

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 842) TO AMEND THE NATIONAL LABOR RELATIONS ACT, THE LABOR MANAGEMENT RELATIONS ACT, 1947, AND THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 8) TO REQUIRE A BACKGROUND CHECK FOR EVERY FIREARM SALE; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1446) TO AMEND CHAPTER 44 OF TITLE 18, UNITED STATES CODE, TO STRENGTHEN THE BACKGROUND CHECK PROCEDURES TO BE FOLLOWED BEFORE A FEDERAL FIREARMS LICENSEE MAY TRANSFER A FIREARM TO A PERSON WHO IS NOT SUCH A LICENSEE; AND FOR OTHER PURPOSES.

March 8, 2021.—Referred to the House Calendar and ordered to be printed.

MR. DESAULNIER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 8 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 842, the Protecting the Right to Organize Act of 2021, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment printed in part A of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides that following debate, each further amendment printed in part B of this report not earlier considered as part of amendments en bloc pursuant to

section 3 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides that at any time after debate the chair of the Committee on Education and Labor or his designee may offer amendments en bloc consisting of further amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides one motion to recommit. The resolution provides for consideration of H.R. 8, the Bipartisan Background Checks Act of 2021, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides that following debate, each further amendment printed in part C of this report not earlier considered as part of amendments en bloc pursuant to section 6 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides that at any time after debate the chair of the Committee on the Judiciary or his designee may offer amendments en bloc consisting of further amendments printed in part C of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides one motion to recommit. The resolution provides for consideration of H.R. 1446, the Enhanced Background Checks Act of 2021, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides that following debate, each further amendment printed in part D of this report not earlier considered as part of amendments en bloc pursuant to section 9 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be

subject to a demand for division of the question. The resolution provides that at any time after debate the chair of the Committee on the Judiciary or his designee may offer amendments en bloc consisting of further amendments printed in part D of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides one motion to recommit. The resolution waives all points of order against amendments printed in Parts B, C, and D of this report or amendments en bloc described in sections 3, 6, and 9 of the resolution. Section 11 of the resolution provides that on any legislative day during the period from March 13, 2021, through April 22, 2021—(a) the Journal of the proceedings of the previous day shall be considered as approved; and (b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment. The resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 11 of the resolution as though under clause 8(a) of rule I. The resolution provides that each day during the period addressed by section 11 of the resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). The resolution provides that each day during the period addressed by section 11 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII. The resolution provides that each day during the period addressed by section 11 of the resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII. The resolution provides that it shall be in order at any time through the calendar day of April 22, 2021, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section. The resolution provides that the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of April 22, 2021. The resolution amends Section 4(d) of House Resolution 8, One Hundred Seventeenth Congress, by -- (a) in paragraph (3), striking “and”; (b) in paragraph (4), striking the period and inserting “; and”; and (c) adding at the end the following: “(5) the Select Committee shall be composed of 16 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom 7 shall be appointed on the recommendation of the Minority Leader.”.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 842 includes a waiver of the following:

- Section 303 of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority, change in revenues, change in public debt, new entitlement authority or new credit authority for a fiscal year until the budget resolution for that year has been agreed to.

Although the resolution waives all points of order against provisions in H.R. 842, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 8, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 8, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 1446, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 1446, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in Parts B, C, and D of this report or against amendments en bloc described in sections 3, 6, and 9 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 54

Motion by Mr. Cole to report an open rule for H.R. 8, H.R. 842, and H.R. 1446. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Burgess.....	
Mr. Perlmutter.....	Nay	Mr. Reschenthaler.....	Yea
Mr. Raskin.....	Nay	Mrs. Fischbach.....	Yea
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Mr. DeSaulnier.....	Nay		
Ms. Ross.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 55

Motion by Mr. Reschenthaler to amend the rule to H.R. 8 to make in order amendment #34, offered by Rep. Steube (FL), which adds a new exemption to the background check requirement, allowing the transfer of a firearm to the spouse of a deployed member of the Armed Forces of the United States. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Burgess.....	
Mr. Perlmutter.....	Nay	Mr. Reschenthaler.....	Yea
Mr. Raskin.....	Nay	Mrs. Fischbach.....	Yea
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Mr. DeSaulnier.....	Nay		
Ms. Ross.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 56

Motion by Mr. Reschenthaler to amend the rule to H.R. 8 to make in order amendment #35, offered by Rep. Steube (FL), which adds a new exemption to the background check requirement, allowing the transfer of a firearm to an individual who has a valid State-issued permit to purchase or license to own a firearm. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Burgess.....	
Mr. Perlmutter.....	Nay	Mr. Reschenthaler.....	Yea
Mr. Raskin.....	Nay	Mrs. Fischbach.....	Yea
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Mr. DeSaulnier.....	Nay		
Ms. Ross.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 57

Motion by Mrs. Fischbach to amend the rule to H.R. 842 to make in order amendment #52, offered by Rep. Foxx (NC), which requires unions that have had at least one president or vice president convicted of a felony related to financial malfeasance with respect to the union within the past three years to file more detailed financial disclosures with the Department of Labor's Office of Labor-Management Standards. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Burgess.....	
Mr. Perlmutter.....	Nay	Mr. Reschenthaler.....	Yea
Mr. Raskin.....	Nay	Mrs. Fischbach.....	Yea
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Mr. DeSaulnier.....	Nay		
Ms. Ross.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 58

Motion by Mrs. Fischbach to amend the rule to H.R. 8 to make in order amendment #32, offered by Rep. Chabot (OH), which adds a new exemption to the background check requirement, allowing a transfer of firearms to or from a museum or historical display. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Burgess.....	
Mr. Perlmutter.....	Nay	Mr. Reschenthaler.....	Yea
Mr. Raskin.....	Nay	Mrs. Fischbach.....	Yea
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Mr. DeSaulnier.....	Nay		
Ms. Ross.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 59

Motion by Ms. Scanlon to report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....		Mr. Cole.....	Nay
Mrs. Torres.....	Yea	Mr. Burgess.....	
Mr. Perlmutter.....	Yea	Mr. Resenthaler.....	Nay
Mr. Raskin.....	Yea	Mrs. Fischbach.....	Nay
Ms. Scanlon.....	Yea		
Mr. Morelle.....	Yea		
Mr. DeSaulnier.....	Yea		
Ms. Ross.....	Yea		
Mr. McGovern, Chairman.....	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 842 IN PART A
CONSIDERED AS ADOPTED

1. Scott, Bobby (VA): States that amendments under this Act shall not be construed to amend section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

SUMMARY OF THE AMENDMENTS TO H.R. 842 IN PART B MADE IN
ORDER

1. Bourdeaux (GA): Clarifies that nothing in this Act shall be construed to affect the jurisdictional standards of the NLRB with respect to small businesses, including any standards those that measure the size of a business with respect to revenues, that are used to determine whether an industry is affecting commerce for purposes of determining coverage under the National Labor Relations Act. (10 minutes)
2. Allen (GA), Cline (VA): Strikes Section 111 in the bill, which overturns state right-to-work laws. (10 minutes)
3. Comer (KY): Strikes Sec. 202 of the bill which codifies the Obama Administration's "persuader rule" requiring attorneys and consultants to disclose to DOL arrangements or agreements they have with employers regarding unionization where the attorney or consultant will not be communicating with employees. (10 minutes)
4. Davids (KS): Clarifies that the amendments made under this Act shall not affect the privacy of employees with respect to voter lists provided to labor organizations by employers pursuant to elections directed by the Board. (10 minutes)
5. Fitzgerald (WI): Requires a labor organization to receive express consent from the employee before using his or her union dues for any purpose not directly related to the labor organization's collective bargaining or contract administration. (10 minutes)
6. Fulcher (ID): Codifies "vote-and-impound" process for blocking charges and 45-day decertification window for voluntary recognition as set forth in the NLRB's August 12, 2019, Notice of Proposed Rulemaking. (10 minutes)
7. Good (VA): Amends section 302 of the Labor Management Relations Act to prohibit "neutrality agreements", to allow for greater fairness and transparency for workers in their representation. (10 minutes)
8. Hern (OK): States that the Act may not take effect until the Secretary of Labor certifies that the bill will not have an adverse impact on rates of employment in the United States. (10 minutes)
9. Jackson Lee (TX): Provides whistleblower protections to employees who report violations of the Labor Management Reporting and Disclosure Act (LMRDA) with this amendment covering employees of employers as well as employees of labor unions. (10 minutes)
10. Keller (PA): Strikes language in the bill banning employers from permanently replacing striking workers and language which permits intermittent striking. The NLRA currently protects the right of employees to replace striking workers permanently, and the NLRB has held that "intermittent" strikes are not protected activity under the NLRA. (10 minutes)

11. Levin, Andy (MI): Directs the National Labor Relations Board to develop a system and procedures to conduct union representation elections electronically, as allowed by the underlying legislation. (10 minutes)
12. McBath (GA), Phillips (MN), Morelle (NY), Murphy, Stephanie (FL), Schrader (OR): Clarifies that nothing in this Act shall affect the definitions of "employer" or "employee" under any state law for wage, hour, worker's compensation or unemployment insurance. (10 minutes)
13. Murphy, Stephanie (FL), McBath (GA), Peters (CA), Phillips (MN), Case (HI), Cuellar (TX), Schrader (OR), Rice, Kathleen (NY): Requires GAO, within one-and-a-half years from the date of enactment, to prepare a report on the impact—on workers and businesses across different sectors—of the changes made by the bill to the definition of “employee” (the “ABC” test) and the definition of “joint employer” under the National Labor Relations Act. The President is required to consider the report and, within 60 days, may recommend that Congress modify one or both of these definitions or make no recommendation. Expresses the Sense of the House that the House shall consider whether to accept, reject, or modify any recommendations received from the President. (10 minutes)
14. Newman (IL): Specifies the National Labor Relations Board's regulations regarding notices to inform workers of their rights must address requirements for posting notices in the languages spoken by the employees. (10 minutes)
15. Stevens (MI): Directs the GAO to conduct a report on sectoral bargaining in other countries. (10 minutes)
16. Tlaib (MI): Establishes a 120-day timeline for the tripartite arbitration process between the employees/labor organization and employer in order to ensure that the arbitration process is not indefinitely drawn out. (10 minutes)
17. Torres, Ritchie (NY): Revises the Labor-Management and Disclosure Act of 1959 to require the Department of Labor to make disclosures under the persuader rule publicly available in an accessible and searchable electronic form, and through a secure software application for use on an electronic device. (10 minutes)
18. Walberg (MI): Strike the language in the bill requiring that a pre-election hearing begin no later than eight days after a notice of such hearing is served and replaces the provision with language ensuring at least 14 days between the filing of an election petition and a hearing taking place. (10 minutes)
19. Wilson, Joe (SC), Allen (GA), Gohmert (TX), Burgess (TX), Weber (TX), Cline (VA), Norman (SC), Bishop, Dan (NC), McClintock (CA), Issa (CA), Timmons (SC), Mann (KS), Rutherford (FL), Lesko (AZ), Harshbarger (TN), Tiffany, Thomas (WD): Amends Section 111 to strike current language and insert the national right-to-work language erasing automatic dues clauses. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 8 IN PART C MADE IN ORDER

1. Clyde (GA): Requires the Attorney General, the Comptroller General, and a nongovernmental organization to each conduct a study, within 180 days of enactment, to determine how and to what extent the provisions of this Act will reduce rates of violent crime and gun violence. (10 minutes)
2. Crist (FL): Requires an alien lawfully admitted to the United States under a non-immigrant visa to obtain the approval of the Attorney General before receiving a firearm. (10 minutes)
3. Crow (CO): Expands the background check exemption for hunting and fishing to also include pest remediation associated with ranching and

farming. (10 minutes)

4. Garcia, Sylvia (TX): Requires the Attorney General to make available to any person licensed under this chapter both Spanish and English versions of the form required for the conduct of a background check. (10 minutes)
5. Jackson Lee (TX): Makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, if the risk is imminent, without a background check to prevent self-harm. (10 minutes)
6. Lamb (PA), Rice, Tom (SC): Clarifies that no background check is required for exchanges of firearms between family members and rather should be viewed, between family members, as two simultaneous gifts. (10 minutes)
7. Newman (IL), Porter (CA): Requires a report to Congress, within 150 day after enactment, analyzing the effect, if any, of this Act on the safety of victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking. (10 minutes)
8. Torres, Ritchie (NY): Revises the purpose of the Act to explicitly prohibit gun purchases for certain individuals who do not pass background checks. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 1446 IN PART D MADE IN ORDER

1. Burgess (TX): Requires the Department of Justice Inspector General to submit a report to Congress on the number of NICS denials referred for investigation after a firearm was sold to a person who was later found to be ineligible. (10 minutes)
2. Levin, Mike (CA): Adds to the GAO reports in the bill, which are to be completed one year, three years, and five years after enactment, data disaggregated by state and the basis for denial in state law. (10 minutes)
3. McBath (GA): Amends the domestic violence reporting provision to require that the effects of the Act on domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking will be disaggregated by state. (10 minutes)
4. Neguse (CO), Schneider (IL): Strikes section 4 and replaces it to require the Director of the Federal Bureau of Investigation to make an annual report, which shall be available to the public, that provides disaggregated information on background check denials not made within the 10-day period. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 842 CONSIDERED AS
ADOPTED

Page 34, after line 13, insert the following:

SEC. 303. RULE OF CONSTRUCTION.

The amendments made under this Act shall not be construed to amend section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

In the table of contents, after the matter relating to section 302, insert the following:

Sec. 303. Rule of Construction.

PART B—TEXT OF AMENDMENTS TO H.R. 842 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOURDEAUX OF GEORGIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

On page 34, after line 13, insert the following:

SEC. 303. RULE OF CONSTRUCTION.

The amendments made by this Act shall not be construed to affect the jurisdictional standards of the National Labor Relations Board, including any standards that measure the size of a business with respect to revenues, that are used to determine whether an industry is affecting commerce for purposes of determining coverage under the National Labor Relations Act (29 U.S.C. 151 et seq.).

In the table of contents, after the matter relating to section 302, insert the following:

Sec. 303. Rule of Construction.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ALLEN OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, in the table of contents, strike the item relating to section 111.
Beginning on page 32, line 5, strike section 111.

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COMER OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In title II of the bill, strike Sec. 202.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIDS
OF KANSAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

On page 3, in the table of contents, insert after the matter related to section 302 the following:

Sec. 303. Rule of Construction

On page 34, after line 13, insert the following:

SEC. 303. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed to affect the privacy of employees with respect to voter lists provided to labor organizations by employers pursuant to elections directed by the Board.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FITZGERALD OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 33, line 13, strike "Section 203(c)" and insert "(A) REPORT TO EMPLOYERS.—Section 203(c)".

Page 34, after line 2, add at the end the following:

(b) RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.—Title I of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) is amended by adding at the end the following:

"SEC. 106. RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.

"No employee's union dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly related to the labor organization's collective bargaining or contract administration functions on behalf of the represented unit employee unless the employee member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than 35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section."

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FULCHER OF IDAHO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 14, beginning on line 22, in section 105, redesignate paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively.

Page 14, line 25, insert before paragraph (2) (as so redesignated) the following:

(1) in subsection (a), by adding at the end the following: “: *Provided further*, That an employer's voluntary recognition of a labor organization as exclusive bargaining representative of an appropriate unit of the employer's employees under this subsection, and any collective-bargaining agreement executed by the parties on or after the date of voluntary recognition, will not bar the processing of an election petition unless (1) the employer and labor organization notify the Regional office that recognition has been granted; (2) the employer posts a notice of recognition (provided by the Regional Office) informing employees that recognition has been granted and that they have a right, during a 45-day period to file a decertification or rival-union petition; and (3) 45 days from the posting date pass without a properly supported petition being filed.”;

Page 19, after line 18, insert the following:

“(9) Whenever any party to a representation proceeding files an unfair labor practice charge together with a request that it block the election process, or whenever any party to a representation proceeding requests that its previously filed unfair labor practice charge block the election process, the party shall simultaneously file, but not serve on any other party, a written offer of proof in support of the charge. The offer of proof shall provide the names of the witnesses who will testify in support of the charge and a summary of each witness's anticipated testimony. The party seeking to block the election process shall also promptly make available to the regional director the witnesses identified in its offer of proof. The regional director shall continue to process the petition and conduct the election. If the charge has not been withdrawn, dismissed, or settled prior to the conclusion of the election, the ballots shall be impounded until there is a final determination regarding the charge and its effect, if any, on the election petition or fairness of the election.”;

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOOD OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, line 23, strike “Section 9” and insert “(a) IN GENERAL.—
Section 9”.

Page 21, after line 7, insert the following:

(b) PROHIBITION OF NEUTRALITY AGREEMENTS.—Section 302 of the Labor Management Relations Act (29 U.S.C. 186) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “or deliver” each place it appears and inserting “provide, or deliver”; and

(2) by adding at the end the following:

“(h) As used in this section, the term ‘thing of value’ includes organizing assistance.”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HERN
OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 3, in the table of contents, after the item relating to section 302
add at the end the following:

Sec. 304. Effective date.

Page 34, after line 13, add the following:

SEC. 304. EFFECTIVE DATE.

This Act (and the amendments made by such Act) may not take effect
until the Secretary of Labor certifies that this Act will not have an adverse
impact on rates of employment in the United States.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

On page 33, line 13, strike “Section 203(c)” and insert “(a) IN GENERAL.—Section 203(c)”.

On page 34, after line 2, insert the following:

(b) WHISTLEBLOWER PROTECTIONS.—The Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 401 et seq.) is further amended—

(1) by redesignating section 611 (29 U.S.C. 531) as section 612; and

(2) by inserting after section 610 (29 U.S.C. 530), the following new section:

“WHISTLEBLOWER PROTECTIONS

“SEC. 611.

“(a) IN GENERAL.—No employer or labor organization shall terminate or in any other way discriminate against, or cause to be terminated or discriminated against, any applicant, covered employee, or former covered employee, of the employer or the labor organization by reason of the fact that such applicant, covered employee, or former covered employee does, or the employer or labor organization perceives the employee to do, any of the following:

“(1) Provide, cause to be provided, or is about to provide or cause to be provided, information to the labor organization, the employer, the Department of Labor, or any other State, local, or Federal Government authority or law enforcement agency relating to any violation of, or any act or omission that such employee reasonably believes to be a violation of, any provision of this Act.

“(2) Testify or plan to testify or otherwise participate in any proceeding resulting from the administration or enforcement of any provision of this Act.

“(3) File, institute, or cause to be filed or instituted, any proceeding under this Act.

“(4) Assist in any activity described in paragraphs (1) through (3).

“(5) Object to, or refuse to participate in, any activity, policy, practice, or assigned task that such covered employee reasonably believes to be in violation of any provision of this Act.

“(b) DEFINITION OF COVERED EMPLOYEE.—For the purposes of this section, the term ‘covered employee’ means any employee or agent of an employer or labor organization, including any person with management responsibilities on behalf of the employer or labor organization.

“(c) PROCEDURES AND TIMETABLES.—

“(1) COMPLAINT.—

“(A) IN GENERAL.—An applicant, covered employee, or former covered employee who believes that he or she has been terminated or in any other way discriminated against by any person in violation of subsection (a) may file (or have any person file on his or her behalf) a complaint with the Secretary of Labor alleging such violation. Such a complaint must be filed not later than either—

“(i) 180 days after the date on which such alleged violation occurs; or

“(ii) 180 days after the date upon which the employee knows or should reasonably have known that such alleged violation in subsection (a) occurred.

“(B) ACTIONS OF SECRETARY OF LABOR.—Upon receipt of such a complaint, the Secretary of Labor shall notify, in writing, the person named in the complaint who is alleged to have committed the violation, of—

“(i) the filing of the complaint;

“(ii) the allegations contained in the complaint;

“(iii) the substance of evidence supporting the complaint;

and

“(iv) opportunities that will be afforded to such person under paragraph (2).

“(2) INVESTIGATION BY SECRETARY OF LABOR.—

“(A) IN GENERAL.—Not later than 60 days after the date of receipt of a complaint filed under paragraph (1), and after affording the complainant and the person named in the complaint who is alleged to have committed the violation that is the basis for the complaint an opportunity to submit to the Secretary of Labor a written response to the complaint and an opportunity to meet with a representative of the Secretary of Labor to present statements from witnesses, the Secretary of Labor shall—

“(i) initiate an investigation and determine whether there is reasonable cause to believe that the complaint has merit; and

“(ii) notify the complainant and the person alleged to have committed the violation of subsection (a), in writing, of such determination.

“(B) GROUNDS FOR DETERMINATION OF COMPLAINTS.—

The Secretary of Labor shall dismiss a complaint filed under this subsection, and shall not conduct an investigation otherwise required under paragraph (2), unless the complainant makes a prima facie showing that any behavior described in paragraphs (1) through (5) of subsection (a) was a contributing factor in the unfavorable personnel action alleged in the complaint.

“(3) BURDENS OF PROOF.—

“(A) CRITERIA FOR DETERMINATION.—In making a determination or adjudicating a complaint pursuant to this subsection, the Secretary, an administrative law judge or a court may determine that a violation of subsection (a) has occurred only if the complainant demonstrates that any conduct described in subsection (a) with respect to the complainant was a contributing factor in the adverse action alleged in the complaint.

“(B) PROHIBITION.—Notwithstanding subparagraph (A), a decision or order that is favorable to the complainant shall not be issued in any administrative or judicial action pursuant to this subsection if the respondent demonstrates by clear and convincing evidence that the respondent would have taken the same adverse action in the absence of such conduct.

“(C) NOTICE OF RELIEF AVAILABLE.—If the Secretary of Labor concludes that there is reasonable cause to believe that a violation of subsection (a) has occurred, the Secretary of Labor shall, together with the notice under paragraph (2)(A)(ii), issue a preliminary order providing the relief prescribed by paragraph (4) (B).

“(D) REQUEST FOR HEARING.—Not later than 30 days after the date of receipt of notification of a determination of the Secretary of Labor under this paragraph, either the person alleged to have committed the violation or the complainant may file objections to the findings or preliminary order, or both, and request a hearing on the record. The filing of such objections shall not operate to stay any

reinstatement remedy contained in the preliminary order. Any such hearing shall be conducted expeditiously, and if a hearing is not requested in such 30-day period, the preliminary order shall be deemed a final order that is not subject to judicial review.

“(E) PROCEDURES.—

“(i) IN GENERAL.—A hearing requested under this paragraph shall be conducted expeditiously and in accordance with rules established by the Secretary for hearings conducted by administrative law judges.

“(ii) SUBPOENAS; PRODUCTION OF EVIDENCE.— In conducting any such hearing, the administrative law judge may issue subpoenas. The respondent or complainant may request the issuance of subpoenas that require the deposition of, or the attendance and testimony of, witnesses and the production of any evidence (including any books, papers, documents, or recordings) relating to the matter under consideration.

“(4) ISSUANCE OF FINAL ORDERS; REVIEW PROCEDURES.—

“(A) TIMING.—Not later than 120 days after the date of conclusion of any hearing under paragraph (2), the Secretary of Labor shall issue a final order providing the relief prescribed by this paragraph or denying the complaint. At any time before issuance of a final order, a proceeding under this subsection may be terminated on the basis of a settlement agreement entered into by the Secretary of Labor, the complainant, and the person alleged to have committed the violation.

“(B) AVAILABLE RELIEF.—

“(i) ORDER OF SECRETARY OF LABOR.—If, in response to a complaint filed under paragraph (1), the Secretary of Labor determines that a violation of subsection (a) has occurred, the Secretary of Labor shall order the person who committed such violation—

“(I) to take affirmative action to abate the violation;

“(II) to reinstate the complainant to his or her former position, together with compensation (including back pay with interest) and restore the terms, conditions, and privileges associated with his or her employment;

“(III) to provide compensatory damages to the complainant; and

“(IV) expungement of all warnings, reprimands, or derogatory references that have been placed in paper or electronic records or databases of any type relating to the actions by the complainant that gave rise to the unfavorable personnel action, and, at the complainant's direction, transmission of a copy of the decision on the complaint to any person whom the complainant reasonably believes may have received such unfavorable information.

“(ii) COSTS AND EXPENSES.—If an order is issued under clause (i), the Secretary of Labor, at the request of the complainant, shall assess against the person against whom the order is issued, a sum equal to the aggregate amount of all costs and expenses (including attorney fees and expert witness fees) reasonably incurred, as determined by the Secretary of Labor, by the complainant for, or in connection with, the bringing of the complaint upon which the order was issued.

“(C) FRIVOLOUS CLAIMS.—If the Secretary of Labor finds that a complaint under paragraph (1) is frivolous or has been brought in bad faith, the Secretary of Labor may award to the prevailing employer or labor organization a reasonable attorney fee, not exceeding \$1,000, to be paid by the complainant.

“(D) DE NOVO REVIEW.—

“(i) FAILURE OF THE SECRETARY TO ACT.—If the Secretary of Labor has not issued a final order within 270 days after the date of filing of a complaint under this subsection, or within 90 days after the date of receipt of a written determination, the complainant may bring an action at law or equity for de novo review in the appropriate district court of the United States having jurisdiction, which shall have jurisdiction over such an action without regard to the amount in controversy, and which action shall, at the request of either party to such action, be tried by the court with a jury.

“(ii) PROCEDURES.—A proceeding under clause (i) shall be governed by the same legal burdens of proof specified in paragraph (3). The court shall have jurisdiction to grant all relief necessary to make the employee whole, including injunctive relief and compensatory damages, including—

“(I) reinstatement with the same seniority status that the employee would have had, but for the discharge or discrimination;

“(II) the amount of back pay, with interest;

“(III) compensation for any special damages sustained as a result of the discharge or discrimination, including litigation costs, expert witness fees, and reasonable attorney fees; and

“(IV) expungement of all warnings, reprimands, or derogatory references that have been placed in paper or electronic records or databases of any type relating to the actions by the complainant that gave rise to the unfavorable personnel action, and, at the complainant's direction, transmission of a copy of the decision on the complaint to any person whom the complainant reasonably believes may have received such unfavorable information.

“(E) OTHER APPEALS.—Unless the complainant brings an action under subparagraph (D), any person adversely affected or aggrieved by a final order issued under subparagraph (A) may file a petition for review of the order in the United States Court of Appeals for the circuit in which the violation with respect to which the order was issued, allegedly occurred or the circuit in which the complainant resided on the date of such violation, not later than 60 days after the date of the issuance of the final order of the Secretary of Labor under subparagraph (A). Review shall conform to chapter 7 of title 5, United States Code. The commencement of proceedings under this subparagraph shall not, unless ordered by the court, operate as a stay of the order. An order of the Secretary of Labor with respect to which review could have been obtained under this subparagraph shall not be subject to judicial review in any criminal or other civil proceeding.

“(5) FAILURE TO COMPLY WITH ORDER.—

“(A) ACTIONS BY THE SECRETARY.—If any person has failed to comply with a final order issued under paragraph (4), the Secretary of Labor may file a civil action in the United States district court for the district in which the violation was found to have occurred, or in the United States district court for the District of Columbia, to enforce such order. In actions brought under this paragraph, the district courts shall have jurisdiction to grant all appropriate relief including injunctive relief, compensatory and punitive damages.

“(B) CIVIL ACTIONS TO COMPEL COMPLIANCE.—A person on whose behalf an order was issued under paragraph (4) may commence a civil action against the person to whom such order was issued to require compliance with such order. The appropriate

United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.

“(C) AWARD OF COSTS AUTHORIZED.—The court, in issuing any final order under this paragraph, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

“(D) MANDAMUS PROCEEDINGS.—Any nondiscretionary duty imposed by this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28, United States Code.

“(d) UNENFORCEABILITY OF CERTAIN AGREEMENTS.—Notwithstanding any other provision of law, the rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.

“(e) SAVINGS.—Nothing in this subsection shall be construed to diminish the rights, privileges, or remedies of any employee who exercises rights under any Federal or State law or common law, or under any collective bargaining agreement.”.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KELLER OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

Page 6, strike lines 16 through 19 and redesignate subsequent subparagraphs accordingly.

Page 31, strike line 23 and all that follows through page 32, line 4, and redesignate subsequent sections accordingly.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN
OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 34, after line 3, insert the following:

SEC. 301. ELECTRONIC VOTING IN UNION ELECTIONS.

(a) IN GENERAL.—

(1) **ELECTRONIC VOTING SYSTEM.**—Notwithstanding any other provision of law, subject to the provisions of this section, not later than 90 days after the date of the enactment of this Act, the National Labor Relations Board shall implement a system and procedures to conduct representation elections remotely using an electronic voting system.

(2) **PROCEDURES.**—The procedures under paragraph (1) shall ensure that each employee voting in a representation election may choose to cast a vote using either an internet voting system or a telephone voting system.

(3) **NATIONAL MEDIATION BOARD SYSTEM.**—If the Board does not implement a system under paragraph (1) before the date that is 60 days after the date of the enactment of this Act, the Board shall enter into a temporary agreement to use the system used by the National Mediation Board to conduct representation elections for the period—

(A) beginning on the date that is 60 days after the date of enactment of this Act; and

(B) ending on the date that is 90 days after the date of enactment of this Act.

(b) **REPORT.**— Not later than 180 days of the enactment of this Act, and in each subsequent report under Section 3(c) of the National Labor Relations Act, as amended, the Board shall submit to Congress a report containing a description of the following:

(1) For each representation petition under section 9 of the National Labor Relations Act filed—

(A) the case name and case number;

(B) the number of days between the petition and the election;

(C) the number of days between the stipulation or direction of election and the election;

(D) the method of the election;

(E) the results of the election; and

(F) the number of eligible voters, the number of voters participating in the election, and the method by which each of the voters submitted their vote.

(2) The total cost of conducting all elections the Board conducted through the system and procedures required by subsection (a).

(c) **DEFINITIONS.**—In this section:

(1) **ELECTRONIC VOTING SYSTEM.**—The term “electronic voting system”—

(A) includes an internet voting system and a telephone voting system; and

(B) does not include machines used for casting votes at a polling site or an electronic tabulation system where votes are cast non-electronically but counted electronically (such as a punch card or optical scanning system).

(2) **INTERNET VOTING SYSTEM.**—The term “internet voting system” means an internet-based voting system that allows a participant to cast a ballot remotely using a personal computer or other mobile electronic device that is connected to the internet.

(3) TELEPHONE VOTING SYSTEM.—The term “telephone voting system” means a voting system in which participants may cast a vote remotely using a telephone.

(4) REMOTELY.—The term “remotely”, used with respect to voting in a representation election, means a vote may be cast at any site chosen by a participant in such election.

(5) REPRESENTATION ELECTION.—The term “representation election” means a representation election under section 9 of the National Labor Relations Act (29 U.S.C. 159).

On page 34, line 4, strike “301” and insert “302”.

On page 34, line 10, strike “302” and insert “303”.

On page 3, in the table of contents—

(1)

in the matter related to section 301, strike “301” and insert “302”;

(2)

in the matter related to section 302, strike “302” and insert “303”; and

(3)

before the matter related to section 302, as so redesignated, insert the following:

Sec. 301. Electronic Voting in Union Elections.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCBATH OF GEORGIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

On page 34, after line 13, insert the following:

SEC. 303. RULE OF CONSTRUCTION.

The amendments made under this Act shall not be construed to affect the definitions of “employer” or “employee” under the laws of any State that govern the wages, work hours, workers’ compensation, or unemployment insurance of employees.

In the table of contents, after the matter relating to section 302, insert the following:

Sec. 303. Rule of Construction.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURPHY OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

On page 34, after line 13, insert the following:

SEC. 303. GAO REPORT.

(a) **IN GENERAL.**—The Comptroller General, through the Government Accountability Office, shall one year after the date of enactment of this Act commence a study on the impact of Section 101(a) and Section 101(b) of this Act regarding—

(1) the effect on coverage of employees under of the National Labor Relations Act, and the impact from such change in coverage, on their capacity in various sectors to form unions and collectively bargain as a means to improve wages, benefits, workplace safety, and other working conditions, and

(2) the effect on employers and other enterprises regarding the right of employees to organize and collectively bargain over wages, benefits, workplace safety, and other working conditions in such sectors.

(b) **FACTORS.**—Such study shall identify, compare, and analyze impacts from changes implicated by Section 101(a) and Section 101(b) on—

(1) flexibility for employees with respect to hours, shifts, assignments and working arrangements;

(2) rates of compensation, health care, and employee benefits;

(3) resolution of grievances and disputes, including employers' ability to terminate and employees' right to due process;

(4) use of technology or algorithms, including the adoption of new technology and algorithms; and

(5) workplace safety and health.

(c) **STAKEHOLDER INPUT.**—In preparing the report, the Government Accountability Office shall gather information from impacted stakeholders, including various business enterprises and labor organizations. In developing a list of stakeholders, the Government Accountability Office shall consult with the House Committee on Education and Labor and the Senate Committee on Health, Education, Labor and Pensions.

(d) **CONGRESSIONAL REPORT.**—Six months after the commencement of the study, the Government Accountability Office shall transmit its findings and report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, and consistent with its policies, make its findings and report available to the public.

(e) **PRESIDENTIAL CONSIDERATION.**—The President, in consultation with the Department of Labor and other agencies as the President deems appropriate, shall, subsequent to the issuance of such report, consider such findings, and within 60 days may recommend that the House of Representatives and the Senate modify Section 101(a) or Section 101(b), or both or make no recommendations.

(f) **SENSE OF THE HOUSE OF REPRESENTATIVES.**—It is the sense of the House of Representatives that the House of Representatives shall consider whether to accept, reject, or modify any recommendations received under (e), as it deems appropriate.

On page 3, in the table of contents, insert after the matter relating to section 302 the following:

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NEWMAN OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

On page 13, on line 17, insert before the period the following: “and to ensure that such notice is provided to employees in a language spoken by such employees”.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEVENS OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 34, after line 3, insert the following:

SEC. 301. GAO REPORT ON SECTORAL BARGAINING.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall conduct a review of collective bargaining at the sectoral level in a geographically diverse set of countries where sectoral bargaining is facilitated and prepare and submit to Congress a report with respect to such countries that—

(1) identifies, analyzes, and compares—

(A) the laws and policies governing or related to collective bargaining at the sectoral level;

(B) the administrative systems facilitating such bargaining; and

(C) the procedures involved in sectoral bargaining;

(2) to the extent practicable, consider reported effects of the policies and procedures described in paragraph (1) on—

(A) the wages and compensation of employees;

(B) the number of full-time and part-time employees;

(C) prices, sales, and revenues;

(D) employee turnover and retention;

(E) hiring and training costs;

(F) productivity and absenteeism; and

(G) the development of emerging industries, including those that engage their workforces through technology; and

(3) describes the methodology used to generate the information in the report.

On page 34, line 4, strike “301” and insert “302”.

On page 34, line 10, strike “302” and insert “303”.

In the table of contents— .

(1)

in the matter relating to section 301, strike “301” and insert “302”;

(2)

in the matter relating to section 302, strike “302” and insert “303”; and

(3)

insert before the matter relating to section 302, as so amended, the following:

Sec. 301. GAO report on sectoral bargaining.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TLAIB
OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 11, line 5, insert “as soon as practicable and not later than within 120 days, absent extraordinary circumstances or by agreement or permission of the parties,” after “dispute”.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TORRES OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

On page 33, line 13, strike “Section” and insert “(a) Section”.

On page 34, after line 2, insert the following:

(b) Section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 433(b)) is amended in the matter following paragraph (2)—

- (1) by striking the period at the end; and
- (2) by inserting “and shall make such information available to the public in a readily accessible and searchable electronic format, and through a secure software application for use on an electronic device.”.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WALBERG OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 18, beginning on line 14, strike “not later than eight days after a notice of such hearing is served on the labor organization” and insert “not earlier than 14 days after a petition for an election under paragraph (1) is filed”.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WILSON OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

Page 3, in the table of contents, amend the matter relating to section 111 to read as follows:

Sec. 111. National right to work

Beginning on page 32, line 5, amend section 111 to read as follows:

SEC. 111. NATIONAL RIGHT TO WORK.

(a) Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(b) Section 8(a)(3) of the National Labor Relations Act (29 U.S.C. 158(a)(3)) is amended by striking “: *Provided, That*” and all that follows through “retaining membership”.

(c) Section 8(b) of the National Labor Relations Act (29 U.S.C. 158(b)) is amended—

(1) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”; and

(2) in paragraph (4), as so redesignated under section 104, by striking “covered by an agreement authorized under subsection (a)(3)”.

(d) Section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)) is amended by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(e) Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleventh.

PART C—TEXT OF AMENDMENTS TO H.R. 8 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CLYDE OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. _. STUDIES OF THE EFFECTIVENESS OF THIS ACT.

Within 180 days after the date of the enactment of this Act, the Attorney General, the Comptroller General of the United States, and a nongovernmental organization chosen jointly by the Speaker and the Minority Leader of the House of Representatives and the Majority and Minority Leaders of the Senate, shall each conduct a study of how, and to what extent, the provisions of this Act will reduce rates of violent crime and gun violence in the United States, and shall each issue to the public a written copy of the results of the study.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRIST
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 2, line 11, insert “; and it shall be unlawful for any person to transfer a firearm, for lawful hunting or sporting purposes or pursuant to a hunting license or permit lawfully issued in the United States, to an alien who is not so licensed and who has been lawfully admitted to the United States under a nonimmigrant visa, unless the Attorney General has provided a waiver for the transfer under subsection (y)(3)” before the period.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CROW
OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 17, insert "pest control on a farm or ranch," before "or fishing".

Page 4, line 25, insert "pest control on a farm or ranch," before "or fishing".

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GARCIA OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 5, line 11, strike the close quotation marks and the following period.

Page 5, after line 11, insert the following:

“(4) The Attorney General shall make available to any person licensed under this chapter both Spanish and English versions of the form required for the conduct of a background check under subsection (t) and this subsection, and the notice and form required under paragraph (3) of this subsection.”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, line 1, after "including" insert "harm to self, and".

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMB
OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 3, line 7, after “transfer” insert “or exchange (which, for purposes of this subsection, means an in-kind transfer of a firearm of the same type or value)”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NEWMAN OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

At the end of the bill, add the following:

SEC. . REPORT TO THE CONGRESS.

Within 150 days after the date of the enactment of this Act, the Attorney General, in consultation with the National Resource Center on Domestic Violence and Firearms, shall submit to the Congress a report analyzing the effect, if any, of this Act on the safety of victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking, and whether any further amendments to the background check process would likely result in a reduction in the risk of death or great bodily harm to victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking.

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, line 9, insert "purchase or" before "possession".

PART D—TEXT OF AMENDMENTS TO H.R. 1446 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BURGESS OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. . REPORT ON FIREARM TRANSFERS DENIED AS A RESULT OF A NICS CHECK.

Within 90 days after the date of the enactment of this Act, the Inspector General, Department of Justice, shall prepare and submit to the Congress a written report on the number of firearm transactions with respect to which the national instant criminal background check system established under the Brady Handgun Violence Prevention Act has determined that receipt of a firearm by the prospective firearm transferee would violate Federal or State law, and which have been referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives for investigation.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 5, strike line 16.

Page 5, beginning on line 18, strike “and an aggregate” and all that follows through line 20 and insert “ with a description of denials, disaggregated by State and by the basis for the denial; and”.

Page 5, after line 20, insert the following:

(3) an aggregate analysis of the petitions submitted pursuant to such paragraph (1)(B)(ii).

030421.002.xml

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCBATH OF GEORGIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 6, line 15, insert “disaggregated by State,” before “and whether”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NEGUSE OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

Page 5, strike line 21 and all that follows through page 6, line 7 and
insert the following:

**SEC. 4. REPORTS ON PETITIONS SUPPORTING FIREARMS TRANSFERS NOT
IMMEDIATELY APPROVED BY NICS SYSTEM, THAT WERE NOT
RESPONDED TO IN A TIMELY MANNER.**

The Director of the Federal Bureau of Investigation shall make an
annual report to the public on the number of petitions received by the
national instant criminal background check system established under
section 103 of the Brady Handgun Violence Prevention Act that were
submitted pursuant to subclause (I) of section 922(t)(1)(B)(ii) of title 18,
United States Code, with respect to which a determination was not made
within the 10-day period referred to in subclause (II) of such section 922(t)(1)
(B)(ii). The report shall include the following, which shall be disaggregated
by State:

(1) The number of petitions submitted under such section that were
received by the national instant criminal background check system
established under section 103 of the Brady Handgun Violence
Prevention Act.

(2) The number of petitioners who were discovered to be ineligible
under Federal or State law during that 10-day period.

(3) The number of petitioners who were discovered to be ineligible
under Federal or State law after that 10-day period.

(4) The basis of the ineligibility of the petitioners discovered to be
ineligible under Federal or State law during that 10-day period, and the
basis of the ineligibility of the petitioners discovered to be ineligible
under Federal or State law after that 10-day period.

(5) The number of the petitioners whose petitions were denied and
who, within 12 months after the denial, were prosecuted under Federal,
State, or local law for receiving or attempting to receive a firearm.