

Wilson	Woolsey	Wynn
Wise	Wyden	Yates
NOT VOTING—20		
Andrews (TX)	Fields (TX)	McMillan
Bacchus (FL)	Hastert	Michel
Bilirakis	Hastings	Neal (NC)
Clayton	Hilliard	Ridge
Coleman	Laughlin	Slattery
de la Garza	Markey	Washington
Ewing	Matsui	

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 pro tempore, Mr. CARDIN, announced that the yeas had it.

Mr. GEKAS 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 356
Nays 56

¶9.18 [Roll No. 23]
AYES—356

Ackerman	Deal	Herger
Allard	DeFazio	Hinchey
Andrews (ME)	DeLauro	Hoagland
Andrews (NJ)	Dellums	Hobson
Applegate	Derrick	Hochbrueckner
Bachus (AL)	Deutsch	Hoekstra
Baesler	Diaz-Balart	Holden
Baker (LA)	Dicks	Horn
Barca	Dingell	Hoyer
Barcia	Dixon	Huffington
Barlow	Dooley	Hughes
Barrett (NE)	Dunn	Hunter
Barrett (WI)	Durbin	Hutto
Bateman	Edwards (CA)	Hyde
Becerra	Edwards (TX)	Inhofe
Beilenson	Ehlers	Inslee
Bentley	Engel	Istook
Bereuter	English	Jacobs
Berman	Eshoo	Jefferson
Bevill	Evans	Johnson (CT)
Bilbray	Everett	Johnson (GA)
Bishop	Farr	Johnson (SD)
Blackwell	Fawell	Johnson, E. B.
Blute	Fazio	Johnston
Boehlert	Fields (LA)	Kanjorski
Boehner	Filner	Kaptur
Bonior	Fingerhut	Kasich
Borski	Fish	Kennedy
Boucher	Flake	Kennelly
Brewster	Foglietta	Kildee
Brooks	Ford (MI)	Kingston
Browder	Ford (TN)	Kleczka
Brown (CA)	Fowler	Klein
Brown (FL)	Frank (MA)	Klink
Brown (OH)	Franks (CT)	Klug
Bryant	Franks (NJ)	Knollenberg
Burton	Frost	Kopetski
Byrne	Furse	Kreidler
Calvert	Galleghy	LaFalce
Camp	Gallo	Lambert
Canady	Gejdenson	Lancaster
Cantwell	Gephardt	Lantos
Cardin	Geren	LaRocco
Carr	Gibbons	Lazio
Castle	Gilchrest	Leach
Chapman	Gillmor	Lehman
Clay	Gilman	Levin
Clement	Glickman	Levy
Clinger	Gonzalez	Lewis (CA)
Clyburn	Goodlatte	Lewis (FL)
Collins (GA)	Gordon	Lewis (GA)
Collins (IL)	Goss	Lightfoot
Collins (MI)	Grandy	Lipinski
Combest	Green	Livingston
Condit	Greenwood	Lloyd
Conyers	Gunderson	Long
Cooper	Gutierrez	Lowey
Coppersmith	Hall (OH)	Machtley
Costello	Hall (TX)	Maloney
Coyne	Hamburg	Mann
Cramer	Hamilton	Manton
Cunningham	Harman	Manzullo
Danner	Hayes	Margolies-
Darden	Hefner	Mezvinsky

Markey	Petri	Smith (OR)
Martinez	Pickett	Smith (TX)
Matsui	Pickle	Snowe
Mazzoli	Pomeroy	Spence
McCandless	Porter	Spratt
McCoskey	Portman	Stark
McCollum	Poshard	Stearns
McCrery	Price (NC)	Stenholm
McCurdy	Pryce (OH)	Stokes
McDade	Quinn	Strickland
McDermott	Rahall	Studds
McHale	Ramstad	Stupak
McHugh	Rangel	Sweet
McKeon	Ravenel	Swift
McKinney	Reed	Synar
Meehan	Regula	Tanner
Meek	Reynolds	Tauzin
Menendez	Richardson	Taylor (MS)
Meyers	Roberts	Tejeda
Mfume	Roemer	Thomas (WY)
Mica	Rogers	Thompson
Miller (CA)	Rohrabacher	Thornton
Miller (FL)	Ros-Lehtinen	Thurman
Mineta	Rose	Torkildsen
Minge	Rostenkowski	Torres
Mink	Roukema	Torricelli
Moakley	Rowland	Towns
Molinari	Roybal-Allard	Traficant
Mollohan	Royce	Tucker
Montgomery	Rush	Unsoeld
Moorhead	Sabo	Upton
Moran	Sanders	Valentine
Morella	Sangmeister	Velazquez
Murphy	Santorum	Vento
Murtha	Sarpalius	Visclosky
Myers	Sawyer	Volkmer
Nadler	Saxton	Vucanovich
Natcher	Schenk	Walsh
Neal (MA)	Schiff	Waters
Oberstar	Schroeder	Watt
Obey	Schumer	Waxman
Olver	Scott	Weldon
Ortiz	Serrano	Wheat
Orton	Sharp	Whitten
Owens	Shaw	Williams
Packard	Shays	Wilson
Pallone	Shepherd	Wise
Parker	Sisisky	Wolf
Pastor	Skaggs	Woolsey
Payne (NJ)	Skeen	Wyden
Payne (VA)	Skelton	Wynn
Pelosi	Slaughter	Yates
Penny	Smith (IA)	Young (FL)
Peterson (FL)	Smith (MI)	Zeliff
Peterson (MN)	Smith (NJ)	Zimmer

NOES—56

Abercrombie	Dreier	Linder
Archer	Duncan	McInnis
Armey	Emerson	McNulty
Ballenger	Gekas	Nussle
Bartlett	Gingrich	Oxley
Barton	Goodling	Paxon
Biiley	Grams	Pombo
Billilla	Hancock	Quillen
Bunning	Hansen	Schaefer
Buyer	Hefley	Sensenbrenner
Callahan	Hoke	Shuster
Coble	Houghton	Solomon
Cox	Hutchinson	Stump
Crane	Inglis	Sundquist
Crapo	Johnson, Sam	Taylor (NC)
DeLay	Kim	Thomas (CA)
Dickey	King	Walker
Doolittle	Kolbe	Young (AK)
Dornan	Kyl	

NOT VOTING—21

Andrews (TX)	Ewing	Michel
Bacchus (FL)	Fields (TX)	Neal (NC)
Baker (CA)	Hastert	Ridge
Bilirakis	Hastings	Roth
Clayton	Hilliard	Slattery
Coleman	Laughlin	Talent
de la Garza	McMillan	Washington

So the bill was passed.

On motion of Mr. BROOKS, pursuant to House Resolution 352, the bill of the Senate (S. 24) to reauthorize the independent counsel law for an additional 5 years, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. BROOKS submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 811, as passed by the House.

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

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

On motion of Mr. BROOKS, pursuant to House Resolution 352, it was,

Resolved, That the House insist upon its amendment to the foregoing bill and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. CARDIN, by unanimous consent, announced the appointment of Messrs. BROOKS, BRYANT, GLICKMAN, FRANK, FISH, HYDE, and GEKAS, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

By unanimous consent, H.R. 811, a similar House bill, was laid on the table.

¶9.19 PROVIDING FOR THE
CONSIDERATION OF H.R. 3345

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 357):

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. 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 first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service. 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 accompanying this resolution. The amendment in the nature of a substitute shall be considered as read. No amendment to the amendment in the nature of a substitute shall be in order except the amendment printed in part 2 of the report of the Committee on Rules, which may be offered only by a Member designated in the report, 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. All points of order against the amendments printed in the report of the Committee on Rules are waived. 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 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, Combest, 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, Obey, 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