“(b) For the purpose of this section—

“(1) the term ‘intimidate, threaten, or coerce’ includes promising to confer or conferring any benefit (such as appointment, promotion, or compensation), or taking or threatening to take any reprisal (such as deprivation of appointment, promotion, or compensation); and

“(2) the term ‘employee’ means any ‘employee’, as defined by section 2105.

“§ 6386. Health insurance

“An employee enrolled in a health benefits plan under chapter 89 who is placed in a leave status under section 6382 may elect to continue the health benefits enrollment of the employee while in such leave status and arrange to pay currently into the Employees Health Benefits Fund (described in section 8909), the appropriate employee contributions.

“§ 6387. Regulations

“The Office of Personnel Management shall prescribe regulations necessary for the administration of this subchapter. The regulations prescribed under this subchapter shall, to the extent appropriate, be consistent with the regulations prescribed by the Secretary of Labor to carry out title I of the Family and Medical Leave Act of 1993.”

(2) TABLE OF CONTENTS.—The table of contents for chapter 63 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—FAMILY AND MEDICAL LEAVE

“6381. Definitions.

“6382. Leave requirement.

“6383. Certification.

“6384. Employment and benefits protection.

“6385. Prohibition of coercion.

“6386. Health insurance.

“6387. Regulations.”.

(b) EMPLOYEES PAID FROM NON-APPROPRIATED FUNDS.—Section 2105(c)(1) of title 5, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (C); and

(2) by adding at the end the following new subparagraph:

“(E) subchapter V of chapter 63, which shall be applied so as to construe references to benefit programs to refer to applicable programs for employees paid from non-appropriated funds; or”.

TITLE III—COMMISSION ON LEAVE

SEC. 301. ESTABLISHMENT.

There is established a commission to be known as the Commission on Leave (referred to in this title as the “Commission”).

SEC. 302. DUTIES.

The Commission shall—

(1) conduct a comprehensive study of—

(A) existing and proposed policies relating to leave;

(B) the potential costs, benefits, and impact on productivity of such policies on employers; and

(C) alternative and equivalent State enforcement of title I of this Act with respect to employees described in section 108(a); and

(2) not later than 2 years after the date on which the Commission first meets, prepare and submit, to the appropriate Committees of Congress, a report concerning the subjects listed in paragraph (1).

SEC. 303. MEMBERSHIP.

(a) COMPOSITION.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 voting members and 2 ex officio members to be appointed not later than 60 days after the date of the enactment of this Act as follows:

(A) SENATORS.—One Senator shall be appointed by the Majority Leader of the Senate, and one Senator shall be appointed by the Minority Leader of the Senate.

(B) MEMBERS OF HOUSE OF REPRESENTATIVES.—One Member of the House of Representatives shall be appointed by the Speaker of the House of Representatives, and one Member of the House of Representatives shall be appointed by the Minority Leader of the House of Representatives.

(C) ADDITIONAL MEMBERS.—

(i) APPOINTMENT.—Two members each shall be appointed by—

(I) the Speaker of the House of Representatives;

(II) the Majority Leader of the Senate;

(III) the Minority Leader of the House of Representatives; and

(IV) the Minority Leader of the Senate.

(ii) EXPERTISE.—Such members shall be appointed by virtue of demonstrated expertise in relevant family, temporary disability, and labor-management issues and shall include representatives of employers.

(2) EX OFFICIO MEMBERS.—The Secretary of Health and Human Services and the Secretary of Labor shall serve on the Commission as nonvoting ex officio members.

(b) VACANCIES.—Any vacancy on the Commission shall be filled in the manner in which the original appointment was made. The vacancy shall not affect the power of the remaining members to execute the duties of the Commission.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall elect a chairperson

and a vice chairperson from among the members of the Commission.

(d) QUORUM.—Eight members of the Commission shall constitute a quorum for all purposes, except that a lesser number may constitute a quorum for the purpose of holding hearings.

SEC. 304. COMPENSATION.

(a) PAY.—Members of the Commission shall serve without compensation.

(b) TRAVEL EXPENSES.—Members of the Commission shall be allowed reasonable travel expenses, including a per diem allowance, in accordance with section 5703 of title 5, United States Code, when performing duties of the Commission.

SEC. 305. POWERS.

(a) MEETINGS.—The Commission shall first meet not later than 30 days after the date on which all members are appointed, and the Commission shall meet thereafter on the call of the chairperson or a majority of the members.

(b) HEARINGS AND SESSIONS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(c) ACCESS TO INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this title, if the information may be disclosed under section 552 of title 5, United States Code. Subject to the previous sentence, on the request of the chairperson or vice chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(d) USE OF FACILITIES AND SERVICES.—Upon the request of the Commission, the head of any Federal agency may make available to the Commission any of the facilities and services of such agency.

(e) PERSONNEL FROM OTHER AGENCIES.—On the request of the Commission, the head of any Federal agency may detail any of the personnel of such agency to serve as the Executive Director of the Commission or assist the Commission in carrying out the duties of the Commission. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(f) VOLUNTARY SERVICE.—Notwithstanding section 1342 of title 31, United States Code, the chairperson of the Commission may accept for the Commission voluntary services provided by a member of the Commission.

SEC. 306. TERMINATION.

The Commission shall terminate 30 days after the date of the submission of the report of the Commission to Congress.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EFFECT ON OTHER LAWS.

(a) FEDERAL AND STATE ANTIDISCRIMINATION LAWS.—Nothing in this Act or any amendment made by this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability.

(b) STATE AND LOCAL LAWS.—Nothing in this Act or any amendment made by this Act shall be construed to supersede any provision of any State or local law that provides greater family or medical leave rights than the rights established under this Act or any amendment made by this Act.

SEC. 402. EFFECT ON EXISTING EMPLOYMENT BENEFITS.

(a) MORE PROTECTIVE.—Nothing in this Act or any amendment made by this Act shall be construed to diminish the obligation of an employer to comply with any collective bargaining agreement or any employment benefit program or plan that provides greater

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

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

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

NAYS—162

- Allard Carr Gekas
Archer Clinger Geren
Armey Coble Gilchrist
Bachus (AL) Collins (GA) Gingrich
Baker (CA) Combest Glickman
Baker (LA) Cox Goodlatte
Ballenger Crane Goodling
Barrett (NE) Crapo Goss
Bartlett Cunningham Grams
Barton Deal Grandy
Bateman DeLay Greenwood
Bentley Dickey Gunderson
Bereuter Doolittle Hall (TX)
Bilirakis Dornan Hamilton
Bliley Dreier Hancock
Boehner Duncan Hansen
Bonilla Dunn Hastert
Brewster Emerson Hayes
Browder Everett Hefley
Bunning Ewing Herger
Burton Fawell Hobson
Buyer Fields (TX) Hoekstra
Callahan Fowler Houghton
Calvert Franks (CT) Hunter
Camp Gallegly Hutchinson
Canady Gallo 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) Burton
 Smith (OR) Buyer
 Solomon Callahan
 Spence Calvert
 Stearns Camp
 Stenholm Canady
 Stump Castle
 Sundquist Clinger
 Talent Coble
 Tauzin Collins (GA)
 Taylor (NC) Combest
 Thomas (CA) Cox
 Thomas (WY) Crane
 Torkildsen Crapo
 Upton Cunningham
 Valentine DeLay
 Vucanovich Diaz-Balart
 Walker Doolittle
 Wolf Dornan
 Zeliff Dreier

Bereuter Bilirakis
 Bliley Hefley
 Blute Herger
 Boehlert Hobson
 Boehner Hoekstra
 Bonilla Hoke
 Bunning Horn
 Burton Houghton
 Buyer Huffington
 Callahan Hunter
 Calvert Hutchinson
 Camp Hyde
 Canady Inglis
 Castle Inhofe
 Clinger Istook
 Coble Johnson (CT)
 Collins (GA) Johnson, Sam
 Combest Kasich
 Cox Kim
 Crane King
 Crapo Kingston
 Cunningham Klug
 DeLay Knollenberg
 Diaz-Balart Kolbe
 Dickey Kyl
 Doolittle Lazio
 Dornan Leach
 Dreier Levy
 Duncan Lewis (CA)
 Dunn Lewis (FL)
 Emerson Lightfoot
 Everrett Linder
 Ewing Livingston
 Fawell Machtley
 Fields (TX) Mann
 Fish Manzullo
 Fowler McCandless
 Franks (CT) McCollum
 Franks (NJ) McCrery
 Gallegly McDade
 Gallo McHugh
 Gekas McInnis
 Gilchrest McKeon
 Gillmor McMillan
 Gilman Meyers
 Gingrich Mica
 Goodlatte Michel
 Goodling Miller (FL)
 Goss Molinari
 Grams Moorhead
 Grandy Morella
 Greenwood Myers
 Gunderson Neal (NC)
 Hancock Nussle

Oxley Lipinski
 Packard Lloyd
 Paxon Long
 Penny Lowey
 Petri Maloney
 Pombo Manton
 Porter Margolies-
 Pryce (OH) Mezvinsky
 Quillen Markey
 Quinn Martinez
 Ramstad Matsui
 Regula Mazzoli
 Ridge McCloskey
 Roberts McCurdy
 Rogers McDermott
 Rohrabacher McHale
 Ros-Lehtinen McKinney
 Roth McNulty
 Royce Meehan
 Santorum Meek
 Saxton Menendez
 Schaefer Mfume
 Schiff Miller (CA)
 Sensenbrenner Mineta
 Shaw Minge
 Shays Mink
 Shuster Moakley
 Skeen Mollohan
 Smith (MI) Montgomery
 Smith (NJ) Moran
 Smith (OR) Murphy
 Smith (TX) Murtha
 Snow Nadler
 Solomon Natcher
 Spence Neal (MA)
 Stearns Oberstar
 Stump Obey
 Sundquist Olver
 Talent Ortiz
 Taylor (NC) Orton
 Thomas (CA) Owens
 Thomas (WY) Pallone
 Torkildsen

Parker Smith (IA)
 Pastor Spratt
 Payne (NJ) Stark
 Payne (VA) Stenholm
 Pelosi Stokes
 Peterson (FL) Strickland
 Peterson (MN) Studds
 Pickett Stupak
 Pickle Sweet
 Pomeroy Swift
 Poshard Synar
 Price (NC) Tanner
 Rahall Tauzin
 Rangel Taylor (MS)
 Ravenel Tejeda
 Reed Thornton
 Reynolds Thurman
 Richardson Torres
 Roemer Torricelli
 Rose Towns
 Rostenkowski Traficant
 Roukema Tucker
 Rowland Unsoeld
 Roybal-Allard Valentine
 Rush Velazquez
 Sabo Vento
 Sanders Visclosky
 Sangmeister Volkmer
 Sarpalius Washington
 Sawyer Waters
 Schenk Watt
 Schroeder Waxman
 Schumer Wheat
 Scott Whitten
 Serrano Williams
 Sharp Wilson
 Shepherd Wise
 Sisisky Woolsey
 Skaggs Wyden
 Skelton Wynn
 Slattery Yates
 Slaughter

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

Hilliard	McNulty	Schroeder
Hinchey	Meehan	Schumer
Hoagland	MEEK	Scott
Hochbrueckner	Menendez	Serrano
Hoke	Mfume	Sharp
Holden	Miller (CA)	Shays
Horn	Mineta	Shepherd
Hoyer	Minge	Skaggs
Huffington	Mink	Slaughter
Hughes	Moakley	Smith (IA)
Hyde	Molinari	Smith (NJ)
Inslee	Mollohan	Smith (TX)
Jacobs	Moran	Snowe
Jefferson	Morella	Solomon
Johnson (CT)	Murphy	Spratt
Johnson (SD)	Murtha	Stark
Johnson, E. B.	Nadler	Stokes
Johnston	Natcher	Strickland
Kanjorski	Neal (MA)	Studds
Kaptur	Neal (NC)	Stupak
Kennedy	Oberstar	Sweet
Kennelly	Obey	Swift
Kildee	Olver	Synar
Klecicka	Ortiz	Tanner
Klein	Owens	Taylor (MS)
Klink	Pallone	Tejeda
Klug	Pastor	Thomas (WY)
Kopetski	Payne (NJ)	Thornton
Kreidler	Pelosi	Thurman
LaFalce	Peterson (FL)	Torres
Lambert	Peterson (MN)	Torricelli
Lantos	Petri	Towns
Lazio	Pickle	Traficant
Leach	Pomeroy	Tucker
Lehman	Poshard	Unsoeld
Levin	Price (NC)	Velazquez
Lewis (GA)	Quinn	Vento
Lipinski	Rahall	Visclosky
Lloyd	Ramstad	Volkmer
Long	Rangel	Walsh
Lowe	Ravenel	Washington
Machtley	Reed	Waters
Maloney	Regula	Watt
Mann	Reynolds	Waxman
Manton	Richardson	Weldon
Margolies-	Roemer	Wheat
Mezvinsky	Ros-Lehtinen	Whitten
Markey	Rose	Williams
Martinez	Rostenkowski	Wilson
Matsui	Roukema	Wise
Mazzoli	Roybal-Allard	Woolsey
McCloskey	Rush	Wyden
McCurdy	Sabo	Wynn
McDade	Sanders	Yates
McDermott	Sangmeister	Young (AK)
McHale	Sawyer	Young (FL)
McHugh	Saxton	Zimmer
McKinney	Schenk	

NOES—163

Allard	Dornan	Inhofe
Archer	Dreier	Istook
Armey	Duncan	Johnson (GA)
Bachus (AL)	Dunn	Johnson, Sam
Baker (CA)	Emerson	Kasich
Baker (LA)	Everett	Kim
Ballenger	Ewing	King
Barrett (NE)	Fawell	Kingston
Bartlett	Fields (TX)	Knollenberg
Barton	Fowler	Kolbe
Bateman	Franks (CT)	Kyl
Bentley	Gallely	Lancaster
Bereuter	Gallo	LaRocco
Bilirakis	Gekas	Laughlin
Bliley	Geren	Levy
Boehner	Gilchrest	Lewis (CA)
Bonilla	Gingrich	Lewis (FL)
Brewster	Glickman	Lightfoot
Browder	Goodlatte	Linder
Bunning	Goodling	Livingston
Burton	Goss	Manzullo
Buyer	Grams	McCandless
Callahan	Grandy	McCollum
Calvert	Greenwood	McCrary
Camp	Gunderson	McInnis
Canady	Hall (TX)	McKeon
Carr	Hamilton	McMillan
Clinger	Hancock	Meyers
Coble	Hansen	Mica
Collins (GA)	Hastert	Michel
Combest	Hayes	Miller (FL)
Cox	Hefley	Montgomery
Crane	Herger	Moorhead
Crapo	Hobson	Myers
Cunningham	Hoekstra	Nussle
Darden	Houghton	Orton
Deal	Hunter	Oxley
DeLay	Hutchinson	Packard
Dickey	Hutto	Parker
Doolittle	Inglis	Paxon

Payne (VA)	Sarpalius	Stump
Penny	Schaefer	Sundquist
Pickett	Schiff	Talent
Pombo	Sensenbrenner	Tauzin
Porter	Shaw	Taylor (NC)
Pryce (OH)	Shuster	Thomas (CA)
Quillen	Sisisky	Torkildsen
Ridge	Skeen	Upton
Roberts	Skelton	Valentine
Rogers	Slattery	Vucanovich
Rohrabacher	Smith (MI)	Walker
Roth	Smith (OR)	Wolf
Rowland	Spence	Zeliff
Royce	Stearns	
Santorum	Stenholm	

NOT VOTING—2

Ford (TN) Henry

So the bill was passed.
Mr. GEPHARDT moved to reconsider the vote whereby the bill was passed.
Mr. FORD of Michigan moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,
Will the House lay on the table the motion to reconsider said vote?

The SPEAKER announced that the yeas had it.

On a division demanded by Mr. WALKER, there appeared, yeas—21, nays—14.

So the motion to lay on the table the motion to reconsider the vote was agreed to.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶9.25 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. FORD of Michigan, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶9.26 PROVIDING FOR THE CONSIDERATION OF H.R. 2

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-11) the resolution (H. Res. 59) providing for the consideration of the bill (H.R. 2) to establish national voter registration procedures for Federal elections, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶9.27 WAIVING TWO-THIRDS REQUIREMENT TO CONSIDER RESOLUTION

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-12) the resolution (H. Res. 61) waiving a requirement of clause 4(b) of rule XI with respect to consideration of a certain resolution reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

¶9.28 ADJOURNMENT

On motion of Mr. ROHRABACHER, pursuant to the special order heretofore agreed to, at 12 o'clock and 31 minutes a.m., Thursday, February 4 (Legislative Day of February 3), 1993, the House adjourned until 12 o'clock noon today.

¶9.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FROST: Committee on Rules. House Resolution 59. Resolution providing for the consideration of the bill (H.R. 2) to establish national voter registration procedures for Federal elections, and for other purposes (Rept. No. 103-11). Referred to the House Calendar.

Mr. GORDON: Committee on Rules. House Resolution 61. Resolution waiving a requirement of clause 4(b) of rule XI with respect to consideration of a certain resolution reported from the Committee on Rules (Rept. No. 103-12). Referred to the House Calendar.

¶9.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and several referred as follows:

By Mr. ANDREWS of Texas (for himself, Mr. THOMAS of California, Mr. MATSUI, Mr. SHAW, Mr. HERGER, Mr. SUNDQUIST, Mr. MCCRERY, Mr. JEFFERSON, Mr. BREWSTER, Mr. GRANDY, Mr. NEAL of Massachusetts, Mr. JACOBS, Mr. ARCHER, Mr. HANCOCK, Mr. CARDIN, Mr. SANTORUM, Mr. PAYNE of Virginia, Mr. BUNNING, Mr. PICKLE, Mr. KOPETSKI, Mr. HOUGHTON, Mr. McNULTY, Mr. DICKS, Mr. PETE GEREN, Mr. MORAN, Mr. CRANE, Mrs. JOHNSON of Connecticut, Mr. LEHMAN, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. BEREUTER, Ms. DANNER, and Mr. GILMAN):

H.R. 749. A bill to amend the Internal Revenue Code of 1986 to encourage investment in real estate and for other purposes; to the Committee on Ways and Means.

By Mr. GEJDENSON (for himself and Mr. ROTH):

H.R. 750. A bill to extend the Export Administration Act of 1979 and to authorize appropriations under that act for fiscal years 1993 and 1994; to the Committee on Foreign Affairs.

By Mr. BACCHUS of Florida (for himself, Mr. GIBBONS, Mr. HUTTO, Mr. HASTINGS, Mrs. MEEK, Mr. JOHNSTON of Florida, Mr. DEUTSCH, Ms. BROWN of Florida, Mr. SHAW, Mr. PETERSON of Florida, and Mr. GOSS):

H.R. 751. A bill to utilize the most current Federal census data in the distribution of Federal funds for agriculture, nutrition, and forestry; to the Committee on Agriculture.

H.R. 752. A bill to provide for the utilization of the latest available census data related to energy and natural resources; to the Committee on Energy and Commerce.

H.R. 753. A bill to provide interim current census data on below poverty, urban, rural, and farm populations; to the Committee on Post Office and Civil Service.

H.R. 754. A bill to require the use, in Federal formula grant programs, of adjusted census data, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 755. A bill to provide for the utilization of the latest available census data in certain laws related to airport improvements; to the Committee on Public Works and Transportation.

H.R. 756. A bill to provide for the utilization of the latest available census data in certain laws related to urban mass transportation; to the Committee on Public Works and Transportation.

H.R. 757. A bill to provide for the utilization of the most current census data in cer-

tain laws related to the environment and public works; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

By Mr. BALLENGER:

H.R. 758. A bill to amend the Harmonized Tariff Schedule of the United States to provide duty-free status for hosiery knitting machines and parts thereof, and for hosiery knitting needles; to the Committee on Ways and Means.

By Mr. BOUCHER (for himself and Mr. MOORHEAD):

H.R. 759. A bill to amend chapter 1 of title 17, United States Code, to include in the definition of a cable system a facility which makes secondary transmissions by microwave or certain other technologies; to the Committee on the Judiciary.

By Mr. BOUCHER (for himself, Mr. MOORHEAD, Mr. COBLE, Mr. KOPETSKI, Mr. MCDERMOTT, Mr. DICKS, Mr. BLILEY, Mr. GALLEGLEY, and Mr. MCCOLLUM):

H.R. 760. A bill to amend title 35, United States Code, with respect to patents on certain processes; to the Committee on the Judiciary.

By Mr. BOUCHER:

H.R. 761. A bill to amend the Appalachian Regional Development Act of 1965 to include Montgomery and Roanoke Counties, VA, as part of the Appalachian region; to the Committee on Public Works and Transportation.

By Mr. CLEMENT (for himself, Mr. TANNER, Mr. GORDON, Mr. GILMAN, Mr. SHUSTER, Mr. DE LUGO, Mr. EMERSON, Mr. STUMP, Mr. SKELTON, Mr. BARTON of Texas, Mr. MONTGOMERY, Mr. DURBIN, Mr. LEWIS of Florida, Mr. MANTON, Mr. OXLEY, and Mr. PACKARD):

H.R. 762. A bill to amend the Controlled Substances Act to increase penalties for the distribution of controlled substances at truck stops and rest areas; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. CRANE (for himself and Mr. GIBBONS):

H.R. 763. A bill to encourage the establishment of free trade areas between the United States and certain Pacific Rim countries; to the Committee on Ways and Means.

By Mr. DE LUGO (for himself and Mr. APPLIGATE):

H.R. 764. A bill to require the Director of the Federal Emergency Management Agency to develop a plan and submit a report to the Congress regarding establishing a national windstorm insurance program; jointly, to the Committees on Public Works and Transportation and Banking, Finance and Urban Affairs.

By Mr. DOOLEY (for himself, Mr. VENTO, Mr. HANSEN, and Mr. HERGER):

H.R. 765. A bill to resolve the status of certain land relinquished to the United States under the act of June 4, 1897 (30 Stat. 11, 36), and for other purposes; jointly, to the Committees on Natural Resources, Merchant Marine and Fisheries, and Agriculture.

By Mr. ENGLISH of Oklahoma:

H.R. 766. A bill to prohibit the transportation, treatment, storage, or disposal of hazardous waste outside the State in which the waste was generated; to the Committee on Energy and Commerce.

H.R. 767. A bill to provide for a 2-year delay in the effective date of certain regulations applicable to municipal solid waste landfills under the Solid Waste Disposal Act; to the Committee on Energy and Commerce.

H.R. 768. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to require certain States to contribute to other States' shares of cleanup costs; jointly, to the Com-

mittees on Energy and Commerce and Public Works and Transportation.

By Mr. FRANK of Massachusetts:

H.R. 769. A bill to amend title XVIII of the Social Security Act to limit the penalty for late enrollment under Medicare Program to 10 percent and twice the period of no enrollment; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. GIBBONS:

H.R. 770. A bill to establish for certain employees of international organizations an estate tax credit equivalent to the limited marital deduction; to the Committee on Ways and Means.

H.R. 771. A bill to amend the Internal Revenue Code of 1986 to ensure that charitable beneficiaries of charitable remainder trusts are aware of their interests in such trusts; to the Committee on Ways and Means.

By Mr. GOSS (for himself, Mr. DREIER, and Mr. SHAW):

H.R. 772. A bill to provide that annual pay adjustments for Members of Congress may not exceed cost-of-living increases in benefits under title II of the Social Security Act; to the Committee on House Administration.

By Mr. HYDE:

H.R. 773. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to repeal provisions relating to the State enforcement of child support obligations and to require the Internal Revenue Service to collect child support through wage withholding; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself and Mrs. KENNELLY):

H.R. 774. A bill to temporarily suspend the duty on certain lead fuel test assemblies; to the Committee on Ways and Means.

By Ms. DELAURO (for herself and Mrs. LOWEY):

H.R. 775. A bill to amend title VI of the Federal Water Pollution Control Act to establish a 1-year program to stimulate the economy by providing additional funding for the State Water Pollution Control Revolving Fund Program, and for other purposes; to the Committee on Public Works and Transportation.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. ROUKEMA, Mr. RAVENEL, Mr. BURTON of Indiana, Mr. LEWIS of Florida, Mr. KING, Mr. GALLEGLEY, Mr. DOOLITTLE, Mr. ROHRBACHER, Mr. GILMAN, Mr. SAM JOHNSON of Texas, Mr. FRANKS of Connecticut, Mr. GREENWOOD, and Mr. SHAYS):

H.R. 776. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principle residence by a first-time homebuyer; to the Committee on Ways and Means.

By Mr. KOLBE:

H.R. 777. A bill to amend the Internal Revenue Code of 1986 to provide for a maximum long-term capital gains rate of 15 percent and indexing the basis of certain capital assets; to the Committee on Ways and Means.

By Mr. KOPETSKI (for himself, Mr. GRANDY, Mr. RICHARDSON, Ms. LONG, and Mr. SLATTERY):

H.R. 778. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain amounts received by cooperative telephone companies; to the Committee on Ways and Means.

By Mr. MANTON (for himself, Mr. STUDDS, and Mr. YOUNG of Alaska):

H.R. 779. A bill to reauthorize the Atlantic Tunas Convention Act of 1976; to the Committee on Merchant Marine and Fisheries.

H.R. 780. A bill to reauthorize the Magnuson Fishery Conservation and Management Act; to the Committee on Merchant Marine and Fisheries.

By Mr. MAZZOLI:

H.R. 781. A bill to amend the Federal Election Campaign Act of 1971 to ban activities

of political action committees in elections for Federal office and to reduce the limitation on contributions to candidates by persons other than multicandidate political committees; to the Committee on House Administration.

H.R. 782. A bill to amend the Immigration and Nationality Act to permit the spouses of citizens and permanent resident aliens to file classification petitions for immediate relative and second preference family status and to permit the use of credible evidence in spousal waiver applications for removal of conditional permanent residence; to the Committee on the Judiciary.

H.R. 783. A bill to amend title III of the Immigration and Nationality Act to make changes in the laws relating to nationality and naturalization; to the Committee on the Judiciary.

By Mr. MCDERMOTT (for himself, Mr. KOPETSKI, Mr. NEAL of Massachusetts, Mr. HOUGHTON, Mr. HALL of Ohio, and Mrs. JOHNSON of Connecticut):

H.R. 784. A bill to amend the Internal Revenue Code of 1986 to clarify that conservation expenditures by electric and gas utilities are deductible for the year in which paid or incurred; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 785. A bill to direct the Secretary of the Interior to undertake the necessary feasibility studies regarding the establishment of certain new units of the National Park System in the State of Hawaii; to the Committee on Natural Resources.

By Mr. MONTGOMERY (for himself, Mr. STUMP, Mr. EVANS, Mr. ROWLAND, Mr. SLATTERY, Mr. SANGMEISTER, and Mr. BISHOP):

H.R. 786. A bill to amend the Internal Revenue Code of 1986 to clarify the exclusion from gross income for veterans' benefits; to the Committee on Ways and Means.

By Mr. MORAN (for himself, Mr. ANDREWS of Texas, Mr. BACCHUS of Florida, Mr. BATEMAN, Mr. BILIRAKIS, Mr. BROOKS, Mr. BROWDER, Ms. BROWN of Florida, Mr. BRYANT, Mrs. BYRNE, Mr. CHAPMAN, Mr. CLEMENT, Mr. CLYBURN, Mr. COLEMAN, Mr. COPPERSMITH, Mr. CRAMER, Mr. DARDEN, Mr. DEUTSCH, Mr. EDWARDS of Texas, Mr. FIELDS of Louisiana, Mr. FROST, Mr. DE LA GARZA, Mr. GENE GREEN of Texas, Mr. GOSS, Mr. HALL of Ohio, Mr. HASTINGS, Mr. HEFNER, Mr. HUTTO, Mr. JOHNSON of Georgia, Ms. E.B. JOHNSON of Texas, Mr. JOHNSTON of Florida, Mr. LANCASTER, Mr. LEWIS of Florida, Mr. MATSUI, Mr. MCCURDY, Mrs. MEEK, Mr. MICA, Mr. ORTIZ, Mr. PASTOR, Mr. PETERSON of Florida, Mr. PRICE of North Carolina, Mr. ROSE, Mr. ROWLAND, Mr. SARPALIUS, Mr. SCHIFF, Mrs. SCHROEDER, Mr. SHAW, Mr. SPRATT, Mr. STENHOLM, Mr. SYNAR, and Mrs. THURMAN):

H.R. 787. A bill to require that, in the administration of any benefits program established by or under Federal law which requires the use of data obtained in the most recent decennial census, the 1990 adjusted census data be considered the official data for that decennial census; to the Committee on Post Office and Civil Service.

By Mr. NEAL of North Carolina:

H.R. 788. A bill to eliminate the exemption for Congress from the application of certain provisions of Federal law and for other purposes; jointly, to the Committees on Education and Labor and Government Operations.

By Mr. PAYNE of Virginia (for himself, Mr. BLILEY, Mr. BATEMAN, Mr. BOUCHER, Mrs. BYRNE, Mr. GOODLATTE,

Mr. MORAN, Mr. PICKETT, Mr. SCOTT, Mr. SISISKY, and Mr. WOLF):

H.R. 789. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PENNY:

H.R. 790. A bill to provide for the termination of further production of the Trident II (D-5) missile; to the Committee on Armed Services.

By Mr. POSHARD:

H.R. 791. A bill to name the United States courthouse in Benton, Illinois, the "James L. Foreman Courthouse"; to the Committee on Public Works and Transportation.

By Mr. RAHALL:

H.R. 792. A bill to amend the Black Lung Benefits Act to provide procedures for certain claims due to pneumoconiosis, and for other purposes; to the Committee on Education and Labor.

H.R. 793. A bill to provide for the preservation, restoration, and interpretation of the historical, cultural, and architectural values of the town of Bramwell, WV, for the educational and inspirational benefit of present and future generations; to the Committee on Natural Resources.

By Mr. RAMSTAD:

H.R. 794. A bill to amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that act, and for other purposes; to the Committee on Small Business.

By Mr. ROSE (for himself, Mr.

SARPALIUS, Mrs. MINK, Mr. HEFNER, Mr. EMERSON, Mr. RAVENEL, Mr. DARDEN, Mr. FORD of Michigan, Mr. GORDON, Mr. RAHALL, Mr. PICKETT, Mr. FROST, Mr. CHAPMAN, Mr. PRICE of North Carolina, Mr. CLAY, Mr. LANCASTER, Mr. QUILLEN, Mr. VOLKMER, Mr. BONIOR, and Mr. GONZALEZ):

H.R. 795. A bill to amend the Harmonized Tariff Schedule of the United States to exclude certain footwear assembled in beneficiary countries from duty-free treatment; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself and Mrs. MORELLA):

H.R. 796. A bill to assure freedom of access to clinic entrances; to the Committee on the Judiciary.

By Mr. SHAW:

H.R. 797. A bill to extend the existing suspension of duty on metal oxide varistors; to the Committee on Ways and Means.

By Mr. SLATTERY (for himself, Mr.

MONTGOMERY, Mr. STUMP, Mr. EDWARDS of California, Mr. SMITH of New Jersey, Mr. APPELEGATE, Mr. BURTON of Indiana, Mr. EVANS, Mr. BILIRAKIS, Mr. ROWLAND, Mr. RIDGE, Mr. SANGMEISTER, Mr. SPENCE, Ms. LONG, Mr. HUTCHINSON, Mr. EDWARDS of Texas, Mr. EVERETT, Mr. CLEMENT, Mr. BUYER, Mr. FILNER, Mr. BACHUS of Alabama, Mr. GUTIERREZ, Mr. LINDER, Mr. QUINN, Mr. CLYBURN, Mr. KREIDLER, and Ms. BROWN of Florida):

H.R. 798. A bill to amend title 38, United States Code, to codify the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans as such rates took effect on December 1, 1992; to the Committee on Veterans' Affairs.

By Ms. SNOWE (for herself, Mr.

RAMSTAD, Mr. FRANK of Massachusetts, Mr. GRANDY, Mr. PALLONE, Mr. BOEHNER, Mr. FAWELL, Mr. HANSEN, Mr. LIVINGSTON, Mr. MYERS of Indiana, Mr. KOPETSKI, Mr. PETRI, Mr. CRANE, Mr. JACOBS, Mr. SWETT, Mr.

GILLMOR, Mr. INHOFE, Mrs. VUCANO-VICH, Mr. ROEMER, Mr. ROHRBACHER, Mr. HASTERT, Mr. DOOLITTLE, Mr. STUMP, Mr. GOSS, Mr. THOMAS of Wyoming, Mr. PETERSON of Minnesota, Mr. GALLEGLY, Mr. GRAMS, Mr. MINGE, Mr. LEHMAN, Mr. LIGHTFOOT, Mr. PENNY, Mr. HANCOCK, Mr. ORTON, Ms. KAPTUR, Mr. BEREUTER, Mr. SENSENBRENNER, Ms. DANNER, Mr. ZIMMER, Mr. BURTON of Indiana, Mr. ZELIFF, Mr. SHARP, Mrs. THURMAN, and Mr. POSHARD):

H.R. 799. A bill to amend title 23, United States Code, to repeal a penalty for non-compliance by States with a program requiring the use of safety belts and motorcycle helmets; to the Committee on Public Works and Transportation.

By Mr. SOLOMON:

H.R. 800. A bill to increase opportunities for veterans with service-connected disabilities to participate in Department of Defense procurement actions; to the Committee on Armed Services.

H.R. 801. A bill to prohibit the export of satellites intended for launch from launch vehicles owned by China; to the Committee on Foreign Affairs.

H.R. 802. A bill to increase opportunities for veterans held as prisoners-of-war during the Vietnam era to participate in Department of Defense procurement actions; to the Committee on Armed Services.

H.R. 803. A bill to establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes; to the Committee on Natural Resources

By Mr. STARK:

H.R. 804. A bill to amend the Internal Revenue Code of 1986 to reduce emissions of carbon dioxide by imposing a tax on certain fuels based on their carbon content; to the Committee on Ways and Means.

By Mr. TORRICELLI (for himself and

Mr. ROHRBACHER):

H.R. 805. A bill to direct the Secretary of Transportation to issue rules which require vessels operating in harbors in the United States to use state-of-the-art maritime vessel traffic control equipment, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Science, Space, and Technology.

By Mr. TORRICELLI (for himself, Mr.

SAXTON, and Mr. KLEIN):

H.R. 806. A bill to exclude certain rebates received by families for State property taxes paid by such families from consideration as family income for purposes of the United States Housing Act of 1937 and section 202 of the Housing Act of 1959; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WALKER:

H.R. 807. A bill to amend the Internal Revenue Code of 1986 to allow individuals who are exempt from the self-employment tax by reason of their religious beliefs to establish Keogh plans, et cetera; to the Committee on Ways and Means.

By Mr. FRANKS of Connecticut:

H.J. Res. 91. Joint resolution proposing an amendment to the Constitution of the United States authorizing the President to veto an item of appropriation in any act or resolution containing such an item; to the Committee on the Judiciary.

By Mr. HOCHBRUECKNER:

H.J. Res. 92. Joint resolution designating the weeks beginning June 6, 1993, and June 5, 1994, as "Lyme Disease Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. JACOBS:

H.J. Res. 93. Joint resolution for the relief of Alexander Vraciu; to the Committee on Armed Services.

By Mr. JACOBS (for himself, Mrs. ROUKEMA, Mr. ACKERMAN, Mr. DURBIN,

Mr. SLATTERY, Mr. DOOLITTLE, Mr. KASICH, Mr. LIPINSKI, Mr. MYERS of Indiana, Mr. McCLOSKEY, Mr. WAXMAN, Mr. RANGEL, Mr. STARK, Mr. QUILLEN, Mr. DELLUMS, Mr. SPENCE, Mr. WALSH, Mr. KLECZKA, Mr. SANDERS, Mr. BATEMAN, Mr. BARTLETT, Mr. HAYES of Louisiana, Mr. MCHUGH, Ms. BYRNE, Mr. HOCHBRUECKNER, Mr. ANDREWS of Maine, Mr. SKEEN, Mr. LAFALCE, Mr. CONYERS, Mr. VALENTINE, Mr. FROST, Mr. ROYCE, Mrs. CLAYTON, Mr. DEUTSCH, Mr. FAZIO, Mr. HUGHES, Mrs. BENTLEY, Mr. BURTON of Indiana, Mr. LANCASTER, Mr. SCOTT, Mr. MORAN, Mr. BLACKWELL, Ms. PELOSI, Mr. BILBRAY, Mr. BLILEY, Ms. MEEK, and Mr. DEFazio):

H.J. Res. 94. Joint resolution to designate the week beginning April 18, 1993, and the week beginning April 17, 1994, each as "National Organ and Tissue Donor Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. OBERSTAR:

H.J. Res. 95. Joint resolution designating the week of February 7 through 13, 1994, as "Travel Agent Appreciation Week"; to the Committee on Post Office and Civil Service.

H.J. Res. 96. Joint resolution designating the week of February 1 through 7, 1993, as "Travel Agent Appreciation Week"; to the Committee on Post Office and Civil Service.

H.J. Res. 97. Joint Resolution designating the week commencing October 3, 1993, as "National Aviation Education Week"; to the Committee on Post Office and Civil Service.

By Ms. KAPTUR:

H. Con. Res. 33. Concurrent resolution expressing the sense of the Congress health insurance reform bill that is enacted should require that family and temporary medical leave be incorporated as a basic or elective option for plan participants under certain circumstances; jointly, to the Committees on Ways and Means, Energy and Commerce, Education and Labor, and Post Office and Civil Service.

By Mr. STUDDS (for himself and Mr.

SAXTON):

H. Con. Res. 34. Concurrent resolution calling for a continued U.S. policy of opposition to the resumption of commercial whaling, and otherwise expressing the sense of the Congress with respect to conserving and protecting the world's whale, dolphin, and porpoise populations; jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

By Mr. SOLOMON:

H. Res. 60. A resolution raising a question of the privileges of the House; to the Committee on Rules.

By Mr. FORD of Michigan (for himself,

Mr. WILLIAMS, Mr. GOODLING, and

Mrs. ROUKEMA):

H. Res. 62. A resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Education and Labor in the first session of the One Hundred Third Congress; to the Committee on House Administration.

By Mr. MOAKLEY:

H. Res. 63. A resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Rules in the first session of the One Hundred Third Congress; to the Committee on House Administration.

By Mr. SOLOMON:

H. Res. 64. A resolution expressing the sense of the House of Representatives with respect to the important contributions of the men and women in the number one industry of New York State, the agriculture industry; to the Committee on Agriculture.

By Mr. SOLOMON (for himself and Mr. STUMP);

H. Res. 65. A resolution to authorize and direct the Committee on Appropriations to create a new Subcommittee on Veterans' Affairs; to the Committee on Rules.

¶9.31 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSTON of Florida:

H.R. 808. A bill for the relief of James B. Stanley; to the Committee on the Judiciary.

By Mr. POSHARD:

H.R. 809. A bill for the relief of Kenneth R. Loeh of Royalton, IL; to the Committee on the Judiciary.

By Mr. STENHOLM:

H.R. 810. A bill for the relief of Elizabeth M. Hill; to the Committee on the Judiciary.

¶9.32 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1: Mr. LIPINSKI.

H.R. 4: Mr. SHAYS.

H.R. 20: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS of Texas, Mr. ANDREWS of New Jersey, Mr. ANDREWS of Maine, Mr. BACCHUS of Florida, Mr. BEREUTER, Mr. BISHOP, Mr. BLACKWELL, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOUCHER, Mr. BROWDER, Mr. BROWN of California, Mr. BROWN of Ohio, Ms. BYRNE, Mr. CARDIN, Mr. CLEMENT, Mr. CLYBURN, Mr. COLEMAN of Texas, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. DEFAZIO, Mr. DE LUGO, Mr. DEUTSCH, Mr. DICKS, Mr. DURBIN, Mr. EDWARDS of California, Ms. ESHOO, Mr. EVANS, Mr. FILNER, Mr. FORD of Michigan, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. GONZALEZ, Mr. GORDON, Mr. GENE GREEN, Mr. HALL of Ohio, Mr. HEFNER, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. HUGHES, Mr. KANJORSKI, Mr. KLECZKA, Mr. KOPETSKI, Mr. LAFALCE, Mr. LIPINSKI, Mr. MCCLOSKEY, Mr. MCHUGH, Mr. MCNULTY, Mr. MACHTLEY, Mr. MALONEY, Mr. MAZZOLI, Mr. MEEHAN, Mr. MILLER of California, Mr. MINETA, Ms. MOLINARI, Mrs. MORELLA, Mr. MORAN, Mr. MURTHA, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Ms. PELOSI, Mr. PENNY, Mr. PETERSON of Minnesota, Mr. PETERSON of Florida, Mr. POSHARD, Mr. PRICE of North Carolina, Mr. QUILLEN, Mr. RICHARDSON, Mr. RUSH, Mr. SANDERS, Mr. SAWYER, Mr. SAXTON, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SHAYS, Mr. SKAGGS, Mr. SOLOMON, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. THOMAS of California, Mrs. UNSOELD, Mr. WASHINGTON, Mr. WATT, Mr. WAXMAN, Mr. WELDON, Mr. WILLIAMS, Mr. WISE, Mr. WYNN, Mr. KREIDLER, Mr. GEPHARDT, Mr. MARKEY, Mr. HOAGLAND, Mr. NEAL of Massachusetts, Mr. MATSUI, Mr. SWIFT, Mr. LAROCOCCO, Mr. KING, Mr. McDERMOTT, Mr. CHAPMAN, Mr. KILDEE, Mr. HASTINGS, Mr. McCURDY, Mr. DIXON, Ms. LONG, Mr. FAZIO, Mr. HINCHEY, Mr. MURPHY, Mr. HAMILTON, Mr. DINGELL, Mr. GUTIERREZ, Mr. LANCASTER, Mr. BARLOW, Mr. COYNE, Mr. RAVENEL, Mr. OBERSTAR, Mr. RAHALL, Mr. JACOBS, Mr. JOHNSTON of Florida, Mr. BREWSTER, Ms. FURSE, Mr. REYNOLDS, Mr. REED, Ms. KAPTUR, Mr. SABO, Mr. SARPALIUS, Mr. MOLLOHAN, Mr. SMITH of New Jersey, Ms. MEEK, Ms. WATERS, Mr. GILMAN, and Mr. MARTINEZ.

H.R. 39: Mr. RAVENEL, Mr. BROWN of California, Mr. TOWNS, Mr. MACHTLEY, Mr. SANDERS, Mr. CARDIN, Mr. BEILSON, Mr. WILLIAMS, Mr. POSHARD, Mr. ACKERMAN, Mr. YATES, Mr. DEFAZIO, Mr. GILCHREST, Mr. MINETA, Mr. KENNEDY, Mr. HASTINGS, Mr. WHEAT, Mr. OLVER, Mr. PETERSON of Minnesota, Mr. SABO, Mr. HINCHEY, and Mr. PENNY.

H.R. 54: Ms. PELOSI, Mr. SOLOMON, Mr. FALCOMA, Mr. GINGRICH, Mr. McCAND-

LESS, Mr. HUNTER, Mr. FAWELL, Mr. COX, Mr. ROYCE, Mr. KING, Mr. DORNAN, Mr. MENENDEZ, and Mr. LANCASTER.

H.R. 55: Mr. WILLIAMS, Mr. GINGRICH, Mr. MCCLOSKEY, Mr. BACCHUS of Florida, Mr. GOSS, Mr. WALSH, Mr. BEILSON, Mr. RAVENEL, and Mr. JACOBS.

H.R. 56: Mr. SOLOMON.

H.R. 58: Ms. SNOWE, Mr. RANGEL, and Ms. MEEK.

H.R. 106: Mr. DIXON, Mr. FINGERHUT, and Mr. EVANS.

H.R. 109: Mrs. MEYERS of Kansas, Mr. WALSH, Mr. GOSS, Mr. LANCASTER, Mr. LEWIS of Florida, and Mr. GILMAN.

H.R. 123: Mr. SENSENBRENNER, Mr. TAYLOR of North Carolina, Mr. SAM JOHNSON, Mr. STUMP, Mr. SANTORUM, Mr. SHAYS, Mr. CLEMENT, and Mr. LEWIS of Florida.

H.R. 124: Mr. SENSENBRENNER.

H.R. 144: Mr. ROHRBACHER, Mr. BAKER of Louisiana, Mr. DOOLITTLE, Mr. GALLEGLY, Mr. DORNAN, Mr. CUNNINGHAM, Mr. HANCOCK, Mr. BLUTE, Mr. ARMEY, and Mr. HERGER.

H.R. 150: Mr. HERGER.

H.R. 163: Mr. OXLEY, Mr. LIGHTFOOT, and Mr. BEREUTER.

H.R. 178: Mr. INGLIS.

H.R. 181: Ms. WOOLSEY.

H.R. 214: Mr. SHAYS, Mr. HUTCHINSON, Mrs. VUCANOVICH, Mr. SANTORUM, Mrs. MEYERS of Kansas, Mr. GALLEGLY, Mr. OXLEY, Mr. PARKER, Mr. CLEMENT, Mr. LEWIS of Florida, Mr. WALSH, Mr. McCANDLESS, Mr. KLUG, Mr. GILLMOR, Mr. BAKER of Louisiana, Mr. LIVINGSTON, Mr. MYERS of Indiana, Mr. COSTELLO, Mr. KOPETSKI, Mr. SMITH of Oregon, Mr. SCHIFF, Mr. HASTERT, Mr. KANJORSKI, Mr. SUNDQUIST, Mr. SENSENBRENNER, Mr. HALL of Ohio, Mr. ALLARD, Mr. ARMEY, Mr. MINGE, Mr. GRAMS, and Mr. HOBSON.

H.R. 224: Mr. WAXMAN, Mr. SANDERS, Ms. SLAUGHTER, Ms. WOOLSEY, Mr. STOKES, Mrs. MEEK, Mr. SCOTT, Mr. KOPETSKI, Mr. WYNN, Mrs. BYRNE, Mr. EVANS, and Mr. NEAL of Massachusetts.

H.R. 225: Mrs. JOHNSON of Connecticut.

H.R. 429: Mr. COX and Mr. HUNTER.

H.R. 286: Mr. SHAYS, Mr. SUNDQUIST, and Mr. BEREUTER.

H.R. 300: Mr. BARCIA, Mr. ANDREWS of New Jersey, Mr. ROGERS, Mr. LEWIS of Florida, Mr. RANGEL, Mr. GRANDY, Mr. MYERS of Indiana, Mr. GREENWOOD, Miss COLLINS of Michigan, Mr. BLILEY, Mr. LEVY, Mr. MCKEON, and Mr. MCHUGH.

H.R. 348: Mr. SARPALIUS, Mr. CUNNINGHAM, Mr. STUMP, Mr. BARCIA, Ms. ROS-LEHTINEN, Mr. BATEMAN, Mr. GALLEGLY, Mr. ROGERS, Mr. GREENWOOD, Mr. LEWIS of Florida, Mr. GILLMOR, Mr. McDERMOTT, Mr. KING, Mr. BAKER of Louisiana, Mr. SPENCE, Mr. ABERCROMBIE, Mr. LEVY, Mr. JEFFERSON, Mr. STUPAK, Mrs. LLOYD, Mr. MILLER of Florida, Mr. PICKETT, Mr. HOCHBRUECKNER, Mr. HASTINGS, Mr. DE LUGO, Mr. INHOFE, Mr. ARMEY, Mr. ZELIFF, Mr. PETERSON of Florida, Mr. BREWSTER, Mr. BLILEY, and Mr. SAXTON.

H.R. 349: Mr. LEACH.

H.R. 350: Mr. ANDREWS of Maine, Mr. BROWN of California, Ms. BYRNE, Mr. CARDIN, Ms. ESHOO, Mr. GEJDENSON, Mr. HINCHEY, Mr. MACHTLEY, Mr. McDERMOTT, Mr. OLVER, Mr. RANGEL, Mr. SABO, Mr. SANDERS, Mrs. SCHROEDER, Mr. SKAGGS, Ms. SLAUGHTER, Mr. TORRES, Mr. TOWNS, Mr. WAXMAN, and Ms. WOOLSEY.

H.R. 388: Mr. RAMSTAD and Mr. SAXTON.

H.R. 428: Mrs. MORELLA.

H.R. 436: Mr. STEARNS, Mr. COLLINS of Georgia, Mr. TORKILDSEN, Mr. WILSON, Mr. SAM JOHNSON, Mr. CAMP, Mr. LEWIS of California, Mr. ROGERS, Mr. STUMP, Mr. HUTCHINSON, Mr. LEACH, Mr. BARTLETT, Mr. QUILLEN, and Mr. REGULA.

H.R. 462: Mr. HOLDEN, Mr. McNULTY, Mr. HEFNER, Mr. FRANK of Massachusetts, Mr. BILIRAKIS, Mr. SCHUMER, Mr. RUSH, Mr. BROWN of Ohio, Mr. FROST, Ms. WOOLSEY, Mr.

HUTCHINSON, Mr. BONIOR, Mr. GILLMOR, Mr. MORAN, Mr. SPRATT, Mr. COSTELLO, Mr. TORRES, Mr. MICA, Mr. KOPETSKI, Ms. BYRNE, Mrs. MEYERS of Kansas, Mr. MCCLOSKEY, Mr. GUTIERREZ, and Mr. HASTINGS.

H.R. 465: Mr. TOWNS.

H.R. 494: Mr. TORRES and Mr. SCHUMER.

H.R. 509: Mr. MANZULLO, Mr. HANCOCK, Mr. ARMEY, and Mr. HERGER.

H.R. 518: Mr. BACCHUS of Florida, Mr. KILDEE, Mr. CONYERS, Mr. CLAY, Mr. BERMAN, Mr. BEILSON, Mr. EDWARDS of California, Mr. BECERRA, Mr. SKAGGS, Ms. WOOLSEY, Mr. BONIOR, Mr. DELLUMS, and Ms. ESHOO.

H.R. 539: Mr. MORAN, Mr. EMERSON, Mr. STUMP, Mr. McDADE, Mr. ZIMMER, Mr. GOSS, Mr. FAWELL, Mr. McCANDLESS, Mr. BLILEY, Mr. PACKARD, and Mr. LEWIS of Florida.

H.R. 567: Mr. KING.

H.R. 571: Mr. HASTINGS.

H.R. 633: Mr. COX, Mr. WOLF, Mr. WALSH, and Mr. BEREUTER.

H.R. 634: Mr. SCHIFF, Mr. WHEAT, Mr. BEREUTER, Mr. VALENTINE, Mr. ANDREWS of New Jersey, Mr. SKEEN, Mr. McCANDLESS, Mr. LANCASTER, Mr. BARTLETT, Mr. BAKER of California, Mr. NEAL of North Carolina, Mr. HERGER, Mr. BLACKWELL, and Mr. MARKEY.

H.R. 656: Mr. GREENWOOD, Mr. ACKERMAN, Mr. HASTINGS, Mrs. MEYERS of Kansas, and Ms. FURSE.

H.R. 667: Mr. TALENT, Mr. PACKARD, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. KING, Mr. OXLEY, Mr. HEFLEY, Mr. GOODLATTE, Mr. ARMEY, Ms. FOWLER, Mr. BLILEY, and Mr. BARRETT of Nebraska.

H.R. 673: Mr. FROST and Mr. ZELIFF.

H.R. 674: Mr. BARTLETT and Mr. ZELIFF.

H.R. 697: Mrs. COLLINS of Michigan, Mr. CONYERS, Mr. HINCHEY, Mr. MINETA, Mr. RANGEL, Mr. SCOTT, and Mr. WYNN.

H.R. 709: Mr. HERGER.

H.R. 723: Mr. ARMEY and Mrs. MEYERS of Kansas.

H.J. Res. 6: Mr. KENNEDY, Mr. RICHARDSON, and Mr. BACHUS of Alabama.

H.J. Res. 10: Ms. KAPTUR, Mr. LIPINSKI, Ms. SHEPHERD, Mr. SHAW, Mr. QUILLEN, Mr. NEAL of North Carolina, Mr. LANCASTER, Mr. MARKEY, Mrs. BENTLEY, Mr. SCHIFF, Mr. DINGELL, Mr. LAFALCE, Mr. BONIOR, Mrs. COLLINS of Michigan, Mr. PICKETT, Mrs. BYRNE, Mrs. MEYERS of Kansas, Mr. EVANS, Mr. ABERCROMBIE, Mr. ROSE, Mr. MARTINEZ, Mr. DIXON, Mr. GILMAN, Mr. THOMAS of Wyoming, Mrs. KENNELLY, Mr. LEVIN, Mr. YOUNG of Florida, Ms. WOOLSEY, and Mr. TRAFICANT.

H.J. Res. 22: Mr. BALLENGER.

H.J. Res. 26: Mr. TAUZIN.

H.J. Res. 27: Mr. BLUTE and Mr. TAYLOR of North Carolina.

H.J. Res. 30: Mr. MCHUGH and Mr. ARMEY.

H.J. Res. 32: Mr. LANCASTER and Mr. EVANS.

H.J. Res. 38: Mr. COX and Mr. ROHR-ABACHER.

H.J. Res. 67: Mr. TORRES, Mr. GILLMOR, and Mr. ROBERTS.

H.J. Res. 76: Mr. BARTLETT.

H. Con. Res. 7: Mr. GALLEGLY, Mr. SOLOMON, Mr. LIGHTFOOT, Mr. PASTOR, Mr. MANTON, Mr. GILLMOR, Mr. WILSON, Mr. SENSENBRENNER, Mr. GORDON, Mr. BLACKWELL, Mr. TAUZIN, Mr. GINGRICH, Mr. COBLE, Mr. LEVY, Mr. WYNN, Mr. KING, Mr. MCHUGH, Mr. KNOLLENBERG, Mr. DORNAN, Mr. SHAYS, Mr. SARPALIUS, Mr. SAXTON, Mr. HUNTER, Mr. UPTON, Mr. GENE GREEN, Mr. BAKER of California, Mr. BAKER of Louisiana, Mrs. MORELLA, Mr. SMITH of New Jersey, Mr. SCHIFF, Mr. EMERSON, Mrs. VUCANOVICH, Mr. MICA, and Mr. HILLIARD.

H. Con. Res. 8: Mr. SHAYS.

H. Con. Res. 13: Mr. SENSENBRENNER and Mr. CLEMENT.

H. Con. Res. 16: Mr. McCANDLESS, Mr. LIPINSKI, Mr. WALSH, Mr. LANCASTER, Mr. WYNN, Mr. SPRATT, Mr. EMERSON, Mr. SMITH of New Jersey, Mrs. MEYERS of Kansas, and Mr. TRAFICANT.

H. Con. Res. 18: Mr. MANN, Mrs. JOHNSON of Connecticut, Mr. MCHUGH, Mr. JACOBS, Mr. RAMSTAD, and Mr. ZIMMER.

H. Res. 16: Mr. MCCANDLESS.

H. Res. 26: Mr. SAM JOHNSON, Mr. OXLEY, Mr. SCHIFF, Mr. ZIMMER, Mr. PETE GEREN, Mr. GALLEGLY, Mr. BATEMAN, Mr. SMITH of New Jersey, Mr. GINGRICH, Mr. BAKER of Louisiana, Mr. DORNAN, Mr. GOSS, Mr. HENRY, Mr. DUNCAN, Mr. BARTON of Texas, Mr. SMITH of Texas, Mr. ROYCE, Mr. EWING, Mr. PETRI, Mr. CAMP, Mr. COLLINS of Georgia, Mr. BLUTE, Mr. TORKILDSEN, Mr. FAWELL, Mr. WALSH, Ms. FOWLER, Mr. HANCOCK, Mr. ARMEY, Mr. DELAY, Mr. COX, Mr. BARRETT of Wisconsin, Ms. MOLINARI, Mr. GILCHREST, Mr. WALKER, Mr. THOMAS of Wyoming, Mr. HASTERT, Mr. DOOLITTLE, Mr. ROHRBACHER, Mr. MCCOLLUM, Mr. BALLENGER, Mr. PAXON, Mrs. VUCANOVICH, Mr. LEWIS of Florida, Mr. BARRETT of Nebraska, Mrs. MEYERS of Kansas, and Mr. HERGER.

H. Res. 41: Mr. BEILENSEN and Mr. SMITH of New Jersey.

H. Res. 45: Mr. SAXTON and Mr. PACKARD.

H. Res. 53: Mr. SOLOMON, Mr. LEWIS of Florida, Mr. RAMSTAD, Mr. CRAPO, Mr. HERGER, Mr. FAWELL, and Mr. SENSENBRENNER.

THURSDAY, FEBRUARY 4, 1993 (10)

The House was called to order by the SPEAKER.

¶10.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 3, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶10.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

710. A letter from the Secretary, Department of Energy, transmitting notification that the report on the Scholarship and Fellowship Program for Environmental Restoration and Waste Management will be completed by March 1, 1993, pursuant to Public Law 102-190, section 3132(h) (105 Stat. 1574); to the Committee on Armed Services.

711. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Japan (Transmittal No. DTC-16-93), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

712. A letter from the Chairman, Board for International Broadcasting, transmitting the Board's annual report on its activities, as well as its review and evaluation of the operation of Radio Free Europe/Radio Liberty for the period October 1, 1991 through September 30, 1992, pursuant to 22 U.S.C. 2873(a)(9); to the Committee on Foreign Affairs.

713. A letter from the Secretary of Labor, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1992, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

714. A letter from the Director, National Park Service, transmitting a report of surplus Federal real property disposed of for parks and recreation, fiscal years 1991 and 1992, pursuant to Public Law 100-612, section 5 (102 Stat. 3181); to the Committee on Natural Resources.

715. A letter from the Secretary, Department of Labor, transmitting a report on the

extent and manner of compliance by State prison industry enhancement certification programs with the requirements set forth in 18 U.S.C. 1761(c), pursuant to Public Law 101-647, section 2908 (104 Stat. 4915); to the Committee on the Judiciary.

716. A letter from the Chairman, Copyright Royalty Tribunal, transmitting its annual report for the fiscal year ending September 30, 1992, pursuant to 17 U.S.C. 808; to the Committee on the Judiciary.

717. A letter from the Secretary, Department of Transportation, transmitting a report entitled "Commemoration of Dwight D. Eisenhower National System of Interstate and Defense Highways," pursuant to Public Law 102-240, section 1023(e)(4) (105 Stat. 1955); to the Committee on Public Works and Transportation.

718. A letter from the Chairman, U.S. Information Agency, transmitting a report of the Cultural Property Advisory Committee on the request of the Government of Mali, pursuant to 19 U.S.C. 2601 et seq.; to the Committee on Ways and Means.

719. See Journal of January 5, 1993.

¶10.3 COMMITTEE RESIGNATION—MINORITY

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 1993.

Hon. TOM FOLEY,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I submit my resignation from the Committee on Agriculture and the Committee on Small Business to the House of Representatives effective this date.

It has been a distinct honor to serve on both of these committees. However, in accordance with the rules of the Republican Conference, my selection for the Committee on Ways and Means precludes my service on the Agriculture or Small Business Committee.

I look forward to my continued service as a voice for agriculture and small business on the Ways and Means Committee. The many important issues which come before the committee will be of vital concern to farm families, employers, and employees across Michigan and America.

With deepest appreciation,
Sincerely,

DAVE CAMP,
Member of Congress.

The resignation was accepted.

¶10.4 COMMITTEE ELECTION—MINORITY

Mr. ARMEY, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 66):

Resolved, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Ways and Means: Mr. Camp of Michigan;

Committee on the District of Columbia: Mr. Ballenger of North Carolina;

Committee on House Administration: Ms. Dunn of Washington; and the

Committee on Merchant Marine and Fisheries: Mr. Pombo of California with two remaining vacancies.

When said resolution was considered and agreed to.

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

¶10.5 PROVIDING FOR THE CONSIDERATION OF H.R. 2

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 59):

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. 2) to establish national voter registration procedures for Federal elections, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule XI 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 House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments recommended by the Committee on House Administration now printed in the bill and the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill as so amended shall be considered as read. No further amendment shall be in order except an amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution. Such amendment may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, 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. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

When said resolution was considered. After debate,

Mr. FROST moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, announced that the yeas had it.

Mr. DREIER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 248
Nays 171

¶10.6 [Roll No. 23] YEAS—248

Abercrombie	Berman	Brown (OH)
Ackerman	Bevill	Bryant
Andrews (ME)	Bilbray	Byrne
Andrews (NJ)	Bishop	Cantwell
Andrews (TX)	Blackwell	Cardin
Applegate	Bonior	Carr
Bacchus (FL)	Borski	Chapman
Baesler	Boucher	Clay
Barcia	Brewster	Clayton
Barlow	Brooks	Clement
Barrett (WI)	Browder	Clyburn
Becerra	Brown (CA)	Coleman
Beilenson	Brown (FL)	Collins (IL)