

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 recommend with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

9.20 FEDERAL WORKFORCE RESTRUCTURING

The SPEAKER pro tempore, Mr. CARDIN, pursuant to House Resolution 357 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. 3345) to amend title 5, United States Code, to eliminate certain restrictions on employee training; to provide temporary authority to agencies relating to voluntary separation incentive payments, and for other purposes.

The SPEAKER pro tempore, Mr. CARDIN, by unanimous consent, designated Mr. MORAN as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. RAHALL, assumed the Chair; and after some time spent therein,

9.21 RECORDED VOTE

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

In section 2(d)(1), strike "2" and insert "5". In section 2(d)(2)(A), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d)(2)(B), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d)(2)(C), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d), add at the end the following:

(3) DEFINITION.—For purposes of paragraph (1) (but not paragraph (2)), the term "employment" includes employment under a personal services contract with the United States.

After the last section, add the following:

SEC. 4. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term "agency" means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Of-

fice of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

- (1) 2,084,600 during fiscal year 1994;
(2) 2,043,300 during fiscal year 1995;
(3) 2,003,300 during fiscal year 1996;
(4) 1,963,300 during fiscal year 1997;
(5) 1,992,300 during fiscal year 1998; and
(6) 1,882,300 during fiscal year 1999.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

(f) EMPLOYMENT BACKFILL PREVENTION.—

(1) IN GENERAL.—The total number of funded employee positions in all agencies (excluding the Department of Defense and the Central Intelligence Agency) shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under section 2(a)-(e). For purposes of this subsection, positions and vacancies shall be counted on a full-time-equivalent basis.

(2) RELATED RESTRICTION.—No funds budgeted for and appropriated by any Act for salaries or expenses of positions eliminated under this subsection may be used for any purpose other than authorized separation costs.

It was decided in the affirmative { Yeas ..... 409 Nays ..... 1

9.22 [Roll No. 24] AYES—409

Table with 3 columns: Name, Name, Name. Includes Abercrombie, Archer, Baker (LA), Ackerman, Arney, Ballenger, Allard, Bacchus (FL), Barca, Andrews (ME), Bachus (AL), Barcia, Andrews (NJ), Baesler, Barlow, Applegate, Baker (CA), Barrett (NE)

Table with 3 columns: Name, Name, Name. Includes Barrett (WI), Foglietta, Linder, Bartlett, Ford (MI), Lipinski, Barton, Ford (TN), Livingston, Bateman, Fowler, Lloyd, Becerra, Frank (MA), Long, Beilenson, Franks (CT), Lowey, Bentley, Franks (NJ), Maloney, Bereuter, Frost, Mann, Berman, Furse, Manton, Bevill, Gallegly, Manzullo, Bilbray, Gallo, Margolies-Mezvinsky, Bishop, Gejdenson, Markye, Blackwell, Gekas, Martinez, Bliley, Gephardt, Matsui, Blute, Geren, Mazzoli, Boehlert, Gibbons, McCandless, Bonilla, Gilchrest, McCloskey, Bonior, Gillmor, McCollum, Borski, Gilman, McCrery, Boucher, Gingrich, McCurdy, Brewster, Glickman, McDade, Browder, Gonzalez, McDermott, Brown (CA), Goodlatte, McHale, Brown (FL), Goodling, McHugh, Brown (OH), Gordon, McInnis, Bryant, Goss, McKeon, Bunning, Grams, McKinney, Burton, Grandy, McMillan, Buyer, Green, McNulty, Byrne, Greenwood, McNulty, Callahan, Gunderson, Meehan, Calvert, Hall (TX), Meek, Camp, Hamburg, Menendez, Canady, Hamilton, Meyers, Cantwell, Hancock, Mfume, Cardin, Hansen, Mica, Carr, Harman, Miller (CA), Castle, Hayes, Miller (FL), Chapman, Hefley, Mineta, Clay, Hefner, Minge, Clayton, Herger, Mink, Clement, Hilliard, Moakley, Clinger, Hinchey, Molinari, Clyburn, Hoagland, Mollohan, Coble, Hobson, Montgomery, Collins (GA), Hochbrueckner, Moorhead, Collins (IL), Hoekstra, Moran, Collins (MI), Hoke, Morella, Combust, Holden, Murphy, Condit, Horn, Murtha, Conyers, Houghton, Myers, Cooper, Hoyer, Nadler, Coppersmith, Huffington, Natcher, Costello, Hughes, Neal (MA), Cox, Hunter, Norton (DC), Coyne, Hutchinson, Nussle, Cramer, Hutto, Oberstar, Crane, Hyde, Olver, Crapo, Inglis, Oby, Cunningham, Inhofe, Orton, Danner, Inslee, Oxley, Darden, Istook, Packard, de Lugo (VI), Jacobs, Pallone, Deal, Jefferson, Parker, DeFazio, Johnson (CT), Pastor, DeLauro, Johnson (GA), Paxon, DeLay, Johnson (SD), Payne (NJ), Dellums, Johnson, E. B., Payne (VA), Derrick, Johnson, Sam, Pelosi, Deutsch, Johnston, Penny, Diaz-Balart, Kaptur, Peterson (FL), Dickey, Kasich, Peterson (MN), Dicks, Kennedy, Petri, Dixon, Kennelly, Pickett, Dooley, Kildee, Pickle, Doolittle, Kim, Pombo, Dornan, King, Pomeroy, Dreier, Kingston, Porter, Duncan, Kleczka, Portman, Dunn, Klein, Poshard, Durbin, Klink, Price (NC), Edwards (CA), Klug, Pryce (OH), Edwards (TX), Knollenberg, Quillen, Ehlers, Kolbe, Quinn, Emerson, Kopetski, Rahall, Engel, Kreidler, Ramstad, English, Kyl, Rangel, Eshoo, LaFalce, Ravenel, Evans, Lambert, Reed, Everett, Lancaster, Regula, Faleomavaega, Lantos, Reynolds, (AS), LaRocco, Richardson, Farr, Lazio, Roberts, Fawell, Leach, Roemer, Fazio, Lehman, Rogers, Fields (LA), Levin, Rohrabacher, Filner, Levy, Romero-Barcelo, Fingerhut, Lewis (CA), (PR), Fish, Lewis (GA), Ros-Lehtinen, Flake, Lightfoot, Rose