Thursday, February 6, 2020

Daily Digest

Senate

Chamber Action

The Senate met at 11:30:14 a.m. in pro forma session, and adjourned at 11:30:45 a.m. until 3 p.m., on Monday, February 10, 2020.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 5768–5797; 1 private bill, H.R. 5798; and 5 resolutions, H. Con. Res. 88 and H. Res. 834–837, were introduced. **Pages H934–36**

Additional Cosponsors: **Page H937**

Reports Filed: Reports were filed today as follows:

H.R. 1494, to strengthen partnerships between historically Black colleges and universities and minority-serving institutions and the Department of Homeland Security, and for other purposes, with an amendment (H. Rept. 116–393, Part 1); and

H.R. 5273, to require the Secretary of Homeland Security to develop a plan to increase to 100 percent the rates of scanning of commercial and passenger vehicles entering the United States at land ports of entry along the border using large-scale non-intrusive inspection systems to enhance border security, and for other purposes, with an amendment (H. Rept. 116–394). **Page H934**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H851**

Recess: The House recessed at 10:43 a.m. and reconvened at 12 noon. **Page H855**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Monsignor Kevin Sullivan, Catholic Charities of the Archdiocese of New York, New York, NY. **Pages H855–56**

Question of Privilege: Representative Granger rose to a question of the privileges of the House and submitted a resolution. Upon examination of the resolution, the Chair determined that the resolution qualified. Subsequently, the House agreed to the Hoyer motion to table H. Res. 832, raising a question of the privileges of the House, by a yea-and-nay vote of 224 yeas to 193 nays, Roll No. 38. **Pages H868–69**

Protecting the Right to Organize Act: The House passed H.R. 2474, to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, by a recorded vote of 224 ayes to 194 noes, Roll No. 50. **Pages H879–H928**

Rejected the Kevin Hern (OK) motion to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 195 ayes to 223 noes, Roll No. 49. **Pages H925–27**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of H. Rept. 116–392, shall be considered as adopted in the House and in the Committee of the Whole. **Pages H895–98**

Agreed to:

Norcross amendment (No. 3 printed in part B of H. Rept. 116–392) that requires that pre-election hearings before the National Labor Relations Board (NLRB) are conducted on a day-to-day basis; **Page H900**

Hayes amendment (No. 7 printed in part B of H. Rept. 116–392) that codifies the current precedent of the National Labor Relations Board governing

voluntary recognition of a union by an employer which ensures collective bargaining between the union and employer can proceed for a reasonable period of time (one year) without requiring an intervening election; **Pages H904–05**

Stevens amendment (No. 9 printed in part B of H. Rept. 116–392) that directs the GAO to conduct a report on sectoral bargaining in other countries; **Pages H907–08**

Vargas amendment (No. 13 printed in part B of H. Rept. 116–392) that requires regional directors to transmit the Notice of Election at the same time as the Direction of Election; both the Notice and the Direction must be transmitted electronically—including by email or fax—and if neither are possible, must be transmitted by overnight mail; **Pages H914–15**

Tlaib amendment (No. 14 printed in part B of H. Rept. 116–392) that requires employers to post a Notice of a Petition for Election within two days after the NLRB notifies an employer and union about a pre-election hearing, thereby restoring the 2014 Election Rule; **Pages H915–17**

Lawrence amendment (No. 15 printed in part B of H. Rept. 116–392) that eliminates the waiting period for union elections and returns the requirement that NLRB's regional directors schedule elections as ''early as practicable''; ensures that the election will happen no later than 20 days after it's directed, unless extraordinary circumstances warrant otherwise; **Pages H917–18**

Stevens amendment (No. 1 printed in part B of H. Rept. 116–392) that clarifies that the ABC test included in the PRO Act does not preempt any State laws governing the wages, work hours, workers' compensation, or unemployment insurance of employees (by a recorded vote of 241 ayes to 178 noes, Roll No. 41); **Pages H898–99, H920**

Wild amendment (No. 5 printed in part B of H. Rept. 116–392) that clarifies that this bill shall not be construed to affect the privacy of employees with respect to voters' lists provided to labor organizations by employers pursuant to elections directed by the Board (by a recorded vote of 242 ayes to 178 noes, Roll No. 44); **Pages H902–03, H922**

Jackson Lee amendment (No. 11 printed in part B of H. Rept. 116–392) that provides whistleblower protections to employees who report violations of the Labor Management Reporting and Disclosure Act (LMRDA); covers employees of employers as well as employees of labor unions (by a recorded vote of 404 ayes to 18 noes, Roll No. 47); and **Pages H910–13, H924**

Rouda amendment (No. 16 printed in part B of H. Rept. 116–392) that clarifies that nothing in this Act shall be construed to affect the jurisdictional standards of the NLRB with respect to small businesses (by a recorded vote of 249 ayes to 173 noes, Roll No. 48). **Pages H918–20, H924–25**

Rejected:

Keller amendment (No. 8 printed in part B of H. Rept. 116–392) that sought to strike provisions of H.R. 2474 that allow intermittent strikes and that makes it illegal for employers to replace striking workers permanently; **Pages H905–07**

Rooney (FL) amendment (No. 12 printed in part B of H. Rept. 116–392) that sought to allow employees to petition for a union certification election when fewer than 50% of current ''unit members'' were members during the last election; **Pages H913–14**

Foxx amendment (No. 2 printed in part B of H. Rept. 116–392) that sought to strike provision requiring that employers turn over employees' personal information to a labor union within two days of the National Labor Relations Board ordering a representation election (by a recorded vote of 190 ayes to 229 noes, Roll No. 42); **Pages H899–H900, H920–21**

David P. Roe (TN) amendment (No. 4 printed in part B of H. Rept. 116–392) that sought to strike provision allowing unions to be certified without winning a secret ballot election under certain circumstances and replaces with a requirement that all unions win a secret-ballot election in order to be certified (by a recorded vote of 187 ayes to 235 noes, Roll No. 43); **Pages H900–02, H921–22**

Allen amendment (No. 6 printed in part B of H. Rept. 116–392) that sought to strike provision overturning state right-to-work laws (by a recorded vote of 187 ayes to 232 noes, Roll No. 45); and **Pages H903–04, H922–23**

Meadows amendment (No. 10 printed in part B of H. Rept. 116–392) that sought to strike provisions that impair States' ability to enact right-to-work laws (by a recorded vote of 186 ayes to 235 noes, Roll No. 46). **Pages H908–10, H923–24**

H. Res. 833, the rule providing for consideration of the resolution (H. Res. 826) and the bills (H.R. 2474) and (H.R. 5687) was agreed to by a yea-and-nay vote of 220 yeas to 194 nays, Roll No. 40, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 194 nays, Roll No. 39. **Pages H859–68, H869–70**

Expressing disapproval of the Trump administration's harmful actions towards Medicaid: The House agreed to H. Res. 826, expressing disapproval of the Trump administration's harmful actions towards Medicaid, by a yea-and-nay vote of 223 yeas to 190 nays, Roll No. 51. **Pages H870–78, H928**

H. Res. 833, the rule providing for consideration of the resolution (H. Res. 826) and the bills (H.R. 2474) and (H.R. 5687) was agreed to by a yea-and-nay vote of 220 yeas to 194 nays, Roll No. 40, after

the previous question was ordered by a yea-and-nay vote of 224 yeas to 194 nays, Roll No. 39.

Pages H859–68, H869–70

Board of Trustees of Gallaudet University—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Board of Trustees of Gallaudet University: Representative Shalala. **Page H931**

Board of Visitors to the United States Coast Guard Academy—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Board of Visitors to the United States Coast Guard Academy: Representative Thompson (MS). **Page H931**

Quorum Calls—Votes: Four yea-and-nay votes and ten recorded votes developed during the proceedings of today and appear on pages H868–69, H869, H869–70, H920, H920–21, H921–22, H922, H922–23, H923–24, H924, H924–25, H926–27, H927–28, and H928. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:01 p.m.

Committee Meetings

NON TRIBAL PUBLIC WITNESS DAY

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled ''Non Tribal Public Witness Day''. Testimony was heard from public witnesses.

U.S. STRATEGIC COMMAND

Committee on Appropriations: Subcommittee on Defense held a hearing entitled ''U.S. Strategic Command''. Testimony was heard from Admiral Charles A. Richard, Commander, U.S. Strategic Command. This hearing was closed.

NON TRIBAL PUBLIC WITNESS DAY

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled ''Non Tribal Public Witness Day''. Testimony was heard from public witnesses.

SOLVING AMERICA'S CHILD CARE CRISIS: SUPPORTING PARENTS, CHILDREN, AND THE ECONOMY

Committee on Education and Labor: Subcommittee on Early Childhood, Elementary and Secondary Education held a hearing entitled ''Solving America's Child Care Crisis: Supporting Parents, Children, and the Economy''. Testimony was heard from public witnesses.

CLEARING THE AIR: LEGISLATION TO PROMOTE CARBON CAPTURE, UTILIZATION AND STORAGE

Committee on Energy and Commerce: Subcommittee on Environment and Climate Change held a hearing entitled ''Clearing the Air: Legislation to Promote Carbon Capture, Utilization and Storage''. Testimony was heard from public witnesses.

PROTECTING CONSUMERS OR ALLOWING CONSUMER ABUSE? A SEMI-ANNUAL REVIEW OF THE CONSUMER FINANCIAL PROTECTION BUREAU

Committee on Financial Services: Full Committee held a hearing entitled ''Protecting Consumers or Allowing Consumer Abuse? A Semi-Annual Review of the Consumer Financial Protection Bureau''. Testimony was heard from Kathy Kraninger, Director, Consumer Financial Protection Bureau.

FAKE IT TILL THEY MAKE IT: HOW BAD ACTORS USE ASTROTURFING TO MANIPULATE REGULATORS, DISENFRANCHISE CONSUMERS AND SUBVERT THE RULEMAKING PROCESS

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Fake It Till They Make It: How Bad Actors Use Astroturfing to Manipulate Regulators, Disenfranchise Consumers and Subvert the Rulemaking Process''. Testimony was heard from Seto Bagdoyan, Director, Forensic Audits and Investigative Service, Government Accountability Office; and public witnesses.

ABOUT FACE: EXAMINING THE DEPARTMENT OF HOMELAND SECURITY'S USE OF FACIAL RECOGNITION AND OTHER BIOMETRIC TECHNOLOGIES, PART II

Committee on Homeland Security: Full Committee held a hearing entitled ''About Face: Examining the Department of Homeland Security's Use of Facial Recognition and Other Biometric Technologies, Part II''. Testimony was heard from John Wagner, Deputy Executive Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; Peter Mina, Deputy Officer for Programs and Compliance, Office for Civil Rights and Civil Liberties, Department of Homeland Security; and Charles Romine, Director of the Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce.