

other relevant laws, rules and regulations. The Architect of the Capitol shall report to the Speaker of the House of Representatives, the House Office Building Commission, the Committee on Rules and Administration of the Senate, and the Joint Committee on the Library on an annual basis the results of its evaluation under this subsection.

(3) APPLICATION OF LAWS.—Nothing in this section shall be construed to alter or supersede any other provision of law otherwise applicable to the Architect of the Capitol or its employees, unless expressly provided in this section.

(e) DISCRIMINATION COMPLAINT PROCESSING.—

(1) DEFINITIONS.—For purposes of this subsection:

(A) The term "employee of the Architect of the Capitol" or "employee" means—

(i) any employee of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants;

(ii) any applicant for a position that is to be occupied by an individual described in clause (i); or

(iii) within 180 days after the termination of employment with the Architect of the Capitol, any individual who was formerly an employee described in clause (i) and whose claim of a violation arises out of the individual's employment with the Architect of the Capitol.

(B) The term "violation" means a practice that violates paragraph (2) of this subsection.

(C) Notwithstanding subparagraph (A), the terms "employee of the Architect of the Capitol" and "employee" do not include any individual referred to in clause (i), (ii), or (iii) of such subparagraph who is a House of Representatives garage or parking lot attendant (including the Superintendent), with respect to whom supervision and all other employee-related matters are transferred to the Sergeant at Arms of the House of Representatives pursuant to direction of the Committee on Appropriations of the House of Representatives in House Report 103-517 of the One Hundred Third Congress.

(2) DISCRIMINATORY PRACTICES PROHIBITED.—

(A) IN GENERAL.—All personnel actions affecting employees of the Architect of the Capitol shall be made free from any discrimination based on—

(i) race, color, religion, sex, or national origin, within the meaning of section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16);

(ii) age, within the meaning of section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a); or

(iii) handicap or disability, within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and sections 102 through 104 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112-14).

(B) INTIMIDATION PROHIBITED.—Any intimidation of, or reprisal against, any employee by the Architect of the Capitol, or by any employee of the Architect of the Capitol, because of the exercise of a right under this section constitutes an unlawful employment practice, which may be remedied in the same manner as are other violations described in subparagraph (A).

(3) PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.—

(A) Any employee of the Architect of the Capitol alleging a violation of paragraph (2) may file a charge with the General Accounting Office Personnel Appeals Board in accordance with the General Accounting Office Personnel Act of 1980 (31 U.S.C. 751-55). Such a charge may be filed only after the employee has filed a complaint with the Architect of the Capitol in accordance with requirements prescribed by the Architect of

the Capitol and has exhausted all remedies pursuant to such requirements.

(B) The Architect of the Capitol shall carry out any action within its authority that the Board orders under section 4 of the General Accounting Office Personnel Act of 1980 (31 U.S.C. 753).

(C) The Architect of the Capitol shall reimburse the General Accounting Office for costs incurred by the Board in considering charges filed under this subsection.

(4) AMENDMENTS TO THE GENERAL ACCOUNTING OFFICE PERSONNEL ACT OF 1980.—

(A) Section 751(a)(1) of title 31, United States Code, is amended by inserting "or of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants," after "Office".

(B) Section 753(a) of title 31, United States Code, is amended—

(i) in paragraph (7) by striking "and" at the end of the paragraph;

(ii) in paragraph (8) by striking the period and inserting"; and"; and

(iii) by inserting at the end thereof the following:

"(9) an action involving discrimination prohibited under section 312(e)(2) of the Architect of the Capitol Human Resources Act."

(C) Section 755 of title 31, United States Code, is amended—

(i) in subsection (a), by striking "or (7)" and inserting ", (7) or (9)"; and

(ii) in subsection (b)—

(I) by striking "or applicant for employment" and inserting "applicant for employment, or employee of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants"; and

(II) by inserting "or under section 312(e)(2) of the Architect of the Capitol Human Resources Act" after "of this title".

(F) CONFORMING AMENDMENTS.—

(1) Section 301(c) of Public Law 102-166 is amended—

(A) by striking subparagraph (B);

(B) by striking "or (B)" in subparagraphs (C) and (D); and

(C) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(2) Section 305(c) of Public Law 102-166 is amended to read as follows:

"(C) EMPLOYEES OF THE CAPITOL POLICE.—In the case of an employee who is a member of the Capitol Police, the Director may refer the employee to the Capitol Police Board for resolution of the employee's complaint through the internal grievance procedures of the Capitol Police Board for a specific period of time, which shall not count against the time available for counseling or mediation under this title."

(3) Section 312 of Public Law 102-166 is amended by striking "or by the Architect of the Capitol, or anyone employed by the Architect of the Capitol."

(4) Section 501(h)(2) of the Family and Medical Leave Act of 1993 is amended by striking "or (B)".

And the Senate agree to the same.

VIC FAZIO,
JAMES P. MORAN,
DAVID R. OBEY,
JOHN P. MURTHA,
BOB CARR,
MARTIN O. SABO,
BILL YOUNG,
RON PACKARD,
CHARLES H. TAYLOR,
JOSEPH M. MCDADE,

Managers on the Part of the House.

HARRY REID,
BARBARA A. MIKULSKI,
PATTY MURRAY,
ROBERT C. BYRD,
CONNIE MACK,

CONRAD BURNS,
MARK O. HATFIELD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection and, under the operation thereof, the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶72.29 DOD APPROPRIATIONS

Mr. MURTHA moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

Pending said motion,

On motion of Mr. MURTHA, by unanimous consent,

Ordered, That time for general debate continue not to exceed five minutes to be equally divided and controlled by Mr. MURTHA and Mr. MCDADE.

The question being put, *viva voce,*

Will the House agree to said motion? The SPEAKER pro tempore, Mr. OBERSTAR, announced that the yeas had it.

So the motion was agreed to.

Accordingly,

The House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of said bill.

The SPEAKER pro tempore, Mr. OBERSTAR, by unanimous consent, designated Mr. TORICELLI as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. McNULTY, assumed the Chair.

When Mr. TORRICELLI, Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with an amendment adopted by the Committee with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

By unanimous consent, the previous question was ordered on the amendment and the bill.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

On page 107 of the bill, after line 4, insert the following new section:

SEC. 8121. The total amount appropriated to or for the use of the Department of Defense by this act for research, development, test and evaluation for management support is hereby reduced by \$30,000,000: *Provided,* That the Secretary of Defense shall allocate the amount reduced in the preceding sentence and not later than December 31, 1994, report to the Senate and the House Committees on Appropriations and Armed Services

how this reduction was allocated among the services and Defense agencies.

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. MCNULTY, announced that the yeas had it.

Mr. BUNNING 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 330
Nays 91

¶72.30 [Roll No. 313]
YEAS—330

- | | | |
|--------------|----------------|-------------|
| Abercrombie | Durbin | Kildee |
| Ackerman | Edwards (TX) | Kim |
| Andrews (ME) | Emerson | King |
| Andrews (NJ) | Engel | Kingston |
| Andrews (TX) | English | Kleczyka |
| Applegate | Eshoo | Klein |
| Bacchus (FL) | Evans | Klink |
| Baesler | Everett | Kolbe |
| Barca | Farr | Kopetski |
| Barcia | Fazio | Kreidler |
| Barlow | Fields (LA) | LaFalce |
| Barrett (NE) | Filner | Lambert |
| Bateman | Fingerhut | Lancaster |
| Becerra | Flake | Lantos |
| Beilenson | Foglietta | LaRocco |
| Bereuter | Ford (TN) | Laughlin |
| Berman | Fowler | Lazio |
| Bevill | Franks (CT) | Leach |
| Billbray | Frost | Lehman |
| Bilirakis | Furse | Levin |
| Bishop | Galleghy | Levy |
| Blackwell | Gallo | Lewis (CA) |
| Bliley | Gejdenson | Lewis (FL) |
| Blute | Gekas | Lewis (GA) |
| Boehlert | Gephardt | Lewis (KY) |
| Boehner | Geren | Lightfoot |
| Bonilla | Gilchrest | Linder |
| Bonior | Gillmor | Lipinski |
| Borski | Gilman | Livingston |
| Boucher | Gingrich | Lloyd |
| Brewster | Glickman | Long |
| Brooks | Gonzalez | Lowe |
| Browder | Goodlatte | Lucas |
| Brown (FL) | Goodling | Maloney |
| Brown (OH) | Gordon | Mann |
| Bryant | Green | Manton |
| Byrne | Gunderson | Manzullo |
| Callahan | Gutierrez | Markey |
| Calvert | Hall (OH) | Martinez |
| Canady | Hall (TX) | Matsui |
| Cantwell | Hamilton | Mazzoli |
| Cardin | Harman | McCandless |
| Carr | Hastert | McCloskey |
| Castle | Hastings | McCollum |
| Chapman | Hayes | McCrery |
| Clay | Hefner | McCurdy |
| Clayton | Hilliard | McDade |
| Clement | Hinche | McDermott |
| Clinger | Hoagland | McHale |
| Clyburn | Hobson | McKeon |
| Coleman | Hochbrueckner | McKinney |
| Collins (GA) | Holden | McMillan |
| Collins (MI) | Horn | McNulty |
| Condit | Houghton | Meehan |
| Conyers | Hoyer | Meek |
| Cooper | Hughes | Menendez |
| Coppersmith | Hutchinson | Mfume |
| Costello | Hutto | Mica |
| Coyne | Hyde | Michel |
| Cramer | Inslee | Miller (CA) |
| Danner | Istook | Mineta |
| Darden | Jacobs | Mink |
| de la Garza | Jefferson | Moakley |
| Deal | Johnson (CT) | Molinar |
| DeLauro | Johnson (GA) | Mollohan |
| Derrick | Johnson (SD) | Montgomery |
| Deutsch | Johnson, E. B. | Moran |
| Dickey | Kanjorski | Morella |
| Dicks | Kaptur | Murtha |
| Dingell | Kasich | Nadler |
| Dixon | Kennedy | Neal (MA) |
| Dooley | Kennelly | Neal (NC) |

- | | | |
|---------------|---------------|-------------|
| Obey | Roybal-Allard | Synar |
| Oliver | Rush | Talent |
| Ortiz | Sabo | Tanner |
| Orton | Sangmeister | Tauzin |
| Oxley | Santorum | Taylor (MS) |
| Packard | Sarpalius | Taylor (NC) |
| Pallone | Sawyer | Tejeda |
| Parker | Saxton | Thomas (CA) |
| Pastor | Schenck | Thompson |
| Payne (NJ) | Schiff | Thornton |
| Payne (VA) | Schroeder | Thurman |
| Pelosi | Schumer | Torkildsen |
| Peterson (FL) | Scott | Torres |
| Pickett | Serrano | Torricelli |
| Pickle | Sharp | Towns |
| Pomeroy | Shaw | Traficant |
| Porter | Shepherd | Tucker |
| Portman | Shuster | Unsoeld |
| Poshard | Sisisky | Upton |
| Price (NC) | Skaggs | Valentine |
| Pryce (OH) | Skeen | Velazquez |
| Quillen | Skelton | Visclosky |
| Quinn | Slattery | Volkmeyer |
| Rahall | Slaughter | Vucanovich |
| Rangel | Smith (IA) | Walker |
| Ravenel | Smith (MI) | Walsh |
| Reed | Smith (NJ) | Waters |
| Regula | Smith (TX) | Watt |
| Reynolds | Snowe | Weldon |
| Richardson | Spence | Wheat |
| Ridge | Spratt | Williams |
| Roberts | Stenholm | Wilson |
| Roemer | Stokes | Wise |
| Rogers | Strickland | Wolf |
| Rohrabacher | Studds | Woolsey |
| Rose | Stupak | Wynn |
| Rostenkowski | Sundquist | Young (AK) |
| Rowland | Swett | Young (FL) |

NAYS—91

- | | | |
|--------------|--------------|---------------|
| Allard | Ehlers | Minge |
| Archer | Ewing | Moorhead |
| Armey | Fawell | Myers |
| Bachus (AL) | Fields (TX) | Nussle |
| Baker (CA) | Frank (MA) | Oberstar |
| Baker (LA) | Franks (NJ) | Owens |
| Ballenger | Goss | Paxon |
| Barrett (WI) | Grams | Penny |
| Bartlett | Greenwood | Peterson (MN) |
| Barton | Hamburg | Petri |
| Bentley | Hancock | Pombo |
| Brown (CA) | Hansen | Ramstad |
| Bunning | Hefley | Ros-Lehtinen |
| Burton | Herger | Roth |
| Buyer | Hoekstra | Roukema |
| Camp | Hoke | Royce |
| Coble | Huffington | Sanders |
| Collins (IL) | Hunter | Schaefer |
| Combest | Inglis | Sensenbrenner |
| Cox | Inhofe | Shays |
| Crane | Johnson, Sam | Solomon |
| Crapo | Johnston | Stark |
| Cunningham | Klug | Stearns |
| DeFazio | Knollenberg | Stump |
| Diaz-Balart | Kyl | Thomas (WY) |
| Doolittle | Margolies- | Vento |
| Dornan | Mezvinsky | Waxman |
| Dreier | McHugh | Wyden |
| Duncan | McInnis | Zeliff |
| Dunn | Meyers | Zimmer |
| Edwards (CA) | Miller (FL) | |

NOT VOTING—13

- | | | |
|-----------|------------|------------|
| DeLay | Grandy | Washington |
| Dellums | Machtley | Whitten |
| Fish | Murphy | Yates |
| Ford (MI) | Smith (OR) | |
| Gibbons | Swift | |

So the bill was passed.

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

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

¶72.31 ADJOURNMENT OF THE TWO HOUSES

On motion of Mr. GEPHARDT, by unanimous consent, the House considered the following concurrent resolution (H. Con. Res. 263):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 30, 1994, it stand adjourned until 10:30 a.m. on Tuesday, July 12, 1994, or until noon

on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, June 30, 1994, Friday, July 1, 1994, Saturday, July 2, 1994, or Sunday, July 3, 1994 pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Monday, July 11, 1994, or at such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶72.32 MOTION TO INSTRUCT CONFEREES—H.R. 3355

Ms. MOLINARI 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 House amendment to the Senate amendment to the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community, to address crime and disorder problems, and otherwise to enhance public safety; be instructed not to make any agreement that does not include subtitle E of title VIII of the Senate amendment, providing for the admissibility of evidence of similar crimes in sex offense cases.

After debate, By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*, Will the House now agree to said motion?

The SPEAKER announced that the yeas had it.

Ms. MOLINARI 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 affirmative { Yeas 348
Nays 62

¶72.33 [Roll No. 314]
AYES—348

- | | | |
|----------|--------------|--------------|
| Ackerman | Andrews (NJ) | Armey |
| Allard | Archer | Bacchus (FL) |