

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.

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

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

The SPEAKER pro tempore, Mr. SKAGGS, announced that the yeas had it.

Mr. MYERS 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 ..... 391  
Nays ..... 17

9.23 [Roll No. 25]  
YEAS—391

Abercrombie	Bartlett	Boucher
Ackerman	Bateman	Brewster
Allard	Becerra	Browder
Andrews (ME)	Beilenson	Brown (CA)
Andrews (NJ)	Bentley	Brown (FL)
Applegate	Bereuter	Brown (OH)
Bacchus (FL)	Berman	Bryant
Bachus (AL)	Bevill	Bunning
Baessler	Billbray	Burton
Baker (CA)	Bishop	Buyer
Baker (LA)	Blackwell	Byrne
Ballenger	Bliley	Callahan
Barca	Blute	Calvert
Barcia	Boehlert	Cantwell
Barlow	Bonilla	Cardin
Barrett (NE)	Bonior	Carr
Barrett (WI)	Borski	Castle

Chapman	Hochbrueckner	Moran
Clay	Hoekstra	Morella
Clayton	Hoke	Murphy
Clement	Holden	Murtha
Clinger	Horn	Myers
Clyburn	Houghton	Nadler
Coble	Hoyer	Natcher
Collins (GA)	Huffington	Neal (MA)
Collins (IL)	Hughes	Nussle
Collins (MI)	Hunter	Oberstar
Combest	Hutchinson	Obey
Condit	Hutto	Olver
Conyers	Hyde	Orton
Cooper	Inglis	Oxley
Coppersmith	Inhofe	Packard
Costello	Inslee	Pallone
Cox	Istook	Parker
Coyne	Jacobs	Pastor
Cramer	Jefferson	Paxon
Crapo	Johnson (CT)	Payne (NJ)
Cunningham	Johnson (GA)	Payne (VA)
Danner	Johnson (SD)	Pelosi
Darden	Johnson, E. B.	Penny
Deal	Johnston	Peterson (FL)
DeFazio	Kanjorski	Peterson (MN)
DeLauro	Kaptur	Petri
Dellums	Kennedy	Pickett
Derrick	Kennelly	Pickle
Deutsch	Kildee	Pombo
Diaz-Balart	Kim	Pomeroy
Dickey	King	Portman
Dicks	Kingston	Poshard
Dixon	Klecza	Price (NC)
Dooley	Klein	Pryce (OH)
Doolittle	Klink	Quillen
Dornan	Klug	Quinn
Dreier	Knollenberg	Rahall
Dunn	Kolbe	Ramstad
Durbin	Kopetski	Rangel
Edwards (CA)	Kreidler	Ravenel
Edwards (TX)	Kyl	Reed
Emerson	LaFalce	Regula
Engel	Lambert	Reynolds
English	Lancaster	Richardson
Eshoo	Lantos	Roberts
Evans	LaRocco	Roemer
Everett	Lazio	Rohrabacher
Farr	Leach	Ros-Lehtinen
Fawell	Lehman	Rose
Fazio	Levin	Rostenkowski
Fields (LA)	Levy	Roukema
Filner	Lewis (CA)	Rowland
Fingerhut	Lewis (GA)	Roybal-Allard
Fish	Lightfoot	Royce
Flake	Linder	Rush
Foglietta	Lipinski	Sabo
Ford (MI)	Livingston	Sanders
Ford (TN)	Lloyd	Sangmeister
Fowler	Long	Santorum
Frank (MA)	Lowey	Sarpalius
Franks (CT)	Maloney	Sawyer
Franks (NJ)	Mann	Saxton
Frost	Manton	Schaefer
Furse	Manzullo	Schenk
Galleghy	Margolies-	Schiff
Gallo	Mezvinsky	Schroeder
Gejdenson	Markey	Schumer
Gekas	Martinez	Scott
Gephardt	Matsui	Serrano
Geren	Mazzoli	Sharp
Gibbons	McCandless	Shaw
Gilchrest	McCloskey	Shays
Gillmor	McCollum	Shepherd
Gilman	McCrery	Shuster
Gingrich	McCurdy	Sisisky
Glickman	McDade	Skaggs
Gonzalez	McDermott	Skeen
Goodlatte	McHale	Skelton
Goodling	McHugh	Slaughter
Gordon	McInnis	Smith (IA)
Goss	McKeon	Smith (NJ)
Grams	McKinney	Smith (OR)
Grandy	McMillan	Smith (TX)
Green	McNulty	Snowe
Greenwood	Meehan	Solomon
Gunderson	Meek	Spence
Gutierrez	Menendez	Spratt
Hall (TX)	Meyers	Stark
Hamburg	Mfume	Stearns
Hamilton	Mica	Stenholm
Hansen	Miller (CA)	Stokes
Harman	Miller (FL)	Strickland
Hayes	Mineta	Studds
Hefley	Minge	Stupak
Hefner	Mink	Sundquist
Herger	Moakley	Swett
Hillhard	Molinari	Swift
Hinchey	Mollohan	Synar
Hoagland	Montgomery	Talent
Hobson	Moorhead	Tanner

Tauzin	Unsoeld	Wheat
Upton	Upton	Whitten
Taylor (NC)	Valentine	Williams
Tejeda	Velazquez	Wilson
Thomas (CA)	Vento	Wise
Thomas (WY)	Visclosky	Wolf
Thompson	Volkmer	Woolsey
Thornton	Vucanovich	Wyden
Thurman	Walker	Wynn
Torkildsen	Walsh	Yates
Torres	Waters	Young (FL)
Torricelli	Watt	Zeliff
Trafficant	Waxman	Zimmer
Tucker	Weldon	

NAYS—17

Archer	DeLay	Porter
Armey	Duncan	Rogers
Barton	Ehlers	Sensenbrenner
Camp	Hancock	Smith (MI)
Canady	Johnson, Sam	Stump
Crane	Kasich	

NOT VOTING—25

Andrews (TX)	Hall (OH)	Owens
Bilirakis	Hastert	Ridge
Boehner	Hastings	Roth
Brooks	Laughlin	Slattery
Coleman	Lewis (FL)	Towns
de la Garza	Machtley	Washington
Dingell	Michel	Young (AK)
Ewing	Neal (NC)	
Fields (TX)	Ortiz	

So the bill was passed.

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

By unanimous consent, the title was amended so as to read: "An Act to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes."

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

9.24 ORDER OF BUSINESS—CONFERENCE  
ON H.R. 3759

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, if and when the Clerk receives a message from the Senate indicating that that body has passed the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, with amendments, insisted on said amendments and requested a conference with the House, the House be deemed to have disagreed to the amendments of the Senate and agreed to the conference asked by the Senate, and that the Speaker be deemed to have appointed conferees.

9.25 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

9.26 MOTION TO INSTRUCT CONFEREES—  
H.R. 3759

Mr. MCDADE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, to agree to the D'Amato amendment numbered 1442, as modified, adopted by the Senate on vote number 36, as follows: