

PROTECTING THE RIGHT TO
ORGANIZE ACT OF 2019

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2474, the Protecting the Right to Organize Act of 2019.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 833 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2474.

The Chair appoints the gentleman from Oregon (Mr. BLUMENAUER) to preside over the Committee of the Whole.

□ 1536

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (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, and for other purposes, with Mr. BLUMENAUER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate will be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor.

The gentleman from Virginia (Mr. SCOTT) and the gentlewoman from North Carolina (Ms. FOXX) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, throughout their history, America's labor unions have enabled millions of American workers to secure their place in the middle class and receive their fair share of the profits they produce. When workers have the power to stand together and negotiate with their employer, they have higher pay, better benefits, and safer working conditions.

Unions not only benefit union members, but also nonunion members benefit from the higher wages that union members enjoy. And even the children of union members also do better. And under union contracts, pay gaps disappear because union members get equal pay for equal work.

But union membership, which peaked at around 30 percent of the workforce during the 1950s, is just at 10 percent today. That is the lowest level since just after the National Labor Relations Act was enacted in 1935. It is not a co-

incidence that as union membership has decreased, income inequality has increased.

This decline in union membership is not a function of workers' choices. A recent study found that nearly half of nonunion workers would join a union if given the chance. The gap between worker preferences and union membership is the product of intensified antiworker attacks and labor laws that fail to address unfair labor practices.

The lesson from the last 40 years is clear: That it is our current labor laws that are too weak to defend workers' rights to join a union and to collectively bargain with their employer.

H.R. 2474, the Protecting the Right to Organize Act, or the PRO Act, is the most significant upgrade in U.S. labor laws in 80 years. This comprehensive proposal makes sensible reforms to protect and strengthen workers' rights.

The PRO Act would put teeth in the Nation's labor laws by authorizing the NLRB to assess meaningful civil penalties when companies violate their workers' rights to organize and bargain.

It will close loopholes that the corporations use to misclassify workers as independent contractors instead of employees; thereby evading their obligation to bargain, as well as evading their obligation to pay minimum wage and overtime; provide Worker's Compensation, unemployment compensation, and employee benefits.

It ensures that workers can decide whether to form a union without interference. Democracy in the workplace should be a right, not a fight.

Too many Americans are now working too hard for too little. And while corporations are enjoying record-level profits, workers and their families are struggling to keep pace with rising costs of housing, childcare, education, and other essentials.

So I urge my colleagues to support the PRO Act, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

I rise today in opposition to H.R. 2474, the Protecting the Right to Organize Act of 2019.

Big Labor is in a panic over plummeting union membership. Union bosses could self-correct and increase transparency and accountability to serve workers better, or dedicate more resources to union organizing, rather than attempting to organize less than one-tenth of 1 percent of eligible employees, as they did in 2018.

Instead, the largest federation of labor unions in America spends more than three times as much money on political activities as it does on its stated purpose of organizing and representing workers. And they are resorting to their usual arm-twisting and intimidation tactics by demanding Democrats pass the PRO Act.

Before I get into the many, many failings of this bill, I want to correct

the Democrats' false narrative that the decline in union membership is hurting workers.

Americans are benefiting from a booming economy, thanks to Republican tax and regulatory reforms. Despite Democrats' false claims, wages are rising fastest for lower- and middle-income workers. Unemployment is at a 50-year low, and millions of jobs have been created since President Trump took office.

In fact, millions of poor Americans continue to move into the middle class, and millions in the middle class are moving into the ranks of the wealthy. The substantial economic mobility many Americans are experiencing should be celebrated.

Instead, Democrats are trying to claim falsely that the economy isn't working for average Americans, and the only way to fix it is to expand enforced unionism through coercive, socialist schemes like the PRO Act.

Let's also remember that Federal law already protects the rights of employees to organize, and Republicans respect that right. Any reforms to U.S. labor laws should help workers, not union bosses.

The PRO Act will require employers to hand over workers' private, personal information to union organizers, without workers having any say in the matter. This would make it even easier for union organizers to target, harass and intimidate workers.

It would also overturn all State right-to-work laws. These are laws that allow workers to decide for themselves whether to join a union and pay dues. If the PRO Act becomes law, workers will be forced to take money from their paychecks and give it to labor unions, even if they don't want to be represented by a union.

This provision is astonishing since we know that from 2010 to 2018, unions spent \$1.6 billion in members' dues on hundreds of left-wing groups, without first receiving consent from workers to do so.

The PRO Act will also undermine workers' rights to vote by secret ballot. This is hypocrisy at its worst, or best. House Democrats elect their own leaders by secret ballot, and Democrats held up the USMCA trade deal to guarantee workers in Mexico had the right to a secret ballot. Yet, they are willing to deprive American workers of that same protection.

Among the PRO Act's most harmful provisions is the incorporation of California's newly-enacted, overly broad, and confusing definition of employee, which will deprive millions of Americans of the opportunity to work independently and start their own businesses.

Bottom line, there are over 50 harmful provisions in this bill that are bad for workers, job creators, and the U.S. economy.

Mr. Chairman, I reserve the balance of my time.

□ 1545

Mr. SCOTT of Virginia. Mr. Chairman, low-income workers are being better paid because of State minimum wage laws that most Republicans opposed. And jobs created in the 35 months of the Trump administration are fewer than the jobs created in the last 35 months of the Obama administration.

I yield 3 minutes to the gentlewoman from Florida (Ms. WILSON), chair of the Subcommittee on Health, Employment, Labor, and Pensions.

Ms. WILSON of Florida. Mr. Chair, I thank the gentleman for yielding.

I rise in support of H.R. 2474, the Protecting the Right to Organize Act, or the great PRO Act. The Subcommittee on Health, Employment, Labor, and Pensions, which I am privileged to chair, conducted three long, riveting hearings in the 116th Congress. During these hearings, we assessed a multitude of legal obstacles workers face in securing union recognition and winning collective bargaining agreements.

Some facts are indisputable. Collective bargaining gives America's workers an economic ladder and safer working conditions. There are so many unsafe working conditions all over America.

During our first hearing, we heard testimony from Cynthia Harper, who suffered a severe injury in an Ohio assembly plant. Even though Cynthia was hurt, she did not give up. She fought for her rights. Cynthia was fired from her plant for organizing a union to win safer working conditions for herself and her coworkers.

Incredibly, the National Labor Relations Act has no civil penalties that deter employers from violating workers' rights. Importantly, the PRO Act addresses this by establishing meaningful penalties for companies that violate their employees' rights. This important legislation cements into law the principle that workers deserve the right to negotiate for a fair share of the wealth, wealth that their hard work, sweat, and tears helps to create for this Nation.

This bill makes every American man's, woman's, and child's life better. Make no mistake, anyone who has gotten a livable wage, equal pay for equal work, and a safe working environment should thank unions and support the PRO Act. Anyone who grew up in a middle-class home and is fighting to build a middle-class home for their own children should thank unions and support the PRO Act. Anyone who believes in growing wages, providing healthcare for all people, and protecting workers' rights should thank unions and support the PRO Act. Anyone who knows we should protect the right to organize and institute financial penalties on companies that interfere should thank unions and support the PRO Act.

Every single Member of Congress, Democrats and Republicans, House and Senate, represents working people, and this is a working people's bill.

Simply put, if you claim to fight for and support the interests of working people, you must support the PRO Act.

I ask all of my colleagues, Democrats and Republicans, to support the working people of America and support the PRO Act.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chair, I thank Ranking Member FOXX for yielding me the time.

Mr. Chair, today, I rise in strong opposition to H.R. 2474, the PRO Act. In fact, the more you learn about this legislation, the more the name fits. It is pronounment. It is proshadness. It is pronounemployment. It is prohibitive. You know what it is not? It is not proworker.

By repealing right-to-work laws, this legislation fails to protect workers from being forced into paying hefty union dues. With unemployment hitting record lows and wages hitting record highs, our workers should be able to keep their paychecks, not hand them over to corrupt union bosses.

By changing the classification of the majority of independent contractors to employees—that is important—this legislation will restrict workers, create confusion, reduce opportunity, and then increase costs. It also dramatically expands the joint employer standard, trying to force businesses to restructure their entire business models.

What might seem like an insignificant or a small change would actually result in the labor union mafia taking our booming economy in a one-way ride. In fact, this legislation is estimated to cost employers and workers more than \$47 billion—with a B—\$47 billion annually.

For a party that likes to talk about the right to choose when it comes to our most essential rights, why are House Democrats trying to restrict the power of choice for an entire industry of workers, and in doing so, forcing middle-income workers to hand over their earnings?

I urge my colleagues to oppose this blatant effort to reinstate a mob boss rule and vote against H.R. 2474.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI), the chair of the Subcommittee on Civil Rights and Human Services.

Ms. BONAMICI. Mr. Chair, I thank the gentleman for yielding.

Income inequality is challenging our communities and our future. In north-west Oregon and across the country, the labor movement has helped fight income inequality, raise wages, improve working conditions, and expand benefits.

More workers would join a union if given a choice, but many feel retaliation for supporting or engaging in organizing efforts. Under current law, tactics to intimidate, coerce, or fire workers involved in union organizing

are illegal, but the penalties aren't strong enough to deter employers.

I helped ban captive audience meetings when I served in the Oregon legislature, but these rights should be protected for every worker in the country. We should be making it easier, not harder, for workers to form unions and collectively bargain.

I am an original cosponsor of Chairman SCOTT's Protecting the Right to Organize Act. Under this bill, employers who break the rules will finally be held accountable.

Today, by supporting the bipartisan PRO Act, we can support workers, restore fairness, and help to make sure our economy works for everyone.

Mr. Chairman, I insert in the RECORD letters in support of the PRO Act from the BlueGreen Alliance and more than 70 environmental groups.

BLUEGREEN ALLIANCE, JANUARY 31,
2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

Hon. KEVIN MCCARTHY,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: As a coalition of some of the nation's largest labor unions and environmental organizations, collectively representing millions of members and supporters, we write to express the BlueGreen Alliance's support for the Protecting the Right to Organize (PRO) Act of 2019, H.R. 2474.

In the United States, we face a critical juncture for the rights of employees to organize. As Supreme Court cases and anti-union legislators and their financial backers seek to strip workers of their rights, we need a strong law on the books to ensure that workers are not penalized for organizing and demanding collective bargaining for higher wages, safer working conditions, and better benefits.

Union membership has fallen dramatically from 33 percent in 1956 to ten percent in 2018, due in large part to exploitation by employers of labor laws that have been made toothless. As it stands, no meaningful penalties exist for corporations using illegal tactics to eliminate the option to organize.

Additionally, workers now are facing record wage inequality, and we know based on the National Bureau of Economic Research's statistics that unions consistently provide working Americans with ten to twenty percent higher wages than non-unionized workers. Empowering workers to band together to negotiate better wages and safer working conditions is the best path forward to protecting our workers and rebuilding America's middle class.

Organizing does not just affect job quality, though: unionized workers are better equipped to handle potentially hazardous workplace situations, and have more freedom to blow the whistle in dangerous situations. This can avert industrial accidents and result in safer communities, as well as cleaner air and water. Many unions also take firm positions on environmental issues because they understand the impact that clean air and water have on workers. Unions have supported the Clean Air Act, the Clean Water Act, and other actions designed to both reduce the carbon pollution driving climate change and grow good-paying jobs in the clean economy.

The PRO Act empowers employees by strengthening workers' rights to bargain and to organize. It does so by ending prohibitions

on collective and class-action litigation, prohibiting employers from permanently replacing striking employees, amending how employees are defined so that no one is misclassified as an independent contractor, strengthening remedies and enforcement for employees who are exercising their rights, creating a mediation and arbitration process for new unions, protecting against coercive captive audience meetings, and streamlining the National Labor Relations Board's procedures.

The PRO Act would take tangible steps to stem the tide of continued violations of the rights of working people to organize and would provide real consequences for those who violate the rights of workers. We must restore fairness to our economy so that workers no longer get a raw deal, and strengthen the right of workers all over the country to unionize and bargain for better working conditions.

For these reasons, the BlueGreen Alliance urges you to vote yes on the PRO Act.

Thank you for your consideration.

Sincerely,

JASON WALSH,
Executive Director, BlueGreen Alliance.

5 FEBRUARY 2020.

DEAR REPRESENTATIVE: As organizations dedicated to a sustainable future, we believe that such a future must include fair treatment for the people and communities working to build a clean and thriving economy. For that reason, we support H.R. 2474, the Protecting the Right to Organize (PRO) Act, and urge you to vote in favor of the bill when it comes before the House this week.

Since 1970, global carbon dioxide emissions have nearly doubled, spiking the frequency and intensity of natural disasters, increasing the risk of drought, and putting the future of our entire planet at risk. Over that same period, income and wealth inequality have exploded in the United States and elsewhere—incomes have risen by 229% in the U.S. for the top 1% of earners since 1979, while the bottom 90% of households have seen income growth of just 46%, or 1% on an annual basis. These parallel trends reflect an economy built to serve the interests of a small group of the extremely wealthy and powerful, not people or the planet.

One key element of fixing our broken economic system is ensuring that working people have a voice in the economy and earn a fair day's pay for a fair day's work. Workers are often unable to have their voices heard or to earn fair pay, a function of weak labor laws that have made it virtually impossible for workers to organize and form unions in the face of unrelenting, aggressive corporate opposition.

The PRO Act would make common-sense changes to existing law to enable workers who want to organize and form unions to do so. It would penalize corporations that break the law, limit tactics used to intimidate workers, help workers who organize secure timely collective bargaining agreements, and institute a number of changes to better enable workers to act in solidarity with one another.

Remaking our economy and environment to address climate change and rising inequality will require substantial investment and transition, across many sectors. This is an opportunity to create millions of good jobs with family-sustaining wages and strong worker protections. We need strong, common-sense worker protections like those in the PRO Act to ensure that a sustainable economy reverses rather than reinforces rising inequity. There is no way to build a greener, more inclusive economy without strong, thriving labor unions.

Our planet and our communities are under enormous threat. We must act urgently to

confront the dangers imposed by climate change, including by ensuring that working people are treated fairly and helping lead the transition to a fair, green economy. The PRO Act would help advance that goal and help us rebuild our economy to function for both people and the planet. Therefore, we urge you to vote in favor of the PRO Act.

Sincerely,

ActionAid USA, Alliance of Nurses for Healthy Environments, Already Devalued & Devastated Homeowners of Parsippany, Asian Pacific Planning & Policy Council Environmental Justice Committee, Athens County Future Action Network, Beyond Extreme Energy, Center for Biological Diversity, Center for Climate Change & Health, Center for International Environmental Law, Citizens For Water.

Citizens' Resistance at Fermi Two, Climate Action Rhode Island, Climate Hawks Vote, Climate Mobilization Project, Coalition Against Pilgrim Pipeline NJ, Damascus Citizens for Sustainability, The Democracy Collaborative, Earthworks, Faithful America, Food & Water Action.

Fox Valley Citizens for Peace & Justice, Franciscan Action Network, Friends of the Earth, Great Lakes Water Protectors, Green America, Green For All, Greenpeace USA, Harford County Climate Action, Idle No More SF Bay.

Institute for Policy Studies Climate Policy Program, Jewish Climate Action Network—Massachusetts, League of Conservation Voters, Long Beach 350, Louisiana Bucket Brigade, Louisiana Rise, Miami Climate Alliance, Mothers Out Front.

Natural Resources Defense Council, North Country 350 Alliance, Nuclear Information & Resource Service, NYH2O, Oil Change International, Organic Consumers Association, Peoples Climate Movement—New York, Physicians for Social Responsibility Pennsylvania.

Plymouth Friends of Clean Water, Public Citizen, Safe Climate Campaign, Safe Energy Rights Group, Save the Pine Bush, Seeding Sovereignty, Sierra Club, SoCal 350 Climate Action.

Stand.earth, Sunflower Alliance, Sunrise Bay Area, Sunrise Movement, Toxics Action Center, Unitarian Universalist Mass Action, Washtenaw350, Wendell State Forest Alliance.

350.org, 350 Colorado, 350 DC, 350 Deschutes, 350 Kishwaukee, 350 Loudon, 350 Merced, 350 New Hampshire, 350 Wenatchee, 350 West Sound Climate Action.

Ms. BONAMICI. Mr. Chairman, I thank Chairman SCOTT for his leadership. I urge my colleagues to support this bill.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentlewoman for yielding.

This week, in this very Chamber, we heard from President Trump about the great American comeback. Our booming economy is a result of proworker, progrowth, and pro-American policies passed during the 115th Congress and enacted by President Trump.

Wages are rising. Jobs are being created. And Americans from all different backgrounds are getting back to work, including workers without high school diplomas, who are experiencing the lowest unemployment rate recorded in U.S. history.

This body must build on this success, not go backward. The radical PRO Act

will undoubtedly hurt the economy and force Americans out of work. In fact, a report from the American Action Forum found employers could face more than \$47 billion in new annual costs if the PRO Act becomes law.

As a small business owner, I know firsthand the PRO Act would harm both employers and employees. The PRO Act contains numerous poison pills, from outrageous privacy violations to forced union dues.

This bill would outright ban the right-to-work laws that have been successful in States like my home State of Georgia, which has been named the best State to do business in now 7 years in a row.

Without right-to-work laws, workers are forced to pay for representation and political activities that they may not even agree with. From 2010 to 2018, unions spent more than \$1.6 billion in member dues to hundreds of leftwing groups. Those include Planned Parenthood and the Clinton Foundation.

That is why I offered an amendment, which I hope everyone will support, to strike that provision and protect States' right-to-work laws. The Federal Government should not restrict American workers' First Amendment rights by forcing them to pay union dues.

The PRO Act will restrict our booming economy and infringe on the rights of workers and employers. The American worker deserves fairness, and he deserves choice.

My colleagues have a choice before them. They can stand with Americans and President Trump to keep America great and free by voting "no" on the PRO Act, or they can join the radicals who have seized the Democratic Party and put America on a path of socialism. I will always stand with liberty and President Trump and will proudly vote "no" on the PRO Act.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. POCAN), the co-chair of the Progressive Caucus.

Mr. POCAN. Mr. Chair, I insert in the RECORD a letter from the AFL-CIO.

AFL-CIO,
January 30, 2020.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I urge you to support the Protecting the Right to Organize (PRO) Act, H. R. 2474, and to oppose weakening amendments and any Motion to Recommit when the House of Representatives considers the bill next week. The PRO Act will restore the original intent of the National Labor Relations Act (NLRA), which was to give working people a voice on the job so they can negotiate for higher wages, better benefits, a more secure retirement and a safer workplace.

For too long, employers have been able to violate the NLRA with impunity, routinely denying workers their basic right to join with coworkers for fairness on the job. As a result, the collective strength of workers to negotiate for better pay and benefits has eroded and income inequality has reached levels that predate the Great Depression. (Please see the attached summary of recent research on unions, inequality and the economy).

The PRO Act would modernize the NLRA by bringing its remedies in line with other

workplace laws. In addition to imposing financial penalties on companies and individual corporate officers who violate the law, the bill would give workers the option of bringing their case to federal court. The bill would make elections fairer by prohibiting employers from requiring their employees to attend “captive audience” meetings whose sole purpose is to convince workers to vote against the union.

Under the bill, once workers vote to form a union, the National Labor Relations Board (NLRB) would be authorized to order that the employer commence bargaining a first contract. These orders would be enforced in district courts to ensure swift justice. In addition, the bill would ensure that employees are not deprived of their right to a union because their employer hides behind a subcontractor or other intermediary, or deliberately misclassifies them as supervisors or independent contractors.

Too often, when workers choose to form a union, employers stall the bargaining process to avoid reaching an agreement. The PRO Act would establish a process for mediation and arbitration to help the parties achieve a first contract. This important change would make the freedom to negotiate a reality for countless workers who form unions but never get to enjoy the benefits of a collective bargaining agreement.

The PRO Act recognizes that employees need the freedom to picket or withhold our labor in order to push for the workplace changes we seek. The bill protects employees’ right to strike by preventing employers from hiring permanent replacement workers. It also allows unrepresented employees to engage in collective action or class action lawsuits to enforce basic workplace rights, rather than being forced to arbitrate such claims alone.

Finally, the bill would eliminate state right to work laws. These laws have been promoted by a network of billionaires and special interest groups to give more power to corporations at the expense of workers, and have had the effect of lowering wages and eroding pensions and health care coverage in states where they have been adopted.

Restoring our middle class is dependent on strengthening the collective power of workers to negotiate for better pay and working conditions. That is why public support for unions is the highest it has been in decades. We urge you to support the PRO Act and help us build an economy that works for all working families.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs.

Mr. POCAN. Mr. Chair, as one of the few union members in Congress, let me tell you that the benefits that workers and families earn from being in a union are significant.

Workers in a union make almost \$10,000 more per year, and 70 percent of workers in a union have a pension plan compared to just 13 percent of non-union workers.

The problem is there have been decades-long coordinated attacks on workers’ rights to join or form a union. It is time to make it easier for workers to have a voice in their workplace, and we have got some work to do.

There are laws that make it harder to organize, and employees involved in organizing face barriers, including a one-in-five chance of getting fired. Even when workers do form a union, employers refuse to bargain, and more than half of the unions don’t get a col-

lective bargaining agreement within a year.

If you vote to form a union, you should have one and get a contract. If you are an employee, you shouldn’t be misclassified as an independent contractor. And if an employer violates your labor rights, they shouldn’t be let off the hook.

I am proud to support workers’ rights, and I am proud to support the Protecting the Right to Organize Act.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. TIMMONS).

Mr. TIMMONS. Mr. Chair, I rise today in strong opposition to the PRO Act.

Our economy is booming. The unemployment rate is at a record low. The PRO Act would interfere with this historic progress by adding more Federal regulations on the very businesses that have been responsible for this growth.

Employers and businesses could face more than \$47 billion in new annual costs if this bill becomes law. This bill would force employees to take a public vote on whether they would want to be a part of a union, a rule that the House Democrats do not even follow themselves.

Democrats even held up the USMCA vote to guarantee the right to a secret ballot, yet they are depriving the American worker of that same protection in the PRO Act. Over half of the States in this country have passed their own right-to-work laws, including my home State of South Carolina.

The PRO Act would effectively invalidate those laws by forcing workers to pay union dues in order to keep their jobs. This is a gross overreach of the Federal Government and something we need less of not more of throughout this country.

The PRO Act is yet another example of Democratic partisanship and a flagrant power grab and is, as many other things we have done this year, not going to get a hearing in the Senate. I urge my colleagues to vote “no.”

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY), a distinguished member of the Committee on Education and Labor.

Mr. COURTNEY. Mr. Chair, I rise in support of the Protecting the Right to Organize Act, which is a pro-middle-class measure that, if enacted, would increase incomes, improve benefits, and promote better working conditions for tens of millions of Americans.

The bill essentially debugs all the outdated gaps and loopholes that a cottage industry of unscrupulous lawyers and consultants have exploited over the last 50 years to delay and deny Americans their right to organize for a better standard of living.

The data is crystal clear. The decline of unions since the 1970s has coincided with wage stagnation for the middle class and the skyrocketing wealth of Americans in the top one-tenth of 1

percent, re-creating our new gilded age of outrageous income inequality.

The rights this bill will secure have been internationally recognized as basic human rights in the Universal Declaration of Human Rights by the United Nations Charter in the wake of World War II and the Vatican in Pope Leo XII’s encyclical *Rerum Novarum* in 1891. The right to organize “is the natural right,” Leo wrote, “and the state has for its office to protect natural rights, not to destroy them.”

Passage of this bill will protect those rights. Please vote “yes” for the PRO Act.

Mr. Chairman, I insert in the RECORD a letter from 2 million members of the Service Employees International Union, signed by its president, Mary Kay Henry, in support of this legislation.

SEIU,
May 8, 2019.

DEAR REPRESENTATIVE: On behalf of the 2 million members of the Service Employees International Union (“SEIU”), we write to endorse the Protecting the Right to Organize (“PRO”) Act of 2019. This important bill would strengthen working Americans’ rights to join together in unions and bargain for higher wages and better working conditions to help create balanced, inclusive growth.

In today’s economy, too many people are working longer hours for lower wages, even as corporate profits soar. Unions are the best solution to leveling the playing field. But because of a concerted effort to undermine unions in America over the past forty years, just 6% of private sector working people have a say in the decisions that affect them at work, in their communities and in our economy. Too many unscrupulous employers take advantage of America’s outdated labor laws to stifle the ability of working people to join together in unions to improve their jobs and build a better future for their families.

The PRO Act would reinvigorate labor law to help build an economy that works better for the millions of people who work for a living—not just those at the top. We applaud the bill’s joint employer provision, which would ensure that workers can meaningfully bargain with all companies that actually control their employment. We also endorse the bill’s new standard to stop employers from misclassifying their workers as independent contractors or supervisors to escape their responsibilities. These changes would make it harder for companies to circumvent basic worker protections through subcontracting arrangements or other evasions.

We also strongly support the PRO Act’s reforms banning anti-worker state laws that supersede collective bargaining agreements. These so-called Right-to-Work laws weaken workers’ voice at the workplace, drive down wages, and threaten the economic security of all workers—union and nonunion alike. Working people subject to these laws earn \$1,558 less per year than those who are not. The PRO Act permits companies and workers to decide for themselves whether to negotiate fair share agreements in collective bargaining.

In addition, we are pleased to see PRO Act provisions that would deter employer misconduct by making remedies meaningful, penalizing the most egregious violations, limiting interference in union elections, and facilitating first contracts with newly formed unions. The bill rightfully removes restraints on workers’ solidarity actions across different workplaces.

Working people around the country urgently need new laws like the PRO Act to

make it easier for people to join unions and hold companies accountable. The PRO Act's much-needed reforms will help level the playing field for people like Jim Staus who testified in support of the PRO Act before House Education and Labor Committee, Health, Employment, Labor and Pensions Subcommittee on May 8, 2019. Although the federal government twice found that University of Pittsburgh Medical Center (UPMC) illegally fired Jim for trying to form a union, six years later he still has not returned to work at UPMC, nor has he seen a penny of back-pay. If the PRO Act were law, Jim and so many other working people around the country would not have to risk everything to organize their unions to have a seat at the table in determining their families and community's future, the same way their bosses and corporations do.

SEIU members are proud to support the PRO Act. We will add any future votes on this legislation to our legislative scorecard.

Sincerely,

MARY KAY HENRY,
International President.

□ 1600

Ms. FOXX of North Carolina. Mr. Chair, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chairman, I thank my good friend from North Carolina for yielding.

I rise today in strong opposition to H.R. 2474, but not necessarily because of some of the reasons that I have heard, though questionable, from my friends on the other side of the aisle.

As the son of a machinist tool and die maker and a former union steelworker myself, I value the time-honored role unions play in our workforce.

I can remember some of the arguments that my dad made for the unions in the steel mills' machine shops where he worked. I also remember many of the arguments he made for unions going above and beyond, in the sense of going too far, for their own protection and not that of the employees.

But any reforms we make to Federal labor laws should put workers first, not union leaders first. When we fail to do that, it opens the door to extravagant abuses of power. Just look at what is happening in Michigan, sadly, with the corruption scandal at the top levels of the UAW.

How can we even entertain a transformational labor law at a time when members of the UAW leadership are under an ongoing Federal investigation for using members' dues to pay for UAW leadership's lavish trips to California featuring poolside villas, top-shelf liquor, fine cigars, golf, and even a \$1,200 bill at a Hollywood salon. In our ethics investigations, we would certainly put those to the top of our concerns.

This corruption scandal has already yielded 11 convictions. Two previous UAW presidents have been formally implicated as members of a racketeering enterprise within the union—I hate hearing those words, because those impact union membership and their dues—and the current president, who took over because of the corruption allegations against the former

presidents, has come under Federal investigation as well.

We should, instead, be looking into these abuses as our committee rather than turning a blind eye and passing legislation that will, instead, consolidate special interest power to coerce workers by undermining their right to privacy.

Clearly, this bill sends exactly the wrong message at the wrong time. It is not speaking for the hardworking families we represent, the hardworking union members we represent. They deserve better, and that is what this legislation doesn't offer.

The Acting CHAIR (Mr. POCAN). The time of the gentleman has expired.

Ms. FOXX of North Carolina. Mr. chair, I yield an additional 10 seconds to the gentleman from Michigan.

Mr. WALBERG. Mr. Chair, I simply cannot, in good faith, support a bill that undermines basic freedoms for workers and takes our labor laws backwards. Instead, let's put workers' interests first by focusing on protecting and expanding workers' rights within their union.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Chair, before I begin, I enter into the RECORD letters in support of the PRO Act from the American Federation of Musicians and the International Alliance of Theatrical Stage Employees.

AMERICAN FEDERATION OF MUSICIANS OF THE UNITED STATES AND CANADA,

New York, NY, February 4, 2020.

DEAR MEMBER OF CONGRESS: On behalf of 80,000 members of the American Federation of Musicians, I write urging your support of H.R. 2474, the Protecting the Right to Organize Act ("PRO Act") and ask that you oppose any amendments or any offensive motions that may be offered during House deliberations.

The PRO Act strengthens the National Labor Relations Act by supporting the ability of working people to have a voice on the job. The bill would update the National Labor Relations Act to allow workers to have a greater say in such important workplace issues as higher wages and retirement security. Once workers vote to form a union, the National Labor Relations Board could seek enforcement and relief in federal court allowing for swifter justice. In addition, the bill would prohibit employers from forcing workers to attend captive audience meetings designed to encourage workers from voting against the union. Companies and corporate officers would be confronted with stiff financial penalties for violating the law.

The PRO act also establishes a mediation and arbitration process to prevent employers from avoiding the completion of a first contract. Historically, many employers attempt to stall first-contract negotiations in an effort to frustrate and in some cases stop the collective bargaining process, often after union organizers and negotiators have worked for years to finalize a first contract.

The bill also supports workers' right to picket or withhold their labor in order to push for workplace changes. It also protects employees' right to strike and prevents an employer from hiring permanent replacement workers and allows unrepresented workers to participate in collective action

and class action lawsuits against unscrupulous employers.

Finally, HR 2474 eliminates state right to work laws which over the years have given more power to billionnaires and special interest groups at the expense of lowering worker wages, eroding pensions and healthcare coverages in states where such laws have been enacted.

We urge you to support the PRO Act. Thank you.

Sincerely yours,

RAYMOND M. HAIR, JR.,
International President,
American Federation of Musicians of the United States and Canada.

NEW YORK, NY, FEBRUARY 3, 2020.

DEAR REPRESENTATIVE: On behalf of the approximately 125,000 American members of the International Alliance of Theatrical Stage Employees (IATSE), I urge you to support the Protecting the Right to Organize (PRO) Act, H.R. 2474, and to oppose weakening amendments and any Motion to Re-commit when the House of Representatives considers the bill. The PRO Act will restore fairness to the economy by strengthening the federal laws that give working people a voice on the job so they can negotiate for higher wages, better benefits, a more secure retirement and a safer workplace.

Too often, when workers choose to form a union, employers stall the bargaining process to avoid reaching an agreement—as evidenced by riggers in the Pacific Northwest employed by Rhino Staging Northwest who voted in 2015 to be represented by Local 15 of the IATSE, but today still don't have a contract.

These riggers—who work high above stages, on scaffolding or catwalks, installing complex lighting and audio equipment—followed state and federal labor laws, and over many years organized themselves. Fed up with low pay, no employer-funded healthcare, and unsafe working conditions they voted to unionize.

Yet, after these workers voted for the union, Rhino refused to bargain in good faith as required by federal labor law. Rhino challenged the union before the National Labor Relations Board (NLRB) and in federal court. It lost. It has stalled and delayed and still today has not entered into a contract.

This is just one example of how some employers have been able to violate the National Labor Relations Act (NLRA) with impunity, routinely denying workers their basic right to join with coworkers for fairness on the job. Time after time, employers get away with it.

The PRO Act would establish a process for mediation and arbitration to help the parties achieve a first contract. This important change would make the freedom to negotiate a reality for countless workers who form unions but never get to enjoy the benefits of a collective bargaining agreement.

The PRO Act would modernize the NLRA by bringing its remedies in line with other workplace laws. In addition to imposing financial penalties on companies and individual corporate officers who violate the law, the bill would give workers the option of bringing their case to federal court.

Under the bill, once workers vote to form a union, the National Labor Relations Board (NLRB) would be authorized to order that the employer commence bargaining a first contract. These orders would be enforced in district courts to ensure swift justice. In addition, the bill would ensure that employees are not deprived of their right to a union because their employer hides behind a subcontractor or other intermediary, or deliberately misclassifies them as supervisors or independent contractors.

The bill would also eliminate “right to work” laws; prohibit mandatory “captive audience” meetings; and protect the right to strike, among other provisions.

The PRO Act is a top priority for the IATSE, we urge you to support this bill and help us build an economy that works for all working families.

Sincerely,

MATTHEW D. LOEB,
International President.

Ms. JUDY CHU of California. Mr. Chair, when I was a young college professor in the Los Angeles Community College District, the board of trustees passed a measure that would lay off over 100 of us, even though we had tenure.

It was my union, the American Federation of Teachers, that organized the protests and stood up for us. The union saved my job.

Yet, today, we see that there is a decline in union membership. It is not because workers don't want to be in a union. It is because employers have been allowed to use antiunion tactics, such as paying millions of dollars to professional union busters who come into the workplace to intimidate workers in captive audience meetings.

Even when workers vote to approve a union, more than half of them still do not have a collective bargaining agreement 1 year later. That is because employers face few penalties for bargaining in bad faith, while employees can be fired for striking and exercising their rights.

The PRO Act is the best way to protect the right to organize and to help workers have the quality of life they deserve.

Mr. Chair, I urge my colleagues to vote “yes” on this bill.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Chairman, I thank the ranking member for yielding.

As a Virginian, I am proud that my State is currently one of the 27 that protects the fundamental right to work. Because of Virginia's pro-business and pro-employer stance, it has once again been ranked the number one State in which to do business by CNBC.

Unfortunately, this is being threatened both at the State level in the Virginia General Assembly and now at the Federal level through this bill, the PRO Act.

Every American should have the right to get a job or keep a job without being required to join a labor union. This bill would inappropriately preempt and prohibit that right, while concurrently violating the privacy of workers by forcing the sharing of their personal contact information with union organizers, even when this has been shown to enable harassment and intimidation of those very workers. This is unacceptable.

The PRO Act would have grave impacts on workers and businesses at a great cost to the fabric of our workforce.

Founding Father and fellow Virginian Thomas Jefferson said: “To

compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.”

Mr. Chair, I urge my colleagues to join me in opposing this bill and to stand for the freedoms and success that our Founding Fathers believed in.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. TAKANO), a distinguished member of the Committee on Education and Labor.

Mr. TAKANO. Mr. Chair, I thank the gentleman for yielding.

I rise in strong support of the Protecting the Right to Organize Act. I rise in support of unions and millions of workers fighting for higher wages, better benefits, and safe working conditions.

For years, Republicans and corporate interests have been chipping away at the rights of workers in America. Employers are aggressively waging a campaign against unions and against the best interests of their workers.

It is illegal for employers to intimidate workers who want to join unions, but it is still happening, because these union-busting bosses are not being held responsible. The PRO Act will ensure that penalties are enforced to help put an end to these antiunion activities.

American workers are putting in the work; they should also be reaping the rewards of their labor. The PRO Act will help workers stand together to demand their fair share and to make their bosses listen.

Mr. Chair, I enter into the RECORD a letter from the International Longshore and Warehouse Union in support of the PRO Act.

INTERNATIONAL LONGSHORE &
WAREHOUSE UNION,

San Francisco, California, February 3, 2020.

DEAR REPRESENTATIVE: As President of the International Longshore and Warehouse Union (ILWU), I urge you to support the PRO Act (*Protecting the Right to Organize Act*, H.R. 2474) when debated on the House Floor this week. The ILWU further urges you to oppose amendments that would weaken this important legislation.

The ILWU is committed to organizing the unorganized. We recently celebrated the first union contract for workers at Anchor Steam Brewing Co. in San Francisco, California. We have organized other workers into our great union, but have been unsuccessful in achieving a fair contract due to bad faith bargaining. The truth is that every day workers are intimidated, threatened, and coerced simply because they aspire to join a union and achieve a better life. Our current labor law allows this immoral corporate behavior without meaningful consequences.

The United States gave Americans the right to organize labor unions under the National Labor Relations Act (NLRA). The increase in unionization encouraged by the law significantly diminished income inequality over the next forty years. American workers prospered as a result of having a voice in the workplace.

However, over time, corporations and their political allies have gutted organizing rights, and diminished unions, which has caused great economic disparities. The decline in union density accounts for one third of the rise in income inequality among men

and one fifth among women according to the Economic Policy Institute.

The time is now to restore workers' potential to organize. The PRO Act restores the balance of power we desperately need between workers and management. This bill authorizes the NLRB to assess monetary penalties for each violation in which a worker is wrongfully terminated or suffers serious economic harm. The bill importantly imposes personal liability on corporate directors and officers who participate in violations of workers' rights or have knowledge of and fail to prevent such violations.

The PRO Act also gives workers the right to override so-called “right to work” laws that prevent unions from collecting dues from the people they represent. The bill would give employers and unions the right to enter into a contract that allows unions to collect fair share fees that cover the costs of collective bargaining and administering the contract. It is simply unfair and divisive for some non-dues paying workers to get a free ride off the backs of their fellow dues paying workers.

Further, the Act protects First Amendment rights by removing prohibitions on workers acting in solidarity with workers at other companies. The bill also prohibits companies from permanently replacing striking workers.

A critical part of the legislation seeks to facilitate initial collective bargaining agreements. Even when workers succeed in forming a union, nearly half of newly formed unions fail to ever reach a contract with the employer. The bill facilitates first contracts between companies and newly certified unions by requiring mediation and arbitration to settle disputes.

The ILWU fully supports the PRO Act and we urge you to actively support this important legislation to benefit the organized labor and those workers who seek to join a union. It is time to restore the right to organize to American workers.

Sincerely,

WILLIAM ADAMS,
President.

Ms. FOXX of North Carolina. Mr. Chair, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Chair, I rise today in strong opposition to the PRO Act.

Today's egregious legislation really is mislabeled. It is called the Protecting the Right to Organize Act, but it really should be renamed the Unfair to American Workers, or the UAW, Act.

I strongly agree that our constitutionally guaranteed rights, like the freedom of association, should be protected, but this bill doesn't strengthen protections for all Americans. This bill upsets the balance between the right of employees to form a union and the right of individuals to refrain from joining a union.

H.R. 2474 deliberately speeds up the union election process so that employees do not have the time to fully vet the pros and cons of joining a union.

This bill also strips away critical privacy rights by forcing employers to hand over sensitive private employee information, such as where an employee lives, what work shifts they work, and more.

Why do they want this information? So union leaders can stalk and harass employees until they agree to sign up.

The PRO Act, in fact, leaves no corner of labor law untouched. This bill will disrupt the franchise model to eliminate a franchisee's ability to operate their business as their own, and it even decimates the sharing economy by codifying California's ABC test.

What is worse, this bill repeals every right-to-work law in the Nation, forcing millions of Americans to contribute to a union that they don't need or that they don't want.

I offered a commonsense amendment to this bill that would require unions to seek employee consent when using dues for political purposes, but my amendment was blocked by Democrats from being even debated on the House floor.

My colleagues on the left will claim that economic inequality has resulted because of declining union membership, but we know this isn't true. The economic success that we are seeing today, particularly for minority groups who have historically faced the most inequality, is changing thanks to policies put in place by a Republican Congress and by President Trump. Wage growth is rising faster today for minorities and individuals most impacted by economic inequality than for any other group.

Rather than innovating to become more attractive to employees so they want to join, unions are trying to change Federal law to stack the deck against hardworking Americans.

Americans aren't rejecting union membership because current labor law acts as a barrier to forming one. They are declining to join because they are sick of seeing union leaders harass and coerce their colleagues; line their own pockets with dues, as we have seen exhibited in the recent racketeering acts committed by former UAW leaders; and use employee dues to support political platforms that don't align with an individual's views.

Mr. Chair, I urge my colleagues to oppose this harmful power grab.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS), a distinguished member of the Committee on Education and Labor.

Mr. NORCROSS. Mr. Chair, I rise today on an issue very personal to me and to American workers: the Protecting the Right to Organize Act, or the PRO Act.

I am a member of the IBEW for over 40 years and a lifelong labor leader, a proud labor leader. I can attest to the importance of giving workers a voice by protecting them from unfair labor practices.

I saw, firsthand, as workers were unjustly fired, lost their wages, their job, because they dared to speak up about unionization; workers with families back home, living paycheck to paycheck, who couldn't afford to be out of work, but they understood how important this was.

Companies have the money. They hire the \$1,000-an-hour lawyers. They

delay, they delay, they delay. They would make an example out of one person, as unjust as that is. They put the life of that worker on hold.

Currently, the NLRA has no penalties for employers that do this, that violate the law. If workers are fired, there is no current recourse.

I would just ask that we support the PRO Act.

Mr. Chair, I enter into the RECORD letters of support from the IBEW, the International Union of Operating Engineers, and the International Union of Bricklayers and Allied Craftworkers.

INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS,

Washington, DC, February 3, 2020.

To: All Members of the United States House of Representatives.

Re Protecting the Right to Organize Act.

DEAR MEMBER OF CONGRESS: On behalf of the 775,000 active members and retirees of the International Brotherhood of Electrical Workers (IBEW), I urge you to vote in support of H.R. 2474, the Protecting the Right to Organize (PRO) Act, when it is considered by the full U.S. House of Representatives this week and to oppose weakening amendments and any Motion to Recommit. The PRO Act would restore the original intent of the National Labor Relations Act (NLRA) to protect workers' right to organize a union and negotiate higher wages and better benefits.

The right to organize and collectively bargain is a fundamental right of all Americans and the bedrock of a capitalist society that allows the benefits of a growing economy to be shared broadly between workers and employers. These fundamental rights, however, have been steadily undermined in recent decades. As a result, union membership has dropped precipitously from over 20 percent in 1983 to just 10 percent in 2018. During the same period, incomes for the bottom half of income earners in the United States have grown by just one percent between 1980 and 2014, while income for the top one percent increased by 205 percent. Today, income inequality has reached levels that predate the Great Depression.

The reason membership in labor unions is declining is not due to eroding interest in family-sustaining wages and benefits—it is because employers have the upper hand. Workers attempting to unionize often face a hostile legal environment and are commonly intimidated by aggressive anti-union employers. Outdated labor laws have failed to provide Americans with protection from this anti-worker onslaught against collective bargaining.

The Economic Policy Institute published a report in December 2019 that found 41.5 percent of all employers in a National Labor Relations Board (NLRB) sponsored election were charged with violating federal labor law. The PRO Act would help even this vastly tilted playing field by invoking stronger remedies for violating the law. Currently, there are no penalties on employers who illegally fire or retaliate against workers attempting to form a union. This legislation establishes compensatory damages for workers and penalties against employers when they fire or retaliate against workers. In addition, the PRO Act streamlines the NLRB process so workers can petition to form a union and get a timely vote without their employer interfering or delaying the vote. It would also prohibit companies from forcing workers to attend mandatory captive audience meetings as a condition of continued employment.

Even if workers do vote for union representation, more than half do not have a collec-

tive bargaining agreement a year later. The PRO Act would establish a process for reaching a first agreement when workers organize.

Employers often misclassify workers as supervisors or independent contractors to deprive them of their rights under the NLRA while allowing management to skirt minimum wage, Social Security and workers' compensation laws. The PRO Act tightens the definitions of independent contractor and supervisor to crack down on misclassification and extend NLRA protections to more eligible workers.

Unions provide skills training and continuing education to their membership, as well as a more stable and safer workforce. A worker covered by a union contract earns more than 13 percent more in wages than a peer with similar education, occupation and experience in a non-union workplace in the same sector. Where unions are strong, wages are higher for typical workers—union and nonunion members alike.

Research shows that workers want unions, evidenced by the large gap between the share of workers with union representation—about 12 percent—and the share of workers that would like to have a voice on the job—48 percent. The PRO Act would take a major step forward toward closing that gap.

There is no better path to the middle class than a union job with the security it provides in salary, health benefits and retirement income. Family sustaining middle class jobs are the route to economic security, providing the crucial financial cushion that protect so many families on the edge of economic disaster once a job loss or a medical emergency hits a family. Unions provide economic independence and self-sufficiency, and an expanding middle class is good for the economy and the country.

The IBEW urges all members of the United States House of Representatives to stand with working Americans in every state and community and vote in favor of the PRO Act.

Sincerely yours,

LONNIE R. STEPHENSON,
International President.

INTERNATIONAL UNION OF
OPERATING ENGINEERS,

Washington, DC, January 31, 2020.

DEAR REPRESENTATIVE: The International Union of Operating Engineers requests your support for the Protecting the Right to Organize (PRO) Act, H.R. 2474, and to oppose any weakening amendments and any Motion to Recommit when the House of Representatives considers the bill. The PRO Act will repair the National Labor Relations Act (NLRA) to protect workers and strengthen the fundamental rights of Operating Engineers across the nation.

The International Union of Operating Engineers (IUOE) is one of North America's leading construction unions, representing nearly 400,000 hardworking men and women in the United States and Canada. Most members of the IUOE work in the construction sector, operating and maintaining heavy equipment, in addition to other occupations in the industry. We represent heavy equipment operators, mechanics, surveyors, and other occupations in the sector, and, building the nation's public works is the bread and butter of the skilled, proud members of the Operating Engineers union.

The PRO Act would reinforce the federal laws that protect workers' right to organize a union and bargain for better wages, benefits, and conditions at their workplaces. For decades, working families could depend on unions to represent their collective interests and, by encouraging collective bargaining, the NLRA offered protection and empowered workers to seek fairness on the job.

Over the past 50 years, unethical employers have exploited labor laws and routinely denied workers their basic rights. While the collective strength of workers has eroded over time, income inequality has reached levels that predate the Great Depression. It is imperative that Congress protect the rights of workers in order to guarantee a healthy economy.

This legislation addresses several major problems with the current law and tries to level a playing field that is currently stacked against workers. It will penalize employers for interfering in the workers' right to form a union, conduct organizing campaigns, and hold fair elections. It will strengthen their ability to negotiate first contract agreements and notably overrides so-called "right-to-work" laws by establishing a "fair share" clause. It will ensure workers have a voice on the job by prohibiting employers from permanently replacing strikers and repealing the prohibition on secondary boycotts. In addition, it will protect workers against misclassification—an egregious tactic used in the construction industry to dodge wage and hour standards. The PRO Act would ensure employers are not able to skirt their responsibilities for pay, benefits, and other working conditions.

This legislation will close loopholes in federal laws and increase transparency in labor-management relations. Without these essential protections, the playing field will remain heavily stacked against workers. Strengthening the collective power of workers will strengthen our economy and restore the American middle class. We urge you to support the PRO Act to defend the dignity of work for all working families.

Thank you for your consideration.

Sincerely,

JAMES T. CALLAHAN,
General President.

INTERNATIONAL UNION OF BRICK-
LAYERS AND ALLIED
CRAFTWORKERS,

Washington, DC, January 31, 2020.

DEAR HOUSE MEMBERS: On behalf of the International Union of Bricklayers and Allied Craftworkers (BAC), I am writing to express our strong support for the Protecting the Right to Organize (PRO) Act, H.R. 2474. The PRO Act is historic legislation that will help level the playing field and help give workers the opportunity to exercise their right to organize a union.

BAC is proud of the relationship that we share with our signatory employers across the United States to provide vital building and construction services to the communities we live in. However, our members, and just as importantly the contractors that hire them, are under assault by unscrupulous corporations and employers that abuse and deny their workers from having a meaningful voice in the workplace. The PRO Act would help address these abuses and provide workers a fair shot at forming a union of their choice to bargain for better wages, benefits, and conditions in the workplace.

Too often, employers intentionally violate the law during organizing campaigns because some of the penalties are so weak that low road employers just view them as a small cost of doing the business of union busting. The PRO act strengthens penalties for such behavior in order to deter employers from interfering with workers' rights.

The PRO Act also clarifies the definition of independent contractor and supervisor to help prevent the misclassification of workers. Misclassification is far too common in construction and other industries and it prevents workers from exercising their rights, getting the pay and benefits they deserve, and deprives communities of much-needed revenue through tax evasion.

Our economy is out of balance and it is time for Congress to step up to protect working class families and restore economic stability. We urge you to support the PRO Act and oppose any weakening amendments when the House of Representatives considers the bill.

Sincerely,

TIMOTHY J. DRISCOLL,
President.

Ms. FOXX of North Carolina. Mr. Chair, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Mr. Chair, I thank the gentlewoman from North Carolina (Ms. FOXX) for yielding.

I rise today in opposition to the PRO Act.

I have heard some things from the other side of the aisle about how workers earn more in States that are not right-to-work.

Of the right-to-work States, according to the U.S. Department of Labor's Bureau of Labor Statistics, 7 of the top 10 States in wage increases are right-to-work States. The highest right-to-work State, number one, saw an increase in wages over the period of time from 2001 to 2019 of 20 percentage points, which is 20 percentage points more than the closest right-to-work State.

This is not a bill about helping workers. This is a bill about getting in the way of the relationship between the employee and employer.

□ 1615

This is just another Democrat messaging bill that is nothing short of a special interest giveaway. The PRO Act needlessly inserts more government control into the employee-employer relationships.

At a roundtable I held with businessowners in Pennsylvania's 12th Congressional District, I heard firsthand how legislation like this would negatively impact their ability to grow and raise wages.

One of the many onerous provisions in this legislation is the allowance for intermittent strikes and banning permanent replacements. I am offering an amendment today to remove the intermittent striking provisions of this bill.

Intermittent striking would cripple the ability of job creators to do business and raise prices on consumers. Even if this amendment were adopted, I still have significant reservations about the bill. That is because the PRO Act is also terrible for employees.

Cloaked in the language of employee protection, the real result of the PRO Act is providing workers with fewer choices, fewer rights, and the inability to speak for themselves.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FOXX of North Carolina. Mr. Chair, I yield the gentleman from Pennsylvania an additional 10 seconds.

Mr. KELLER. Strikingly, the PRO Act would destroy employee privacy rights by requiring employers to give away employee identifying information to union bosses.

If Congress really cares about jobs, the economy, and workers' rights, it should say "no" to the PRO Act.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts (Mrs. TRAHAN), a distinguished member of the Committee on Education and Labor who knows that union members make more than nonunion members.

Mrs. TRAHAN. Mr. Chairman, I thank my friend from Virginia for yielding and for his steady leadership on this issue.

Mr. Chairman, on Tuesday evening, the American people were treated to a number of fairy-tale promises. But none was more preposterous than the claim that the administration's agenda has been "relentlessly proworker."

It has been relentless, all right. Relentlessly hostile to our unions, particularly those seeking redress from the NLRB; relentless in favoring corporate interests over working people, such as those deliberately misclassified as contractors; and relentless in its opposition to permitting employees the right to have their day in court when their rights are violated.

The PRO Act is what a real proworker agenda looks like: It levels the playing field for workers in organizing drives. It reorients the NLRB to defend workers who are unfairly targeted. It blocks worker misclassifications, and it demands real penalties for violations of workers' rights.

I am pleased that the PRO Act includes my amendment to ban offensive lockouts, a cruel technique designed to bring workers to their knees rather than the negotiating table in good faith. The steelworkers in my home State of Massachusetts know that cruel tactic all too well.

Mr. Chairman, as the daughter of a union ironworker and the granddaughter of a union carpenter, I have experienced firsthand why unions are the foundation of America's middle class. I have lived the benefits that unions and organized labor bring to families across Massachusetts and the United States.

I wouldn't be standing here today without them. And it is perfectly clear why our unions must have their rights restored. Income inequality has risen as union membership has declined. It is time to reverse that trend.

Mr. Chair, I include in the RECORD a letter from NETWORK Lobby for Catholic Social Justice organization which endorses the PRO Act.

NETWORK LOBBY FOR CATHOLIC
SOCIAL JUSTICE,

Washington, DC, February 6, 2020.

DEAR REPRESENTATIVE: NETWORK Lobby for Catholic Social Justice urges you to vote YES on the Protecting the Right to Organize (PRO) Act (H.R. 2474). In the spirit of the Gospel, we promote a just society which ensures that all people are able to live dignified lives. According to Catholic Social Justice, labor "maintains the fabric of the world." We are called to recognize the value of people's human labor, thereby honoring

the dignity of work as a path to growth, human development, and personal fulfillment. The PRO Act does just that by restoring workers' rights to collectively bargain, empowering them to negotiate for fair wages, benefits, retirement security, and protection from discrimination and harassment. We urge a YES vote on the PRO Act to achieve fairness and justice for disenfranchised working people.

Labor union participation has fallen precipitously over the years: from a third of wage and salaried workers in the United States to just 10.7 percent, as of 2017. Protecting the right to freely associate and organize at the workplace has been proven to help settle workplace disputes by restoring the balance of bargaining power between employers and employees. Workers and employers alike benefit from the institution of labor protections through unions. Disputes can be settled unfairly when the power differential between the employer and employee goes unchecked. Without the power of collective bargaining, workers' voices go unheard and workers' concerns go unheeded. When Congress passed the National Labor Relations Act in 1953, they knew this. However, nearly every amendment to the law since has undermined its spirit—making it harder for working people to form unions, chipping away at workers' rights, and harming the economy. The PRO Act would expand the full force of protections once offered by the NLR.

The PRO Act would: shield workers from retaliation when they exercise their right to form a union, end mandatory arbitration in contracting, and apply a clear, fair standard of protection nationwide which “right to work” laws currently sidestep.

The PRO Act would also: prevent further erosion of the law by penalizing employers that don't comply, and apply simple tests to end misclassification of employees.

The PRO Act is a historic proposal that faithfully restores dignity to workers and rightly appraises their value as full participants in the workplace and in the economy. We urge you to vote YES to pass the Protecting the Right to Organize Act (H.R. 2474).

Mrs. TRAHAN. Mr. Chair, it is time to pass the PRO Act.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from South Dakota (Mr. JOHNSON).

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the misnamed Protecting the Right to Organize Act.

The American economy is thriving by almost any economic measure, and it seems as though an important job of Congress would be to continue to support the workers, the employers, and the jobs that have been powering this, the longest economic expansion in American history.

What we shouldn't do is act to restrict State flexibility, worker flexibility, and worker choice. Unfortunately, the PRO Act eliminates the State's ability to decide that they want to be a right-to-work State; and unfortunately, the PRO Act hurts the franchise sector by imposing an aggressive new joint employer rule; and unfortunately, the PRO Act hurts workers who are involved in the gig economy by enacting unreasonable restrictions on who can be an independent contractor, and how they can work.

Now, let's make no mistake about it. The impact of these changes will, indeed, mean less freedom, less flexibility, and over time, it will mean less prosperity. As a result, Mr. Chairman, I am voting “no.”

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Washington (Ms. JAYAPAL), the co-chair of the Progressive Caucus and distinguished member of the Committee on Education and Labor, and a lady who knows, by every measure, that economic progress was better under Obama than President Trump.

Ms. JAYAPAL. Mr. Chair, I rise in strong support today of the PRO Act. I talk to people every day who take tremendous pride in the work that they do, and, yet, many of these workers are facing terrible injustices on the job; poorly paid; inadequately insured; harassed; and often in workshops that are dangerous and discriminatory.

Mr. Chairman, no one should have to go to work and face injustice and be afraid to speak up. That is just not right.

The PRO Act makes it clear that we are putting power back into the hands of workers; and that we are ensuring and expanding workers' rights to organize. Let's be clear that that benefits everybody. Unionized women earn wages that are 23 percent higher. Black workers' wages are 14 percent higher, and Latinx workers' wages are 21 percent higher than in nonunionized workplaces.

Young unionized workers more often have health insurance, higher pay, and a retirement plan. That is why workers' approval for unions keeps rising.

Mr. Chairman, every worker deserves a fair and safe workplace, and that is what the PRO Act does.

Mr. Chair, I include in the RECORD a petition signed by over 63,000 community members in support of the PRO Act.

FEBRUARY 4, 2020.

Re Delivery of signatures regarding the U.S. House of Representatives' floor vote on the Protecting the Right to Organize Act.

Chairman BOBBY SCOTT,
House Education and Labor Committee,
Washington, DC.

DEAR CHAIRMAN BOBBY SCOTT: Please accept over 63,000 signatures from community members across the country on behalf of a coalition of 11 advocacy, climate, labor, and trade organizations advocating for the passage of the Protecting the Right to Organize (PRO) Act. We ask that your office enter this letter and the accompanying signatures into the public record. We thank you, Chairman Scott, for your introduction and support of this historic legislation.

Our coalition believes that working class and middle class families in the United States deserve income security and should be able to organize their co-workers to demand living wages and healthy working conditions.

In a time when the richest Americans' wealth growth has increased by over 200 percent while wages remain stagnant for the

rest of us, we urge the U.S. House of Representatives to pass the PRO Act.

Sincerely,

AFL-CIO, Asian Pacific American Labor Alliance (APALA), Climate Hawks Vote, Courage Campaign, CREDO Action, Daily Kos, Economic Policy Institute Policy Center, Friends of the Earth Action, National Employment Law Project, People For the American Way, Public Citizen's Global Trade Watch.

Ms. JAYAPAL. Mr. Chair, I also include in the RECORD a letter from the CWA on how unions reduce income inequality.

COMMUNICATIONS WORKERS OF AMERICA,
Washington, DC, February 5, 2020.

DEAR REPRESENTATIVE: On behalf of the officers and 700,000 members of the Communications Workers of America (CWA), I am writing to urge you to vote for H.R. 2474, the Protecting the Right to Organize (PRO) Act, when it comes before the House this week and to oppose any amendments that would weaken the bill. For CWA, this is the most important vote that has come before the House of Representatives in years and our members are watching it closely.

The huge surge in economic inequality over the past quarter-century is related directly to many workers' lack of a strong voice on the job. Over that time, wages have stagnated for workers across the economy, while income has skyrocketed for CEOs and the wealthiest 1%. By 2012, the wealthiest 1% made 22.5% of national income, while the bottom 90% of families made less than half of national income—just 49.6%.

During that same time period, union density has declined substantially. Since the early 1980s, the overall unionization rate has been cut in half. This harms workers who are unable to form unions directly, but it also hurts other workers, as research by the Economic Policy Institute shows that higher union density increases wages for all workers.

Moreover, the harm to workers caused by the lack of an organized voice on the job is not limited simply to compensation. Workers who form unions have stronger protections against discrimination and retaliation, enhanced job security, better retirement benefits, and more effective ways of combating practices that jeopardize their health and safety on the job.

Unfortunately, the National Labor Relations Act (NLRA) does not currently include protections strong enough to ensure that workers are able to effectively exercise their right to organize, bargain collectively, and have a strong voice on the job. The NLRA's penalties are ineffective and insufficient, amounting to little more than a vague threat of a slap on the wrist to employers who violate the NLRA. As a result, workers are routinely illegally disciplined or even fired for exercising their NLRA rights, with little to no consequence for the bad actors.

Just as concerning is what is actually permitted under the NLRA. Employers can hold “captive audience” meetings, in which executives can and do force workers to attend hours-long meetings in which management berates and intimidates workers who want to organize. Employers can and do also fail to negotiate fair first contracts, preventing workers who form unions from ever securing a collective bargaining agreement. As a result, many workers are deterred from fighting to exercise their rights in the first place.

The PRO Act would strengthen the NLRA and, in so doing, empower workers across the country. The PRO Act would:

Strengthen remedies for workers who face illegal retaliation, including swift temporary reinstatement for workers who are illegally

suspended or fired, real financial penalties, and the clarification of their ability to have their day in court;

Clarify coverage of the NLRA to prevent the misclassification of workers as independent contractors;

Protect the integrity of union elections against coercive captive audience meetings;

Ensure that the National Labor Relations Board's orders are enforced in a timely manner;

Protect workers' right to strike for basic workplace improvements;

Ensure that workers and employers are able to reach fair deals for a first contract by establishing mediation and arbitration procedures;

Strengthen the ability of workers and companies to negotiate contracts that include fair share fees that cover the basic costs of representation and bargaining;

Safeguard the rights of all workers to engage in employment-related class action litigation.

The PRO Act would ensure that workers' right to a voice on the job would be protected. In doing so, it would help combat skyrocketing economic inequality and strengthen the middle class. Therefore, I strongly urge you to vote for the PRO Act. CWA will include votes on this bill and any amendments that would undermine the bill in our Congressional Scorecard and this is the single highest priority vote for CWA and our members of the 116th Congress.

Thank you in advance for your consideration.

Sincerely,

DAN MAUER,

Director of Government Affairs,

Communications Workers of America (CWA).

Ms. JAYAPAL. Mr. Chair, I urge my colleagues to vote "yes" on this bill today.

Ms. FOXX of North Carolina. Mr. Chair, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Chairman, I thank my friend, the distinguished ranking member, for yielding.

Mr. Chairman, there is one reason we are here today and one reason alone. It is not to protect American workers. No, it is to protect big labor and their bosses.

There is so much real work to be done. We should be working to empower American workers, to modernize our employment laws, and to meet the demands of the 21st century economy. Instead, with this legislation, my friends on the other side want to turn back the clock and try to force power back into the hands of union bosses.

Make no mistake, this bill is a massive job killer. It will wipe out right-to-work laws which have now been adopted in a majority of States in this country. It will close small businesses. It will allow union bosses the freedom to coerce American workers, and it will force millions to pay union dues against their consent.

For some reason, my friends on the other side refuse to see the results of the proworker Trump agenda. When government gets out of the way, when we put down the regulatory pen, when we let the American economy work, American ingenuity will lead the world.

At a time of record prosperity, they propose we bring back many of the

failed policies of the Obama administration, the very policies that led to so many years of stagnation.

My message to my friends on the other side is clear: Do not betray the American worker. Do not turn back the clock. Vote "no" on the PRO Act.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House of Representatives.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

I have not been on the floor to hear all of the debate, but it is interesting to hear how proworker the debate is from a party that has been responsible for opposing workers' protections, workers' wages, minimum wages, and almost every other thing that lifted workers up.

I will remind my friends on the other side of the aisle that the best times for the middle class were when the unions had the largest number of members. Why? Because employers could not just tell them: You are going to get this. No, there had to be a bargaining saying: Look, we are making a lot of profits. We want to share in those profits because we enabled those profits.

So, yes, we are for giving workers the right to organize. We are for everybody who benefits from that, paying part of the taxes for that. There are a lot of people who don't like the policies we pursue. But they have to pay taxes because the majority decides that that is what we are going to do. And that is the policy of the United States. And you can't say: Well, I don't like the policy, so I am not going to pay.

I rise in very strong support of this bill. This is a bill about the middle class. This is a bill about working people. You talk a lot about working people. This is what lifts up working people, giving them some ability to negotiate on somewhat of an equal plane.

Mr. Chairman, I rise in strong support of this legislation which will protect workers' rights to organize and bargain collectively. That right is at the heart of American opportunity. Furthermore, I would suggest there is not a robust democracy in the world that does not have a trade union movement. It is what made prosperity possible for generations of working people and their families.

This administration and Republicans in Congress have been working to undermine that right and erode the protections won by the workers' rights movement. Today, I am proud to bring this legislation to the floor to make it clear that Democrats will not allow that to happen.

We stand with the men and women of organized labor, and all workers who benefit through their efforts, and we will fight on their behalf to protect workers' rights.

I want to thank Chairman BOBBY SCOTT of the Education and Labor Committee for introducing this legislation and shepherding it through the

committee where Members helped strengthen it and ensure broad support across our caucus.

In addition to banning employers from forcing workers to participate in anti-union activities—perhaps my friends in the House who believe in freedom think maybe that is wrong. I don't know. We will see—the PRO Act ends the practice of management misclassifying workers in order to deny them benefits and fair pay. I challenge anybody to get up and say that doesn't happen.

It puts the National Labor Relations Board back on the side of workers, stopping the Trump administration's use of that board to subvert workers' rights. When they say "deregulation," regulation is making sure workplaces are safe; making sure that products that are sold are safe—that is regulation—making sure that automobiles are safe to be on the road. That is regulation.

By the way, we all know about regulations. We watch a football game. It is a regulation that you can't cross the line until the ball is hiked. That is regulation. It makes the game fair. This bill strengthens unions' hands in negotiations by prohibiting employers from hiring permanent replacements for striking workers. In other words, do it my way, kid, or get out.

That is the way it used to be before the 1930s where some people died walking lines. They were trying to picket or trying to make the case for their employees. Yes, some people died, and some people bled so that other workers would have a fair shot, fair pay, safe workplace, and some long-term security.

In short, the PRO Act is the workers' rights legislation our Nation has been waiting for. If we are for the middle class, we need to make sure that the middle class has some bargaining power. It is the legislation our country needs to confront the assault of unorganized labor that has been ramped up under this antiworker President.

□ 1630

When we have strong unions, workers—even those not in unions—end up with higher wages, better healthcare, more secure retirement benefits, and safer workplaces.

They had to fight for that, and as I said, some people died for that. That is why we need legislation like the PRO Act.

When the Democratic-led House passes this bill, it will join other proworker legislation waiting for action in the Senate. These include the Raise the Wage Act to bring the Federal minimum wage up to \$15. There is not one of us who could live on \$15 an hour, but we have kept, over the 12 years that the Republicans were in the majority, \$7.25 as the minimum wage. I challenge anybody in this House to live on \$7.25 an hour for 40 hours.

We ensured equal pay for women in the Equality Act, which bans discrimination against LGBT workers. Martin

Luther King said to judge on the content of character and effort, not on some extraneous character trait that may have nothing to do with whether you can perform the job.

We also passed the Butch Lewis Act to protect multiemployer pension funds, as well as the SECURE Act to help more workers save for a secure retirement.

Let's not forget we passed legislation protecting coverage for Americans with preexisting conditions. The President said he was for preexisting conditions, but he wanted to repeal the Affordable Care Act. They tried, and they had a big celebration down at the White House right after they passed it from the House to the Senate.

Guess what happened 2 weeks later? The President said: That is a mean bill.

Check the RECORD, Mr. Chairman. All of these bills are sitting on Senator MITCH MCCONNELL's desk. I call on Senator MCCONNELL to restore democracy and let Senators vote.

I urge my colleagues to send the PRO Act to the Senate with strong support. This is proworker, pro-middle class, profamily, and pro-American. Vote "yes."

Ms. FOXX of North Carolina. Mr. Chair, I have to say that saying that this is the most antiworker President ever in the country is just pretty far off the mark. And we are, on our side of the aisle, I believe, the most proworker people in the Congress.

American workers have the right to organize, and Republicans support that right. This bill is not needed to protect those rights.

Mr. Chair, I yield 1½ minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank the ranking member, who has fought hard on this legislation that I want to talk to you about today.

It is very interesting to stand here and listen to my colleagues and me talk about refereeing and talking about regulations. Sometimes, refereeing doesn't get it right when it comes to sporting events, and it is disappointing today because I stand here as somebody who has worked with, supported, and been supported by many members of organized labor, my friends in the building trades and my friends the airline pilots and the air traffic controllers. I would use the rest of my time if I talked about all the men and women in organized labor whom we have worked with to try to come up with bipartisan solutions.

Despite my strong record of supporting Davis-Bacon, PLAs, and ensuring workers have the means to unionize, I have to oppose this bill.

The Democrat majority has brought to the floor another bill that has no chance of becoming law. It is a messaging bill, and it has a couple of provisions that I really have to highlight.

Last year, the Democrat majority proposed in H.R. 1 that every single

member of the Democratic majority who voted for that had public financing of their own congressional campaigns with corporate fines. The corporate fine provision in this bill could create a circumstance where a business commits an unfair labor practice and the civil penalties get directed to Members of Congress' campaigns, not to victims. This is irresponsible.

The joint employer standard that is codified in this law is wrong.

Mr. Chairman, reconsider this legislation. Let's work together to actually come up with solutions.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT), who is the co-chair of the House Democratic Policy and Communications Committee.

Mr. CARTWRIGHT. Mr. Chairman, I rise today to urge my colleagues to vote "yes" on the PRO Act, the Protecting the Right to Organize Act.

The right to organize in this country has become a fundamental right. It is one of the core pillars of the American middle class.

Nowhere do we understand that better than in my home area of northeastern Pennsylvania, where we remember that, almost 100 years ago, anthracite coal miners went out on strike to protest unsafe working conditions, children in the mines, terrible wages, and bad conditions generally. They have made fair wages and safe workplaces. They wove them into the fabric of American law.

This is all because they had the right to organize, and that is what we are here to do. Today, we strengthen and preserve the right to organize through the Protecting the Right to Organize Act. Let's vote "yes" on it.

Ms. FOXX of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Chairman, I thank the gentlewoman from North Carolina for the opportunity.

Mr. Chairman, if the majority believed its own rhetoric surrounding this legislation, it would have been a day one priority. Instead, they brought this legislation up in the shadow of impeachment to conceal the harm it would impose on working-class Americans.

This legislation explicitly eliminates the employer as a party in the election process determining whether the workplace is unionized, limiting the ability of workers to understand the full implications of any decision at hand.

Worse, it requires the employer to hand over the workers' private, personal information to organizers, including their home addresses, listed phone numbers, personal email addresses, et cetera, without the consent of the employee or the ability for employees to opt-out.

This information sharing subjects every single employee to the well-documented tactics of harassment, intimi-

dation, and deception by union organizers. Just consider the presentation in the recent Pennsylvania case that included The Helpful Union Guys. That is an acronym. Figure it out. There were charges of racketeering, assault, and arson.

Making matters worse, the bill vastly restricts the right to secret ballot elections in favor of the organization by card-check process, providing the union leaders with access to a list of all employees who did not support organization efforts and all of their contact information.

My colleagues on the other side of the aisle held up the USMCA deal to ensure the right to secret ballot union elections for Mexican workers but, just weeks later, are voting to strip those same rights away from American workers. What is good for Mexican workers is not good for American workers, apparently.

This bill rewrites the definition of "employee" and "employer" so that they completely eliminate the gig economy, independent contractors, and the franchise model, and it will disproportionately impact small businesses.

The estimated combined cost of the provisions in this bill is \$47 billion annually on employers, necessarily resulting in loss of jobs, reduction of wages, and higher consumer costs.

Yet again, the majority is placing special interests of union bosses above the American people.

Mr. Chairman, as a person who went to vocational and technical school and worked manual labor jobs, I urge a "no" vote for this bill.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE). She is someone who has read the bill and knows that civil fines in the bill are paid to the U.S. Treasury, not to the unions victimized by unfair labor practices.

Ms. LEE of California. Mr. Chairman, first, let me thank Chairman SCOTT for yielding, but also for his tremendous leadership on behalf of American workers.

I rise in strong support today of the PRO Act. This bill protects the basic right to join a union by giving millions of workers protections to organize, negotiate better pay, and a strong voice on the job.

Unions are vital to the health of our economy and our community. They help reduce racial and economic inequality, boost pay, and increase benefits for workers.

Unfortunately, antiworker attacks have seriously weakened our unions and our middle class. Union membership is at an all-time low, and workers are scared even to organize or join a union. That is so shameful.

We must protect workers' rights to organize and improve the quality of life for themselves and their families. That is why this bill is so important. The PRO Act strengthens the power of

all workers to join a union and hold wealthy corporations accountable.

Mr. Chairman, I include in the RECORD two letters from labor groups in support of this PRO Act. These letters are from the Department for Professional Employees, Coalition of Labor Union Women, Equal Rights Advocates, National Employment Law Project, National Partnership for Women and Families, National Taskforce on Tradeswomen's Issues, National Women's Law Center, and UltraViolet.

DEPARTMENT FOR PROFESSIONAL
EMPLOYEES, AFL-CIO,

Washington, DC, February 4, 2020.

Re H.R. 2474, the Protecting the Right to Organize (PRO) Act.

DEAR REPRESENTATIVE: On behalf of the 24 national unions in the Department for Professional Employees, AFL-CIO (DPE), I urge you to support H.R. 2474, the Protecting the Right to Organize (PRO) Act, and to oppose any weakening amendments and any Motion to Recommit when the House of Representatives considers this bill. The PRO Act will ensure that professionals can exercise their right to join together in union and negotiate collectively with their employers by restoring the original intent of the National Labor Relations Act (NLRA).

DPE knows from our 2016 national survey of nonunion professionals that a majority of professionals want to join together in union. Unfortunately, in too many instances, employers are able to violate the NLRA and deny professionals their right to form a union with their colleagues.

The PRO Act will help ensure all professionals can achieve their right to join together in union and negotiate collectively with their employers to improve their lives and their workplaces. The legislation modernizes the NLRA so that it has remedies consistent with other workplace laws, ending the perverse incentive that exists currently for employers to break the law. Companies and individual corporate officers will be subject to financial penalties if they violate the NLRA, and professionals will have the ability to bring their cases to federal court. Further, the PRO Act will provide for fair union elections. The bill will also stop employers from hiding behind a subcontractor or other intermediary, or deliberately misclassifying professional employees as supervisors or independent contractors to evade their employer responsibilities.

Recognizing that professionals can only fully realize the value of joining together in union when they have a written contract, the PRO Act will also put a stop to employers using tactics that prevent employees from achieving a union contract. The legislation establishes a process for mediation and arbitration to assist employers and their employees with reaching agreement on a first contract. A written contract—just like CEOs have—is how union professionals can guarantee pay and benefits, ensure a voice in decisions affecting them at work, and secure pathways to sustain their careers.

The PRO Act also recognizes that professionals must be able to picket or withhold their labor in order to have the power necessary to improve their workplaces. The legislation will prevent employers from hiring permanent replacement workers in instances when professionals decide they have no choice but to go on strike. In addition, non-union professionals will be able to engage in collective action to enforce basic workplace rights, instead of being required to pursue justice on their own through employer-favored arbitration proceedings.

Lastly, the PRO Act would eliminate state right to work laws. Secretive special interest groups and their billionaire funders push these laws in an effort to give corporations more power at the expense of everyday professionals. We must learn from the experience of the past seven decades, which has shown that people in states with right to work laws have lower wages and reduced access to quality health care and retirement security.

The experience of the more than four million professional, technical, and other highly skilled workers who make up DPE's 24 national unions demonstrates that working people do better when they can negotiate collectively for better pay and improved working conditions. That is why a majority of nonunion professionals want to join together with their colleagues and negotiate with their own employers. And it is why I urge you to support the PRO Act when it comes before you for a vote on the House floor.

Sincerely,

JENNIFER DORNING,
President.

FEBRUARY 6, 2020.

Re Protecting the Right to Organize (PRO) Act (H.R. 2474).

DEAR REPRESENTATIVE: The undersigned organizations write in support of the Protecting the Right to Organize (PRO) Act (H.R. 2474) and in opposition to any amendment that would deny the bill's protections to the approximately 9.2 million working people in franchise employment in the United States. The PRO Act is an important measure that will improve the lives of millions of working people and their families by streamlining the process for forming a union, ensuring that new unions are able to negotiate a first collective bargaining agreement, and holding employers accountable when they violate workers' rights. These rights are especially critical for women, who not only disproportionately benefit from union representation, but who make up 6 out of 10 low-paid workers in the United States toiling in jobs that are in desperate need of union protections.

Of the 9.2 million people who work in franchise employment, the largest share by far works in the restaurant and fast food industry—approximately 5 million people. The consequences of shielding these corporate franchisors from taking responsibility for employees they jointly control would be felt by some of the most vulnerable and lowest-paid working people. Over half of employees in the U.S. fast food industry are women, and around one-quarter are raising children. The fast-food industry is notorious for workplace abuse: according to one recent survey, for example, over 40 percent of women in the fast-food industry face sexual harassment on the job, which can lead to negative physical and mental health impacts, job insecurity, and major life disruption. Carving franchise employment out of the protections of the PRO Act would allow franchisors to continue to shirk their responsibilities to these working people. For collective bargaining to be most meaningful and effective, every entity with control over workers' jobs must be at the bargaining table.

For instance, the Time's Up Legal Defense Fund, the ACLU, Fight for \$15 and others are supporting courageous McDonald's workers who are speaking out about the sexual harassment they face working at corporate and franchise-run stores. These allegations include vile verbal abuse, groping, stalking, and assault, including of teenagers, as well as swift retaliation for workers who speak out about harassment. In its public re-

sponses, McDonald's continues to distance itself from responsibility for the sexual harassment in its franchise-run stores. When announcing new policies to respond to sexual harassment, McDonald's has carefully noted that the new plans apply only to corporate-owned stores; franchise-run stores were encouraged, but not required, to have similar policies. At the same time, McDonald's sets policies for its franchise-run stores that determine so many details of the work—down to the kind of pickles on a hamburger—precisely so that any difference between corporate and franchise stores is undetectable. In fact, McDonald's corporate identity is so intertwined with franchise operations that many workers do not even realize they are working in a franchise-run store—just as customers do not notice any difference, either. McDonald's wants it both ways: to closely control the product and reap the benefits of its brand in franchise-run stores but not to have any of the liability when workers whose day-to-day work is dictated by this corporate control are harassed.

The McDonald's workers who have come forward to make their industry better for millions of other women deserve the chance to improve their lives using the tools that the PRO Act provides, and so do all working people employed at franchise establishments. Unions can help create a safe and healthy workplace for all working people. Working people with a union may be better able to raise harassment concerns because collective bargaining agreements can provide increased protection from firing and retaliation than are available to most non-union workers—and if harassment or retaliation does occur, individuals may have more mechanisms to challenge unjust employer actions.

The PRO Act is critical for women and their families because collective bargaining increases women's equality at work. Women in unions are more likely than their non-union counterparts to receive higher and more equal pay, better health care and pension benefits, and greater protections against discrimination on the job.

We urge you to support the PRO Act and reject attempts to weaken this bill by changing the joint employer standard to leave behind millions of franchise workers.

Sincerely,

Coalition of Labor Union Women, Equal Rights Advocates, National Employment Law Project, National Partnership for Women & Families, National Taskforce on Tradeswomen Issues, National Women's Law Center, UltraViolet.

Ms. LEE of California. Mr. Chairman, I ask for a "yes" vote for our workers and a "yes" vote for this bill.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, among the PRO Act's most harmful provisions is the ABC test to determine employee status. Like many of the Democrats' worst ideas, the ABC test was enacted in California in a law known as AB5 and is already causing pain since going into effect on January 1 of this year.

Last week, hundreds rallied to repeal the law. One worker said: "I worked years to gain my skill as an American Sign Language interpreter. It was my goal since I was 9 years old. After AB5, I lost all three of my agencies. The dream I worked for is lost. I can't provide for my family, and thousands of California deaf won't be serviced."

One artistic director at last week's rally summed it up for the Chico Enterprise-Record: "We are not stupid. We do not need to be saved from ourselves. We can negotiate our own contracts. AB5 is insulting."

Mr. Chair, this is the reaction of California workers who are being harmed by a section that will be in this piece of legislation.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, can you advise how much time is remaining on each side?

The Acting CHAIR. The gentleman from Virginia has 11¼ minutes remaining. The gentlewoman from North Carolina has 2½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. LYNCH), who is a strong supporter of workers and who hails from one of the majority of States that have an ABC test.

Mr. LYNCH. Mr. Chairman, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 2474, the Protecting the Right to Organize Act. As a former—well, I am still an ironworker. I still pay my dues every single month.

I strapped on a pair of work boots for about 20 years as an ironworker and eventually worked my way up to become president of Ironworkers Local 7 in Boston. So I guess that makes me a union boss, as I have been referred to previously. I am organized labor, I guess.

I have seen firsthand how employers have used intimidation and threats to punish and deter workers from the right to join a union, to seek safe conditions at work and fair wages, and to have a voice in the workplace.

This bill before us takes direct aim at the abusive employer practices by closing loopholes in existing law, establishing civil penalties for retaliation, and ensuring new unions get their first contract.

Mr. Chairman, I urge all Members to vote in favor of this act.

Ms. FOXX of North Carolina. Mr. Chair, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Chairman, I am going to address on this bill something that I assume has been addressed before but, nevertheless, of all the provisions of the bill I find most offensive.

Under this bill, the employers are required to give the telephone number, the email, and the address of each employee. I do believe in the importance of protecting people's privacy, and to say that, by wanting to have a union election, you have the right to find out where every possible person lives I think is offensive, not to mention I think it would be very scary to have somebody come home one night and they find somebody there waiting for them to talk about the union election.

You have to wonder what are these people doing here. And then you are: Oh, they are here to deal with this.

It is hard for me to believe that a party that purports to look out for women and that sort of thing is going to turn around and pass a bill saying we are going to hand out everybody's address.

□ 1645

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI), who knows that Social Security numbers are not available under this bill, but the same information that the Trump NLRB currently provides is in the bill.

Mr. LIPINSKI. Mr. Chairman, I thank Chairman SCOTT.

I am a proud supporter of the hard-working men and women of our Nation, and no one does more for American workers than organized labor. Workers standing together and bargaining collectively have been instrumental in building our country and our middle class for more than a century. Unions helped bring tens of millions of good-paying jobs to Americans by working for fair and safe workplaces and better wages and benefits.

In Chicagoland, we are fortunate to have many labor unions fighting every day to improve the lives of workers and their families. Across my district, thousands display a lawn sign created by Chicago Federation of Labor that reads, "Proud Union Home."

But, sadly, some are now trying to hinder collective bargaining and undermine the National Labor Relations Act just at a time when workers need greater protection.

Mr. Chair, today, I urge my colleagues to support American workers, support American prosperity, and vote to pass the PRO Act.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. As labor goes, so goes America.

When workers' rights are diminished, our middle class struggles.

This economy has made millions and billions for millionaires and billionaires, but middle-class families feel left behind. Their wages fail to keep pace with inflation, and workers struggle for better conditions.

That is why I urge the House to vote for H.R. 2474, the Protecting the Right to Organize Act, to strengthen and protect workers' right to organize so they can negotiate higher wages, fight for better benefits, and protect themselves from abuse.

It was labor that first stood up for workers' rights; it was labor that built America's middle class; and it is labor that continues to fight to bring fairness to our economy and improve the lives of hardworking middle-class families.

Mr. Chair, I urge my colleagues to support workers across the Nation by voting "yes" on the PRO Act today.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ROSE).

Mr. ROSE of New York. Mr. Chairman, I include in the RECORD letters of support for the PRO Act from the TWU, ATU, and AFSCME.

TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO,

Washington, DC, February 3, 2020.

DEAR REPRESENTATIVE: On behalf of more than 151,000 members of the Transport Workers Union (TWU), I am writing to urge you to support the passage of Protecting the Right to Organize (PRO) Act (H.R. 2474), as well as to oppose any weakening amendments or motion to recommit. As written, his bill directly addresses the needs of the middle-class in the 21st century and will help ensure that our next generation economy is one that puts working families first.

Our labor laws are designed to provide access to the time-tested process of collective bargaining. Under the National Labor Relations Act, certain workers, through their elected representatives, negotiate directly with their employer over the terms of their labor. How often will they work? How much will they be paid? What benefits will they receive beyond their salary? Through collective bargaining, these questions are answered in a unique way for each work group and at each company. This is an incredibly flexible process that has allowed TWU to successfully negotiate contracts for everyone from flight attendants to mechanics to railroad inspectors to bus operators to bikeshare workers.

In the nearly 75 years since Congress last took action to substantially reform our labor laws, our economy has undergone significant changes. However, the central role that workers play in generating wealth for our nation has not changed. While Facebook bikeshare workers (TWU members since 2019) may be employed at a company and in a job that did not exist in 1947, they still deserve the right to collectively bargain to improve their compensation and benefits. The reforms in the PRO Act will ensure that gSains in the 21st century economy include working families.

The proportion of unionized workers in the U.S. is at a 90-year low because of structural hurdles which make joining a new union very difficult. Companies misclassify workers as independent contractors, engage shell companies to hire employees, and ignore our labor laws on a daily basis in order to deny their workers the right to organize and collectively bargain. Tactics like these have driven down the percent of unionized workers in the U.S. along with salaries and benefits for the middle class. Our era of historic income inequality can only be fixed by reforming our outdated labor laws and empowering working families.

The PRO Act would directly address these issues and give workers across the entire economy equal access to the collective bargaining process. In order ensure workers' rights keep pace with the new economy, the Transport Workers Union strongly urges you to vote for final passage of H.R. 2474 and oppose any weakening amendments.

Sincerely,

JOHN SAMUELSEN,
International President.

AMALGAMATED TRANSIT UNION,
Silver Spring, MD, February 3, 2020.

DEAR REPRESENTATIVE: On behalf of the Amalgamated Transit Union (ATU), the largest union representing transit workers in the U.S., I am writing to urge you to vote in favor of the Protecting the Right to Organize Act of 2019 (H.R. 2474).

Public transit employees work under difficult circumstances. Bus drivers work long shifts, refraining from drinking water because they don't get adequate time to use

the restroom. Operators frequently get assaulted by angry passengers who don't want to pay increased fares for reduced service. Transit maintenance employees do their jobs under dangerous conditions, from the garages they work in, to the tools they use, to the air they breathe.

Often times when low paid transit employees attempt to improve their standard of living by joining a union, they are thwarted by ruthless multinational companies which do everything they can to squash workers' dreams, and current U.S. Labor Laws authorize and enable them to do so.

Private transit employers regularly violate the National Labor Relations Act (NLRA) with no consequences. Workers are forced to attend "captive audience" meetings whose sole purpose is to convince them to vote against the union. Companies place massive pressure on the shoulders of low income individuals with families and tell them lies about what it means to be in a union.

Sometimes, the companies hide behind definitions in the law to get their way. Last year, in the case of SuperShuttle DFW, Inc. v. Amalgamated Transit Union 1338, the National Labor Relations Board (NLRB) ruled that a shuttle company's drivers were correctly classified as independent contractors, making it difficult for gig-workers to be classified as employees under the NLRA because protected bargaining is only granted to traditional employees.

Moreover, even when workers actually vote to join a union, the companies still fight, working ruthlessly to decertify bargaining units and bust unions even before they get a chance to negotiate a first contract. It never ends, and it is not a fair fight.

The PRO Act would modernize the NLRA by bringing its remedies in line with other workplace laws, imposing appropriate financial penalties on companies that violate the code. It would also establish a process for mediation and arbitration to help the parties achieve a first contract, making the freedom to negotiate a reality for countless workers who form unions but never get to enjoy the benefits of a collective bargaining agreement. It would generally provide a more level playing field so that an increased number of workers could join unions and have a better chance to successfully fight for their wages, benefits, and working conditions.

On behalf of the members and potential future members of the ATU living in your congressional district, we urge you to support H.R. 2474. Thank you for your consideration of our views.

AFSCME,

Washington, DC, January 27, 2020.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The American Federation of State, County and Municipal Employees (AFSCME) strongly supports passage of the "Protecting the Right to Organize (PRO) Act" (H.R. 2474). As the largest public-sector union, our members believe that all workers, both private and public sector workers, deserve the right to organize and bargain collectively to improve their working conditions.

At a time when the economy is strong and unemployment is low, there are still people who have to work two or three jobs to make ends meet. Some workers cannot take time off of work due to a cold or to take care of a sick family member because they will lose pay and won't be able to cover rent or buy food. When workers can form or join a union, they can negotiate a contract that provides livable wages, paid leave, health insurance and retirement benefits. Workers have protections if they are retaliated against by their employer. They can demand safe workplace environments. When workers have pro-

tections and good working conditions, the products and services that they provide are better. This is good for the company, consumers and the economy.

According to a study by David Madland at the Center for American Progress (CAP), there is a direct correlation between the strength of unions and the middle class. Union membership rates have fallen over the past 50 years, along with the share of income that goes to the middle 60 percent of American households. In 1968, this group of households brought home 53.2 percent of national income. That same year, 28.2 percent of American workers were union members. As union membership rates began to slide downward, so too did the share of income accruing to the middle class. In 2017, just less than 11 percent of American workers were unionized, and the middle 60 percent of households now earn just 45.5 percent of national income, barely up from 45.4 percent in 2016, a record low share.

For decades, abusive employers have been able to violate federal labor laws with relative impunity, making it more difficult for workers to organize and negotiate for fair pay, benefits and working conditions. The PRO Act builds upon collective bargaining rights for private sector workers by expanding coverage to more employees. It increases penalties for violations of workers' rights. It strengthens support for workers who suffer retaliation and it prohibits employers from interfering in union elections.

AFSCME strongly urges Congress to pass the PRO Act. This bill will improve the rights of workers, which will make our country stronger.

Sincerely,

SCOTT FREY,

Director of Federal Government Affairs.

Mr. ROSE of New York. Mr. Chair, I rise today in support of the PRO Act to protect workers against an unprecedented tide of attacks on hardworking Americans.

Unions are the backbone of our economy, and, for too long, Congress has watched as unions are trampled on in the name of shareholder value. Well, no more.

For far too long, the Democratic Party has treated unions as if they were fully owned subsidiaries, talking to them only during times of elections. Well, with this Congress, we say that those days are no more.

For too long, the Democratic Party stood on the sidelines and watched nonunion members go to war with union members, all in the working class and the middle class, and we had forgotten that, when the union movement works well, when the union movement grows, the entire middle class prospers. Well, that ends today.

With this bill, we reaffirm workers' rights to organize a union and to negotiate higher wages and better benefits. By passing this bill, we uphold the bedrock values of this country.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN), the vice chair of the Committee on Education and Labor.

Mr. LEVIN of Michigan. Mr. Chair, I thank Chairman SCOTT for his incredible leadership on this bill.

Mr. Chairman, I am so proud to support the PRO Act. It is an essential

step to restoring the power of the American middle class, raising wages, improving benefits and working conditions, and tackling income inequality.

I have spent most of my career helping workers form unions and bargain collectively, so I know firsthand the power that comes with the ability to organize.

Union workers make, on average, 13 percent more than their nonunion counterparts; they are 27 percent more likely to be offered health insurance through their employers; and they are five times as likely as nonunion workers to have a real pension.

Working families across this country who are trying to make ends meet need bigger paychecks, better benefits, and a safe place to work where they are treated with respect. The PRO Act will get us there, and I urge my colleagues to support it.

Ms. FOXX of North Carolina. Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I have a couple of other speakers, but they are not here now, so we are prepared to close.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. Chair, for nearly 80 years, Federal labor law has struck a careful balance among the rights of employers, employees, and unions, resulting in a growing economy and greater prosperity. But the Democrats are seeking to upend that balance and radically tilt the playing field in favor of unions and against workers and small businesses.

We now have additional proof about the motivations of House Democrats for advancing this radical special interest legislation. It comes from Democrats' most feared, Big Labor union boss, Richard Trumka, President of the AFL-CIO, who said the following yesterday:

Those who would oppose, delay, or derail this legislation, do not ask us, do not ask the labor movement for a dollar or a door knock. We won't be coming.

That truly says it all. The PRO Act is all about serving the interests of union bosses at the expense of workers and business owners.

Mr. Chair, I strongly urge my colleagues to vote "no" on the PRO Act, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, the Protecting the Right to Organize Act is based on a simple idea that hard work should pay off. Strong labor unions and collective bargaining rights have long ensured that workers receive a fair share of the profits that they have produced.

Unfortunately, decades of antiunion attacks have slowly eroded workers' collective bargaining rights, weakened labor unions, and contributed to a dramatic rise in income inequality.

When workers have the power to stand together and form a union, they

have higher wages, better benefits, and safer working conditions. The protecting the Right to Organize Act is an opportunity for all of us to stand with workers and help build an economy where everyone can succeed.

Mr. Chair, I recognize the workers and advocates, both here today and across the country, who have been critical in bringing this legislation to the floor. In that regard, I include in the RECORD a letter from 138 unions and civil rights and faith-based organizations in support of H.R. 2474.

JANUARY 31, 2020.

DEAR REPRESENTATIVES: The undersigned organizations support the Protecting the Right to Organize (PRO) Act, as introduced by Senators Patty Murray (D-Wash.) and Jacky Rosen (D-Nevada), Representatives Bobby Scott (D-Va.), Frederica Wilson (D-Fla.), Andy Levin (D-Mich.), Pramila Jayapal (D-Wash.), and Brendan Boyle (D-Penn.).

The ability of working people to join together to collectively bargain for fair pay and working conditions is a fundamental right. When working people join a union, they have a voice on the job and the ability to collectively bargain for wages, benefits, and working conditions. Unions are crucial in fostering a vibrant middle class and reducing income inequality. When unions are strong, they set wage standards for entire industries and occupations, they make wages more equal within occupations, and they help close racial and gender wage gaps.

For decades, however, that right has been eroding as employers exploit weaknesses in the current law to interfere with workers' rights—and face no real consequences for doing so. The result has been stagnant wages, unsafe workplaces, and rising inequality.

The PRO Act would go a long way toward restoring workers' right to organize and bargain collectively by streamlining the process for forming a union, ensuring that new unions are able to negotiate a first collective bargaining agreement, and holding employers accountable when they violate workers' rights.

This is important because by bringing workers' collective power to the bargaining table, unions are able to win better wages and benefits for working people. On average, a worker covered by a union contract earns 13.2 percent more in wages than a peer with similar education, occupation, and experience in a nonunionized workplace in the same sector. Moreover, when unions are strong, they set wage standards for entire industries and occupations, they make wages more equal within occupations, and they help close racial and gender wage gaps. Finally, there is a huge gap between the share of workers with union representation (11.9 percent) and the share of workers that would like to have a union and a voice on the job (48 percent). The PRO Act would take a major step forward in closing that gap.

The PRO Act protects the right to join a union by:

1. Imposing stronger remedies when employers interfere with workers' rights. Under current law, there are no penalties on employers nor any compensation awarded to workers when employers illegally fire or retaliate against workers who are trying to form a union. The PRO Act would institute civil penalties for violations of the National Labor Relations Act (NLRA) and would also require the National Labor Relations Board (NLRB) to go to court and get an injunction to immediately reinstate workers if the NLRB believes the employer has illegally re-

taliated against workers for union activity. Finally, the PRO Act would give workers the right to go to court on their own to seek relief, bringing labor law in line with other workplace laws that allow for a private right of action.

2. Strengthening workers' right to join a union and collectively bargain over working conditions. Though current federal law requires employers to bargain in good faith with the union chosen by their employees to reach a collective bargaining agreement, employers often drag out the bargaining process to avoid reaching an agreement. The PRO Act establishes a process for reaching a first agreement when workers organize, employing mediation and then, if necessary, binding arbitration, to enable the parties to reach a first agreement. The PRO Act would also allow employers and unions to agree upon a "fair share" clause requiring all workers who are covered by the collective bargaining agreement to contribute a fair share fee towards the cost of bargaining and administering the agreement, even in so called "right-to-work" states. Furthermore, the PRO Act will help level the playing field for workers by repealing the prohibition on secondary boycotts and prohibiting employers from permanently replacing strikers.

3. Unrigging the rules that are tilted against workers. Too often, employers misclassify workers as independent contractors because only employees have the right to organize under the NLRA. Similarly, employers will misclassify workers as supervisors to deprive them of their NLRA rights. The PRO Act tightens the definitions of independent contractor and supervisor to crack down on misclassification and make sure that all eligible workers are able to unionize if they choose to do so. The PRO Act also makes clear that workers can have more than one employer, and that both employers need to engage in collective bargaining over the terms and conditions of employment that they control or influence. And in an effort to create transparency in labor-management relations, the PRO Act would require employers to post notices that inform workers of their NLRA rights and to disclose contracts with consultants hired to persuade workers on how to exercise their rights.

The time for the PRO Act is long overdue, and we cannot delay in working toward its passage. We call on Congress to enact this important piece of legislation as quickly as possible to ensure working people are paid fairly, treated with dignity, and have a voice on the job.

Sincerely,

Economic Policy Institute, National Employment Law Project, Iworker1vote, 350.org, 9 to 5, AFL-CIO, Alianza Nacional de Campesinas, Inc., Alliance for Justice, Alliance for Retired Americans, American Association for Justice, American Family Voices, American Federation of State, County and Municipal Employees, American Federation of Teachers, AFL-CIO, American Income Life (AIL), American Income Life: Michael Vasu Agency, Americans for Democratic Action (ADA), Asian Pacific American Labor Alliance, AFL-CIO, Association of Flight Attendants—CWA, Autistic Women & Non-binary Network (AWN), Bend the Arc: Jewish Action.

BlueGreen Alliance, California Reinvestment Coalition, Campaign for America's Future, Catholic Labor Network, Center for American Progress, Center for Law and Social Policy, Center for Popular Democracy, Center for Public Policy Priorities, Centro de los Derechos del Migrante, Inc., Child Labor Coalition, Claimant Advocacy Program, Metropolitan Washington Council AFL-CIO, Coalition of Labor Union Women,

Coalition on Human Needs, Colorado Fiscal Institute, Commonwealth Institute for Fiscal Analysis, Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces, CWA, Demos, Domestic Violence Legal Empowerment and Appeals Project, Economic Opportunity Institute.

Endangered Species Coalition, Equal Rights Advocates, Fair World Project, Family Values @Work, Farmworker Justice, Fiscal Policy Institute, Friends Committee on National Legislation, Friends of the Earth, Futures Without Violence, GoldenHours Consulting, Greenpeace, Human Rights Watch, Indiana Institute for Working Families, Invisible, Interfaith Worker Justice, International Association of Machinists and Aerospace Workers, International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART), International Brotherhood of Boilermakers, International Brotherhood of Teamsters, International Federation of Professional & Technical Engineers (FPTE), AFL-CIO, International Organization of Masters, Mates & Pilots.

International Union of Painters and Allied Trades, IUE-CWA, Jobs With Justice, Justice in Motion, Kentucky Equal Justice Center, Labor Project for Working Families in partnership with FV@W, LAANE, Leadership Conference on Civil and Human Rights, League of Conservation Voters, League of United Latin American Citizens (LULAC), Legal Aid at Work, Legal Aid Society of MFS, Louisiana Budget Project, Main Street Alliance, MANA, A National Latina Organization, Maritime Trades Department, AFL-CIO, Massachusetts Law Reform Institute, Michigan League for Public Policy, Milwaukee Area Service & Hospitality Workers Organization, NAACP.

National Advocacy Center of the Sisters of the Good Shepherd, National Asian Pacific American Women's Forum, National Consumers League, National Domestic Workers Alliance, National Education Association, National Employment Lawyers Association, National Equality Action Team, National Immigration Law Center, National LGBTQ Task Force Action Fund, National Nurses United, National Organization for Women, National Partnership for Women & Families, National Urban League, National Women's Law Center, National Workrights Institute, NC Justice Center, NETWORK Lobby for Catholic Social Justice, New Jersey Policy Perspective, New Orleans Workers' Center for Racial Justice, Nonprofit Professional Employees Union.

OPEIU, Oxfam America, Patriotic Millionaires, People's Action, People For the American Way, PFLAG National, Policy Matters Ohio, PolicyLink, Pride at Work, Progressive Leadership Alliance of Nevada, Public Citizen, Public Justice Center, Restaurant Opportunities Centers United, Service Employees International Union (SEIU), Sierra Club, SMART TD, South Florida Interfaith Worker Justice, Sugar Law Center for Economic and Social Justice, Transport Workers Union.

UnidosUS Action Fund, Union Veterans Council, AFL-CIO, United Association of Union Plumbers and Pipefitters, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), United Food and Commercial Workers International Labor Union, United Steelworkers (USW), Verite, Voices for Progress, VoteVets, Washington State Labor Council, AFL-CIO, West Virginia Center on Budget and Policy, Women Employed, Workers Defense Project, Workers' Rights Institute of Georgetown Law Center, Working America, Working Families Party, Working Partnerships USA, Workplace Fairness, WV Citizen Action Group.

Mr. SCOTT of Virginia. Mr. Chair, I once again urge my colleagues to support the legislation, and I yield back the balance of my time.

Ms. JOHNSON of Texas. Mr. Chair, I rise in strong support of H.R. 2474, the Protecting the Right to Organize Act. This bill will go a long way in restoring the right to organize for millions of hardworking Americans while holding employers accountable for practices that undermine collective efforts to improve the lives of their employees.

Over the past few decades, our country has seen profits for corporations and executive pay rise exponentially. Sadly, this prosperity has failed to trickle down to the average worker. This is due to practices like union busting used by employers and legislation such as right-to-work laws enacted by business-friendly state legislators. The lopsided employee—employer relationship that has been created thanks to these actions has led to the greatest level of income inequality in my lifetime.

As a dues-paying member of the American Federation of Government Employees Union, I understand how important unions are to ensure higher wages, better benefits, and safer work environments for hardworking Americans. Every worker across the country should have the opportunity to organize and fight for a bigger paycheck, not just those that are lucky enough to live in specific states or work in a certain industry.

The PRO Act gives workers the opportunity to hold fair union elections while also preventing employers from interfering and stacking the deck against workers. This bill also gives employees a fighting chance when negotiating collective bargaining agreements with employers. Loopholes that employers commonly use to exploit workers would be closed off. And finally, the bill also holds employers accountable by enacting meaningful penalties on employers that violate the rights of workers.

Mr. Chair, it is time we restore the middle class and give workers a fair shot when they fight for better pay and benefits. I urge all my colleagues to support this legislation.

Mr. RYAN. Mr. Chair, I rise today to strongly support the passage of H.R. 2474, the Protecting the Right to Organize Act, and oppose any motion to Recommit or amendment that will weaken this very important piece of legislation.

In a letter to Members of Congress, Robert Martinez, Jr., the President of the International Association of Machinists and Aerospace Workers writes:

“American workers approve of unions according to a Gallop poll conducted last year, and if they had the opportunity, they would choose to have labor representation. However, the right to freely form a union without the threat of company intimidation or interference is denied to workers today. The PRO act expands the enforcement powers of the National Labor Relations Board (NLRB) and strengthens protections for employees that engage in collective action. The bill would level the playing field by prohibiting employers from requiring their employees to attend “captive audience” meetings whose sole purpose is to convince workers to vote against the union. In addition to imposing financial penalties on employers and individual corporate offices who violate the law, the bill would give workers the option of bringing their case to federal court.

The PRO Act is a crucially bold piece of legislation that modernizes federal laws and

establishes a process for mediation and arbitration to help the parties achieve a first contract. It protects workers’ rights to organize a union and bargain for higher wages and better benefits.

Finally, the PRO Act would eliminate state right to work laws. These laws are simply designed to give more power to corporations at the expense of workers and have had the effects of lowering wages and eroding pensions and healthcare coverage in states where they have been adopted.

For all the above reasons, I respectfully urge you to support the PRO Act and vote “Yes” when this long overdue legislation is considered.”

Labor unions are the backbone of our economy. They have played a vital role in securing worker protections by allowing workers to collectively bargain for better wages and work environments. We must ensure the rights of workers are protected, which I why I strongly urge my colleagues on both sides of a isle to votes yes and pass the PRO Act.

I include in the RECORD a copy of Mr. Martinez’s letter.

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,

Upper Marlboro, MD, January 30, 2020.

DEAR REPRESENTATIVE: On behalf of the International Association of Machinists and Aerospace Workers, I strongly urge you to support the swift passage of the Protecting the Right to Organize (“PRO”) Act (H.R. 2474) and oppose any Motion to Recommit or amendments that will weaken this very important legislation.

American workers approve of unions according to a Gallop poll conducted last year, and if they had the opportunity, they would choose to have labor representation. However, the right to freely form a union without the threat of company intimidation or interference is denied to workers today. The PRO Act expands the enforcement powers of the National Labor Relations Board (NLRB) and strengthens protections for employees that engage in collective action. The bill would level the playing field by prohibiting employers from requiring their employees to attend “captive audience” meetings whose sole purpose is to convince workers to vote against the union. In addition to imposing financial penalties on employers and individual corporate offices who violate the law, the bill would give workers the option of bringing their case to federal court.

The PRO Act is a crucially bold piece of legislation that modernizes federal laws and establishes a process for mediation and arbitration to help the parties achieve a first contract. It protects workers’ right to organize a union and bargain for higher wages and better benefits.

Finally, the PRO Act would eliminate state right to work laws. These laws are simply designed to give more power to corporations at the expense of workers, and have had the effect of lowering wages and eroding pensions and health care coverage in states where they have been adopted.

For all the above these reasons, I respectfully urge you to support the PRO Act and vote “YES” when this long overdue legislation is considered. For more information, please contact Hasan Solomon.

Thank you,

ROBERT MARTINEZ, Jr.,
International President

Mr. WRIGHT. Mr. Chair, I rise today in opposition to H.R. 2474, the next in the long line of job-killing legislation that we have considered this Congress.

Dubbed by the National Retail Federation as “the worst bill in Congress” and referred to by

the Chamber of Commerce as a “major threat” to American jobs, the bill’s faults are almost too numerous to count. Repealing state right-to-work laws, codifying harmful and burdensome Obama-era regulations, and violating employee privacy are truly just the tip of the iceberg.

Democrats are selling this legislation as pro-worker, but, in fact, it’s the opposite. This bill is anti-worker choice and freedom. They would like you to believe that while they need secret ballot elections to choose their own Party leadership, workers do not deserve that same fundamental American right when voting to unionize.

To see the potential effects of this legislation look no further than California. AB5 is already wreaking havoc on small business and independent contractors across the state. Workers are having to reevaluate their careers and livelihoods. The PRO Act includes all of AB5’s flaws but none of its numerous carveouts.

I urge my colleagues to vote no on H.R. 2474.

Mr. HORSFORD. Mr. Chair, I rise today to join my colleagues from the Education and Labor Committee in speaking in support of the Protecting the Right to Organize Act—the PRO Act.

The PRO Act is necessary for America’s workers because the economy is simply NOT working for millions of Americans who are struggling to get by while corporate profits are soaring.

We know now, thanks to a study from Princeton University, that unions have consistently provided workers with a 10- to 20-percent wage boost over their non-union counterparts. And the benefits pervade race and gender lines.

People of color in unions make five times more than people of color who are NOT in unions. Women union members see the gender pay gap nearly eliminated.

Unions across our country are fighting to secure better working conditions and better wages for their members.

In my hometown of Las Vegas, the Culinary Union represents 60,000—those are 60,000 people who already benefit immensely from fair wages, job security, and good health benefits.

But we can expand these benefits to ALL Americans.

We must protect the mission and legacy of organizations like the Culinary Union by passing the PRO Act, and strengthen workers’ power to stand together and negotiate for higher wages, better benefits, and safer working conditions.

Mr. GOSAR. Mr. Chair, today I will be opposing H.R. 2474, the PRO Act. Unfortunately, my Democrat colleagues are bringing legislation to the floor that will continue finding ways to pick winners and losers between special interests and businesses in America. Additionally, the legislation puts the heavy hand of government in between the contracts between workers, unions and their employers.

There are ways that we can build up working families in America, protect workers in their workplaces, and advance the growing gig economy in America, but this bill does none of that. Therefore, I cannot support this legislation.

But I want to be clear, I support America’s workers.

Yesterday, as Chairman of the Western Caucus I hosted a job forum focusing on the creation of hundreds of union jobs in Northern Minnesota. Union jobs that are strongly opposed by Democrat members from St. Paul. If you want to fight for more union jobs then join us in supporting the development of the Twin Metals mine and the hundreds of Project Labor Agreement Jobs that will be filled as a result of what could be the largest project in the history of Minnesota.

I support the development of the Atlantic Coast Pipeline which will bring 2,000 to 4,000 union construction jobs to West Virginia, Virginia and North Carolina but is strongly opposed by Democrat representatives and governors up and down the path.

I support the construction of the Appalachia Petrochemical Complex; a \$6 billion ethylene cracking plant being built in Pennsylvania with union workers. A project made possible only by the development and advancements of hydraulic fracturing technology and the natural gas boom made possible by that technology. A technology that Sen. BERNIE SANDERS, Sen. ELIZABETH WARREN and a parade of other Democrat presidential candidates want to ban the minute they gain power.

I support the modernization of the ESA and NEPA because we need to get America back to building large projects in a timely fashion. Right now, in America, billions of dollars of investment is held up in long permitting times from Offshore wind in the Atlantic, to mines in Arizona, to pipelines in New York, Nebraska and Pennsylvania.

If we want to support American workers, we need to free our people to invest in American jobs and infrastructure. For too long my colleagues have attempted to promote heavy handed government intervention, like this legislation, rather than freeing Americans to build pipelines, mines, create jobs and build economic opportunity. Rather than siding with radical environmentalists for who no mine anywhere is acceptable or climate change activists who insist that not a single mile of new pipe be built. I am choosing to side with America's workers, union and private.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment in the nature of a substitute recommended by the Committee on Education and Labor, printed in the bill, modified by the amendment printed in part A of House Report 116-392, shall be considered as adopted. The bill, as amended, shall be considered as an original bill for purpose of further amendment under the 5-minute rule, and shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 2474

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting the Right to Organize Act of 2019".

SEC. 2. AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.

(a) DEFINITIONS.—

(1) JOINT EMPLOYER.—Section 2(2) of the National Labor Relations Act (29 U.S.C. 152(2)) is amended by adding at the end the following:

"Two or more persons shall be employers with respect to an employee if each such person co-determines or shares control over the employee's essential terms and conditions of employment. In determining whether such control exists, the Board or a court of competent jurisdiction shall consider as relevant direct control and indirect control over such terms and conditions, reserved authority to control such terms and conditions, and control over such terms and conditions exercised by a person in fact: Provided, That nothing herein precludes a finding that indirect or reserved control standing alone can be sufficient given specific facts and circumstances."

(2) EMPLOYEE.—Section 2(3) of the National Labor Relations Act (29 U.S.C. 152(3)) is amended by adding at the end the following: "An individual performing any service shall be considered an employee (except as provided in the previous sentence) and not an independent contractor, unless—

(A) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of service and in fact;

(B) the service is performed outside the usual course of the business of the employer; and

(C) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed."

(3) SUPERVISOR.—Section 2(11) of the National Labor Relations Act (29 U.S.C. 152(11)) is amended—

(A) by inserting "and for a majority of the individual's worktime" after "interest of the employer";

(B) by striking "assign,"; and

(C) by striking "or responsibly to direct them,".

(b) REPORTS.—Section 3(c) of the National Labor Relations Act is amended—

(1) by striking "The Board" and inserting "(1) The Board"; and

(2) by adding at the end the following:

"(2) Effective January 1, 2021, section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 166-44; 31 U.S.C. 1113 note) shall not apply with respect to reports required under this subsection.

"(3) Each report issued under this subsection shall include no less detail than reports issued by the Board prior to the termination of such reports under section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 166-44; 31 U.S.C. 1113 note)."

(c) APPOINTMENT.—Section 4(a) of the National Labor Relations Act (29 U.S.C. 154(a)) is amended by striking " or for economic analysis".

(d) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking the period and inserting ","; and

(B) by adding at the end the following:

"(6) to promise, threaten, or take any action—

(A) to permanently replace an employee who participates in a strike as defined by section 501(2) of the Labor Management Relations Act, 1947 (29 U.S.C. 142(2));

(B) to discriminate against an employee who is working or has unconditionally offered to return to work for the employer because the employee supported or participated in such a strike; or

(C) to lockout, suspend, or otherwise withhold employment from employees in order to influence the position of such employees or the representative of such employees in collective bargaining prior to a strike; and

"(7) to communicate or misrepresent to an employee under section 2(3) that such employee is excluded from the definition of employee under section 2(3).";

(2) in subsection (b)—

(A) by striking paragraphs (4) and (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively;

(C) in paragraph (4), as so redesignated, by striking "affected;" and inserting "affected; and"; and

(D) in paragraph (5), as so redesignated, by striking " and" and inserting a period;

(3) in subsection (c), by striking the period at the end and inserting the following: " Provided, That it shall be an unfair labor practice under subsection (a)(1) for any employer to require or coerce an employee to attend or participate in such employer's campaign activities unrelated to the employee's job duties, including activities that are subject to the requirements under section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 433(b)).";

(4) in subsection (d)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(B) by striking "For the purposes of this section" and inserting "(1) For purposes of this section";

(C) by inserting "and to maintain current wages, hours, and working conditions pending an agreement" after "arising thereunder";

(D) by inserting " Provided, That an employer's duty to collectively bargain shall continue absent decertification of the labor organization following an election conducted pursuant to section 9" after "making of a concession.";

(E) by inserting "further" before " That where there is in effect";

(F) by striking "The duties imposed" and inserting "(2) The duties imposed";

(G) by striking "by paragraphs (2), (3), and (4)" and inserting "by subparagraphs (B), (C), and (D) of paragraph (1)";

(H) by striking "section 8(d)(1)" and inserting "paragraph 1(A)";

(I) by striking "section 8(d)(3)" and inserting "paragraph 1(C)" in each place it appears;

(J) by striking "section 8(d)(4)" and inserting "paragraph 1(D)"; and

(K) by adding at the end the following:

"(3) Whenever collective bargaining is for the purpose of establishing an initial collective bargaining agreement following certification or recognition of a labor organization, the following shall apply:

(A) Not later than 10 days after receiving a written request for collective bargaining from an individual or labor organization that has been newly recognized or certified as a representative as defined in section 9(a), or within such further period as the parties agree upon, the parties shall meet and commence to bargain collectively and shall make every reasonable effort to conclude and sign a collective bargaining agreement.

(B) If after the expiration of the 90-day period beginning on the date on which bargaining is commenced, or such additional period as the parties may agree upon, the parties have failed to reach an agreement, either party may notify the Federal Mediation and Conciliation Service of the existence of a dispute and request mediation. Whenever such a request is received, it shall be the duty of the Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

(C) If after the expiration of the 30-day period beginning on the date on which the request for mediation is made under subparagraph (B), or such additional period as the parties may agree upon, the Service is not able to bring the parties to agreement by conciliation, the Service shall refer the dispute to a tripartite arbitration panel established in accordance with such regulations as may be prescribed by the Service, with one member selected by the labor organization, one member selected by the employer, and one neutral member mutually agreed to by the parties. The labor organization and employer must each select the members of the tripartite arbitration panel within 14 days of the Service's referral; if the labor organization or employer fail to

do so, the Service shall designate any members not selected by the labor organization or the employer. A majority of the tripartite arbitration panel shall render a decision settling the dispute and such decision shall be binding upon the parties for a period of two years, unless amended during such period by written consent of the parties. Such decision shall be based on—

“(i) the employer’s financial status and prospects;

“(ii) the size and type of the employer’s operations and business;

“(iii) the employees’ cost of living;

“(iv) the employees’ ability to sustain themselves, their families, and their dependents on the wages and benefits they earn from the employer; and

“(v) the wages and benefits other employers in the same business provide their employees.”;

(5) by amending subsection (e) to read as follows:

“(e) Notwithstanding chapter 1 of title 9, United States Code (commonly known as the ‘Federal Arbitration Act’), or any other provision of law, it shall be an unfair labor practice under subsection (a)(1) for any employer—

“(1) to enter into or attempt to enforce any agreement, express or implied, whereby prior to a dispute to which the agreement applies, an employee undertakes or promises not to pursue, bring, join, litigate, or support any kind of joint, class, or collective claim arising from or relating to the employment of such employee in any forum that, but for such agreement, is of competent jurisdiction;

“(2) to coerce an employee into undertaking or promising not to pursue, bring, join, litigate, or support any kind of joint, class, or collective claim arising from or relating to the employment of such employee; or

“(3) to retaliate or threaten to retaliate against an employee for refusing to undertake or promise not to pursue, bring, join, litigate, or support any kind of joint, class, or collective claim arising from or relating to the employment of such employee: Provided, That any agreement that violates this subsection or results from a violation of this subsection shall be to such extent unenforceable and void: Provided further, That this subsection shall not apply to any agreement embodied in or expressly permitted by a contract between an employer and a labor organization.”;

(6) in subsection (g), by striking “clause (B) of the last sentence of section 8(d) of this Act” and inserting “subsection (d)(2)(B)”;

(7) by adding at the end the following:

“(h)(1) The Board shall promulgate regulations requiring each employer to post and maintain, in conspicuous places where notices to employees and applicants for employment are customarily posted both physically and electronically, a notice setting forth the rights and protections afforded employees under this Act. The Board shall make available to the public the form and text of such notice. The Board shall promulgate regulations requiring employers to notify each new employee of the information contained in the notice described in the preceding two sentences.

“(2) Whenever the Board directs an election under section 9(c) or approves an election agreement, the employer of employees in the bargaining unit shall, not later than two business days after the Board directs such election or approves such election agreement, provide a voter list to a labor organization that has petitioned to represent such employees. Such voter list shall include the names of all employees in the bargaining unit and such employees’ home addresses, work locations, shifts, job classifications, and, if available to the employer, personal landline and mobile telephone numbers, and work and personal email addresses; the voter list must be provided in a searchable electronic format generally approved by the Board unless the employer certifies that the employer does not possess the capacity to produce the list in the

required form. Not later than nine months after the date of enactment of the Protecting the Right to Organize Act of 2019, the Board shall promulgate regulations implementing the requirements of this paragraph.

“(i) The rights of an employee under section 7 include the right to use electronic communication devices and systems (including computers, laptops, tablets, internet access, email, cellular telephones, or other company equipment) of the employer of such employee to engage in activities protected under section 7 if such employer has given such employee access to such devices and systems in the course of the work of such employee, absent a compelling business rationale.”.

(e) REPRESENTATIVES AND ELECTIONS.—Section 9 of the National Labor Relations Act (29 U.S.C. 159) is amended—

(1) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

“(1) Whenever a petition shall have been filed, in accordance with such regulations as may be prescribed by the Board, by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in section 9(a), or (ii) assert that the individual or labor organization, which has been certified or is being recognized by their employer as the bargaining representative, is no longer a representative as defined in section 9(a), the Board shall investigate such petition and if it has reasonable cause to believe that a question of representation affecting commerce exists shall provide for an appropriate hearing upon due notice. Such hearing may be conducted by an officer or employee of the regional office, who shall not make any recommendations with respect thereto. If the Board finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof. The Board shall find the labor organization’s proposed unit to be appropriate if the employees in the proposed unit share a community of interest, and if the employees outside the unit do not share an overwhelming community of interest with employees inside. At the request of the labor organization, the Board shall direct that the election be conducted through certified mail, electronically, at the work location, or at a location other than one owned or controlled by the employer. No employer shall have standing as a party or to intervene in any representation proceeding under this section.”;

(B) in paragraph (3), by striking “an economic strike who are not entitled to reinstatement” and inserting “a strike”;

(C) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively;

(D) by inserting after paragraph (3) the following:

“(4) If the Board finds that, in an election under paragraph (1), a majority of the valid votes cast in a unit appropriate for purposes of collective bargaining have been cast in favor of representation by the labor organization, the Board shall certify the labor organization as the representative of the employees in such unit and shall issue an order requiring the employer of such employees to collectively bargain with the labor organization in accordance with section 8(d). This order shall be deemed an order under section 10(c) of this Act, without need for a determination of an unfair labor practice.

“(5)(A) If the Board finds that, in an election under paragraph (1), a majority of the valid votes cast in a unit appropriate for purposes of collective bargaining have not been cast in favor of representation by the labor organization, the Board shall dismiss the petition, subject to subparagraphs (B) and (C).

“(B) In any case in which a majority of the valid votes cast in a unit appropriate for pur-

poses of collective bargaining have not been cast in favor of representation by the labor organization and the Board determines that the election should be set aside because the employer has committed a violation of this Act or otherwise interfered with a fair election, and the employer has not demonstrated that the violation or other interference is unlikely to have affected the outcome of the election, the Board shall, without ordering a new election, certify the labor organization as the representative of the employees in such unit and issue an order requiring the employer to bargain with the labor organization in accordance with section 8(d) if, at any time during the period beginning one year preceding the date of the commencement of the election and ending on the date upon which the Board makes the determination of a violation or other interference, a majority of the employees in the bargaining unit have signed authorizations designating the labor organization as their collective bargaining representative.

“(C) In any case where the Board determines that an election under this paragraph should be set aside, the Board shall direct a new election with appropriate additional safeguards necessary to ensure a fair election process, except in cases where the Board issues a bargaining order under subparagraph (B).”;

(E) by inserting after paragraph (7), as so redesignated, the following:

“(8) Except under extraordinary circumstances—

“(A) a pre-election hearing under this subsection shall begin not later than eight days after a notice of such hearing is served on the labor organization; and

“(B) a post-election hearing under this subsection shall begin not later than 14 days after the filing of objections, if any.”;

(2) in subsection (d), by striking “(e) or” and inserting “(d) or”.

(f) PREVENTION OF UNFAIR LABOR PRACTICES.—Section 10(c) of the National Labor Relations Act (29 U.S.C. 160(c)) is amended by striking “suffered by him” and inserting “suffered by such employee: Provided further, That if the Board finds that an employer has discriminated against an employee in violation of paragraph (3) or (4) of section 8(a) or has committed a violation of section 8(a) that results in the discharge of an employee or other serious economic harm to an employee, the Board shall award the employee back pay without any reduction (including any reduction based on the employee’s interim earnings or failure to earn interim earnings), front pay (when appropriate), consequential damages, and an additional amount as liquidated damages equal to two times the amount of damages awarded: Provided further, no relief under this subsection shall be denied on the basis that the employee is, or was during the time of relevant employment or during the back pay period, an unauthorized alien as defined in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)) or any other provision of Federal law relating to the unlawful employment of aliens”.

(g) ENFORCING COMPLIANCE WITH ORDERS OF THE BOARD.—

(1) IN GENERAL.—Section 10 of the National Labor Relations Act (29 U.S.C. 160) is further amended—

(A) by striking subsection (e);

(B) by redesignating subsection (d) as subsection (e);

(C) by inserting after subsection (c) the following:

“(d)(1) Each order of the Board shall take effect upon issuance of such order, unless otherwise directed by the Board, and shall remain in effect unless modified by the Board or unless a court of competent jurisdiction issues a superseding order.

“(2) Any person who fails or neglects to obey an order of the Board shall forfeit and pay to the Board a civil penalty of not more than \$10,000 for each violation, which shall accrue to

the United States and may be recovered in a civil action brought by the Board to the district court of the United States in which the unfair labor practice or other subject of the order occurred, or in which such person or entity resides or transacts business. No action by the Board under this paragraph may be made until 30 days following the issuance of an order. Each separate violation of such an order shall be a separate offense, except that, in the case of a violation in which a person fails to obey or neglects to obey a final order of the Board, each day such failure or neglect continues shall be deemed a separate offense.

“(3) If, after having provided a person or entity with notice and an opportunity to be heard regarding a civil action under subparagraph (2) for the enforcement of an order, the court determines that the order was regularly made and duly served, and that the person or entity is in disobedience of the same, the court shall enforce obedience to such order by an injunction or other proper process, mandatory or otherwise, to—

“(A) restrain such person or entity or the officers, agents, or representatives of such person or entity, from further disobedience to such order; or

“(B) enjoin such person or entity, officers, agents, or representatives to obedience to the same.”;

(D) in subsection (f)—

(i) by striking “proceed in the same manner as in the case of an application by the Board under subsection (e) of this section,” and inserting “proceed as provided under paragraph (2) of this subsection”;

(ii) by striking “Any” and inserting the following: “

“(1) Within 30 days of the issuance of an order, any”;

and

(iii) by adding at the end the following:

“(2) No objection that has not been urged before the Board, its member, agent, or agency shall be considered by a court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its member, agent, or agency, and to be made a part of the record. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. Upon the filing of the record with it the jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals if application was made to the district court, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in section 1254 of title 28, United States Code.”; and

(E) in subsection (g), by striking “subsection (e) or (f) of this section” and inserting “subsection (d) or (f)”.

(2) CONFORMING AMENDMENT.—Section 18 of the National Labor Relations Act (29 U.S.C. 168) is amended by striking “section 10(e) or (f)” and inserting “subsection (d) or (f) of section 10”.

(h) INJUNCTIONS AGAINST UNFAIR LABOR PRACTICES INVOLVING DISCHARGE OR OTHER SE-

RIOUS ECONOMIC HARM.—Section 10 of the National Labor Relations Act (29 U.S.C. 160) is amended—

(1) in subsection (j)—

(A) by striking “The Board” and inserting “(1) The Board”; and

(B) by adding at the end the following:

“(2) Notwithstanding subsection (m), whenever it is charged that an employer has engaged in an unfair labor practice within the meaning of paragraph (1) or (3) of section 8(a) that significantly interferes with, restrains, or coerces employees in the exercise of the rights guaranteed under section 7, or involves discharge or other serious economic harm to an employee, the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional attorney to whom the matter may be referred has reasonable cause to believe such charge is true and that a complaint should issue, such officer or attorney shall bring a petition for appropriate temporary relief or restraining order as set forth in paragraph (1). The district court shall grant the relief requested unless the court concludes that there is no reasonable likelihood that the Board will succeed on the merits of the Board’s claim.”; and

(2) by repealing subsections (k) and (l).

(i) PENALTIES.—

(1) IN GENERAL.—Section 12 of the National Labor Relations Act (29 U.S.C. 162) is amended—

(A) by striking “SEC. 12. Any person” and inserting the following:

“SEC. 12. PENALTIES.

“(a) VIOLATIONS FOR INTERFERENCE WITH BOARD.—Any person”; and

(B) by adding at the end the following:

“(b) VIOLATIONS FOR POSTING REQUIREMENTS AND VOTER LIST.—If the Board, or any agent or agency designated by the Board for such purposes, determines that an employer has violated section 8(h) or regulations issued thereunder, the Board shall—

“(1) state the findings of fact supporting such determination;

“(2) issue and cause to be served on such employer an order requiring that such employer comply with section 8(h) or regulations issued thereunder; and

“(3) impose a civil penalty in an amount determined appropriate by the Board, except that in no case shall the amount of such penalty exceed \$500 for each such violation.

“(c) CIVIL PENALTIES FOR VIOLATIONS.—

“(1) IN GENERAL.—Any employer who commits an unfair labor practice within the meaning of section 8(a) shall, in addition to any remedy ordered by the Board, be subject to a civil penalty in an amount not to exceed \$50,000 for each violation, except that, with respect to an unfair labor practice within the meaning of paragraph (3) or (4) of section 8(a) or a violation of section 8(a) that results in the discharge of an employee or other serious economic harm to an employee, the Board shall double the amount of such penalty, to an amount not to exceed \$100,000, in any case where the employer has within the preceding five years committed another such violation.

“(2) CONSIDERATIONS.—In determining the amount of any civil penalty under this subsection, the Board shall consider—

“(A) the gravity of the unfair labor practice;

“(B) the impact of the unfair labor practice on the charging party, on other persons seeking to exercise rights guaranteed by this Act, and on the public interest; and

“(C) the gross income of the employer.

“(3) DIRECTOR AND OFFICER LIABILITY.—If the Board determines, based on the particular facts and circumstances presented, that a director or officer’s personal liability is warranted, a civil penalty for a violation described in this sub-

section may also be assessed against any director or officer of the employer who directed or committed the violation, had established a policy that led to such a violation, or had actual or constructive knowledge of and the authority to prevent the violation and failed to prevent the violation.

“(d) RIGHT TO CIVIL ACTION.—

“(1) IN GENERAL.—Any person who is injured by reason of a violation of paragraph (1) or (3) of section 8(a) may, after 60 days following the filing of a charge with the Board alleging an unfair labor practice, bring a civil action in the appropriate district court of the United States against the employer within 90 days after the expiration of the 60-day period or the date the Board notifies the person that no complaint shall issue, whichever occurs earlier, provided that the Board has not filed a petition under section 10(j) of this Act prior to the expiration of the 60-day period. No relief under this subsection shall be denied on the basis that the employee is, or was during the time of relevant employment or during the back pay period, an unauthorized alien as defined in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)) or any other provision of Federal law relating to the unlawful employment of aliens.

“(2) AVAILABLE RELIEF.—Relief granted in an action under paragraph (1) may include—

“(A) back pay without any reduction, including any reduction based on the employee’s interim earnings or failure to earn interim earnings;

“(B) front pay (when appropriate);

“(C) consequential damages;

“(D) an additional amount as liquidated damages equal to two times the cumulative amount of damages awarded under subparagraphs (A) through (C);

“(E) in appropriate cases, punitive damages in accordance with paragraph (4); and

“(F) any other relief authorized by section 706(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(g)) or by section 1977A(b) of the Revised Statutes (42 U.S.C. 1981a(b)).

“(3) ATTORNEY’S FEES.—In any civil action under this subsection, the court may allow the prevailing party a reasonable attorney’s fee (including expert fees) and other reasonable costs associated with maintaining the action.

“(4) PUNITIVE DAMAGES.—In awarding punitive damages under paragraph (2)(E), the court shall consider—

“(A) the gravity of the unfair labor practice;

“(B) the impact of the unfair labor practice on the charging party, on other persons seeking to exercise rights guaranteed by this Act, and on the public interest; and

“(C) the gross income of the employer.”.

(2) CONFORMING AMENDMENTS.—Section 10(b) of the National Labor Relations Act (29 U.S.C. 160(b)) is amended—

(A) by striking “six months” and inserting “180 days”; and

(B) by striking “the six-month period” and inserting “the 180-day period”.

(j) LIMITATIONS.—Section 13 of the National Labor Relations Act (29 U.S.C. 163) is amended by striking the period at the end and inserting the following: “: Provided, That the duration, scope, frequency, or intermittence of any strike or strikes shall not render such strike or strikes unprotected or prohibited.”.

(k) FAIR SHARE AGREEMENTS PERMITTED.—Section 14(b) of the National Labor Relations Act (29 U.S.C. 164(b)) is amended by striking the period at the end and inserting the following: “: Provided, That collective bargaining agreements providing that all employees in a bargaining unit shall contribute fees to a labor organization for the cost of representation, collective bargaining, contract enforcement, and related expenditures as a condition of employment shall be valid and enforceable notwithstanding any State or Territorial law.”.

SEC. 3. CONFORMING AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947.

The Labor Management Relations Act, 1947 is amended—

(1) in section 213(a) (29 U.S.C. 183(a)), by striking “clause (A) of the last sentence of section 8(d) (which is required by clause (3) of such section 8(d)), or within 10 days after the notice under clause (B)” and inserting “section 8(d)(2)(A) of the National Labor Relations Act (which is required by section 8(d)(1)(C) of such Act), or within 10 days after the notice under section 8(d)(2)(B) of such Act”; and

(2) by repealing section 303 (29 U.S.C. 187).

SEC. 4. AMENDMENTS TO THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959.

Section 203(c) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 433(c)) is amended by striking the period at the end and inserting the following “: Provided, That this subsection shall not exempt from the requirements of this section any arrangement or part of an arrangement in which a party agrees, for an object described in subsection (b)(1), to plan or conduct employee meetings; train supervisors or employer representatives to conduct meetings; coordinate or direct activities of supervisors or employer representatives; establish or facilitate employee committees; identify employees for disciplinary action, reward, or other targeting; or draft or revise employer personnel policies, speeches, presentations, or other written, recorded, or electronic communications to be delivered or disseminated to employees.”.

SEC. 5 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).

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, including any amendments made by this Act.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116-392. Each such further amendment may be offered only in the order printed in the report, 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.

AMENDMENT NO. 1 OFFERED BY MS. STEVENS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116-392.

Ms. STEVENS. Mr. Chairman, I rise as the designee of Mr. MORELLE, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 32, line 8, redesignate section 5 as section 6.

On page 32, after line 7, insert the following:

SEC. 5. 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.

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman

from Michigan (Ms. STEVENS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Ms. STEVENS. Mr. Chairman, I rise today to offer a very simple and straightforward amendment. This amendment does not alter the critical provisions of this legislation, but it does provide clarity about what the PRO Act will and will not do, as well as recognizes State efforts when it comes to employee rights and standards.

The PRO Act does not govern in any way the definition of who is an employee for the workplace protections related to minimum wages, overtime, or unemployment insurance. Under the PRO Act, the definition of who is an employee only applies to who is eligible to join a union and collectively bargain.

If a worker is an employee under the PRO Act, they will have the right to join or refrain from union representation, engage in collective bargaining and bargain over the terms and conditions of their work.

As we know, employment status varies under Federal and State statutes. Thus, an individual can be an employee under one law and remain an independent contractor for the purposes of another.

I have a deep respect for State authority and believe that, as we address Federal NLRA standards, it is important to thoughtfully assess the 20 States that have taken differing actions currently relying on some version of the ABC test to determine their own worker protection eligibility.

This straightforward amendment I am offering today does not end the discussion on the ABC test but helps clarify the benefits of the PRO Act and sets our country on a path to support workers.

Mr. Chair, I urge my colleagues to join me in supporting this amendment as well as the underlying bill, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is little more than an attempt to protect the few well-connected interests that received a carveout from the California Democrats’ disastrous Assembly Bill 5, but it is a fig leaf meant to provide cover for vulnerable Democrat Members.

AB-5 redefined California’s wage and hour laws to expand the definition of “employee” using the same language found in the PRO Act, but with dozens of industries exempted from the onerous standard that has placed tens of thousands of jobs at risk.

If the PRO Act becomes law, workers could find themselves in a confusing

scenario where they are classified differently under State wage and hour law and Federal labor law.

Democrats will draw a distinction between Federal labor relations law and State wage and labor laws, but, in reality, the distinction means little to businesses that will be hit with costly new and confusing employment regulations and to the workers whose jobs are put at risk as a result.

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Moreover, once all workers are deemed employees for collective bargaining purposes, as required by the PRO Act, they will become subject to union organizing. Once unionized, the collective bargaining agreement would govern their wages and benefits, even if State law still considers them an independent contractor.

Essentially, if unions have their way, this fig leaf amendment will accomplish nothing in the way of preserving a worker’s independent contractor status under State law.

The only winners in this scheme will be the unions and trial lawyers, whom Democrats always seem to find a way to benefit, no matter the issue.

Mr. Chairman, I reserve the balance of my time.

Ms. STEVENS. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in favor of the amendment and also the underlying bill.

As a proud union member myself of Workers United, SEIU, I see the importance of sticking with my union. Even though I am no longer active on the job, I want to pay my dues.

Unions have brought us the middle class; they brought us the weekend; they brought us the benefits that ordinary people have in order to have a living wage and a successful life.

I also want to say that the amendment clarifies that the ABC test included in the PRO Act does not preempt any State law governing the wages, worker hours, et cetera, and so it is a very good amendment.

But I want to say, for three decades, we have seen corporations trying to undermine workers’ rights to gather together for their own benefit. Finally, today, we are going to pass a bill that gives workers those rights.

Ms. FOXX of North Carolina. Mr. Chairman, I reserve the balance of my time.

Ms. STEVENS. Mr. Chairman, at this time, I would like to close out our debate, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself the balance of my time.

It is very interesting that our colleagues have talked about unions providing the middle class better jobs and benefits. It is very interesting to look at the declining rate of union membership and see the increasing salaries, number of jobs being created in the

country, benefits, and all positive things happening, record unemployment, record wage increases. That is going along with declining union participation.

Mr. Chairman, the PRO Act is one of the most antiworker, anti-small business bills to be considered by Congress in decades, and this amendment makes it worse.

The PRO Act is a liberal Democrat wish list designed to enrich and empower union bosses and trial lawyers at the expense of rank-and-file workers and small businesses.

Mr. Chairman, I urge my colleagues to defeat this misleading, unworkable, and misguided amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Ms. STEVENS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

RECORDED VOTE

Ms. STEVENS. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. FOXX OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116-392.

Ms. FOXX of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 14, line 25, strike "the names of all employees" and all that follows through "personal email addresses" on page 15, line 4, and insert "the names of all employees in the bargaining unit and not more than one additional form of personal contact information for the employee, (such as a telephone number, an email address, or a mailing address) chosen by the employee in writing".

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX of North Carolina. Mr. Chairman, Americans have a reasonable expectation of privacy. In the modern economy, this means deciding for themselves whether to share their personal information.

At an Education and Labor Committee hearing on this bill last year, AFL-CIO President Richard Trumka testified that unions need workers' personal information so that they can solicit them anywhere you can get them, including at their home.

As we know from previous testimony, these are not always friendly visits. In

many instances, they are intended to exert pressure on workers to support the union.

The PRO Act requires that business owners provide employees' home addresses, home phone numbers, cell phone numbers, personal email address, and more to union bosses, which will promote union harassment of employees at home or in public. This is outrageous and unacceptable.

Moreover, there are no safeguards for how workers' personal information might be used or misused. For one, the information could be used by unions for unwanted political campaigning, solicitation, or worse. The PRO Act contains no protections or restrictions on how this information will be used and no repercussions if unions allow it to fall into the wrong hands.

We have seen countless examples of private companies and government agencies subjected to hacks and leaks that allow private, personal information to fall into the wrong hands. The last thing American workers need is for self-interested union bosses to have that information and for hackers and scammers to gain access as well.

Many Members of Congress know firsthand the risks associated with having their personal information distributed. My amendment provides basic privacy protections to the workers we represent so that, while they are free to organize together, they are just as free to protect their valuable personal information.

Mr. Chairman, I reserve the balance of my time.

Mr. LEVIN of Michigan. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlemen is recognized for 5 minutes.

Mr. LEVIN. Mr. Chairman, the rule this amendment seeks to gut dates all the way back to 1966, and it has been in operation ever since. It is the Excelsior Underwear case.

I have done hundreds and hundreds of house visits based on the information provided by these lists. Now, just because it has been in operation doesn't mean it has always worked well. For years, when I was organizing, I was given lists of names and incomplete information scribbled across scattered sheets of paper, and somehow this complied with the law.

I am not going to admit how long ago this was, Mr. Chairman, but it was decades ago.

The PRO Act simply codifies the rule regarding contact information to make it work better and modernizes it by ensuring that, among other things, contact information is provided in electronic, searchable format, this being the 21st century.

Now, my distinguished colleague across the aisle might attempt to scare you with nightmares about union boogymen coming to blow your house down; but, in reality, not one person has ever charged a union with abusing the voter information list since the

NLRB updated its election procedures to modernize them in 2014, 6 years ago. Not one charge; it is completely made up.

In fact, when the Trump NLRB, a body not exactly known for being on the side of workers, recently revamped their election procedure, they left this rule entirely intact, just as we are attempting to codify it in the PRO Act.

Ensuring that workers are fully informed about an organizing drive is paramount to effective labor relations.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, my amendment addresses just one radical component of the PRO Act by preserving workers' privacy, ensuring that they can protect their own personal information and decide for themselves whether they wish to share it with the union.

Importantly, the amendment does not restrict unions from receiving any information at all; rather, the workers can decide for themselves which one piece of contact information they wish to share. And the union is free to gather the rest directly from workers without the employer acting as a middleman.

Like with every other provision of the PRO Act, Democrats claim that invading workers' privacy is about leveling the playing field; but, time and again, polling has shown that workers prefer choice, privacy, and control within the unions that claim to represent them.

The PRO Act is an affront to all of these basic concepts, none of its provisions more so than the requirement that employers share employees' personal information with union organizers against the employees' will.

Mr. Chair, I urge my colleagues to vote in favor of this commonsense amendment that will put workers, not union bosses, in control of their own private, personal information, and I yield back the balance of my time.

Mr. LEVIN of Michigan. Mr. Chair, I want to emphasize that the gentlewoman's amendment is not about the PRO Act; it is about current law.

All the PRO Act does on the question of lists and how they are to be given from the company to the union is codifying current law. So this is not an argument against the PRO Act; it is an argument against the structure of our labor relations as they have been for decades.

Mr. Chair, I would offer to the gentlewoman that, if she would like to join me in writing the law that would allow workers to have access to union organizers in the workplace, I would be glad to do that with her, and then we wouldn't need a law that allows workers to gain access to unions the only way they can under our system, which is at home or on the phone.

Our country provides workers no right to have access to union staff in

their workplace. It is pretty unusual among countries. And if the gentlewoman is serious about feeling like it is better for workers to interact with the union at work rather than at home, that would be a wonderful discussion to have for another day.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. FOXX of North Carolina. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. NORCROSS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116–392.

Mr. NORCROSS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 19, line 15, insert “and shall continue from day to day until completed” after “organization”.

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from New Jersey (Mr. NORCROSS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. NORCROSS. Mr. Chair, I rise to offer a simple amendment to protect the efficiency of the union representation election process by ensuring that preelection hearings before the NLRB are conducted on a day-to-day basis.

The PRO Act strengthens workers' rights to a free and fair union representation election. It does so by preventing unnecessary delays, which allow employers to engage more time against antiunion campaigns that are designed to erode support for the union.

In 2014, the NLRB updated its union election procedures by enacting reasonable deadlines and preventing employers from stalling elections through frivolous litigation. The PRO Act codifies many of these requirements, including the timeliness for pre- and post-election hearings.

One important change in the 2014 election rule was to require that, whenever the NLRB conducts a preelection hearing, the hearing must be held from day to day. Prior to 2014, hearings could either be held day to day or adjourned to a later date. Requiring these hearings to be held day to day provides more certainty in the preelection hearing process that codifies this best practice.

□ 1715

In those cases where the NLRB decides a pre-election hearing is nec-

essary; this amendment ensures efficiency in the NLRB pre-election process and prevents employers from seizing upon unnecessary delays.

Unnecessary delays leading up to a representation election enables employers to have more time to campaign against the union, through lawful, or many times unlawful means. Once the NLRB receives a petition for the union election, it must process the election expeditiously in order for the rights of the workers to be upheld.

Mr. Chairman, I urge this amendment be voted on in the affirmative, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

This amendment is designed to short-circuit the union election process drastically by micromanaging the National Labor Relations Board.

The goal of this amendment is to rush the election process in order to deprive workers of the opportunity to weigh the pros and cons of unionization, and employers of the adequate time to prepare for union election.

Rushing union elections simply tilts the playing field against both workers, who deserve the benefit of hearing both sides, and businessowners who should have the right to make their case to their workforce about unionization.

Unions often begin organizing campaigns weeks, or even months, before employers are made aware, creating a scenario in which workers are hearing only one side of the issue prior to a union election.

When an election petition is filed, employers, and particularly small employers, must seek counsel and attempt to understand complex matters of labor law within an unreasonably short time period. This amendment seeks to impose an unfair and unnecessary ambush election scheme through a change in the law.

Mr. Chairman, I reserve the balance of my time.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

Back on December 18, the Trump NLRB issued a dramatic rewrite of the union election procedures, thus undermining the streamlining efficiency of the original 2014 election rule.

However, even in the NLRB by Trump, the new rule left this requirement for elections to proceed day by day. They believe in efficiency. They believe in doing things the correct way. This just codifies it.

Mr. Chairman, I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the PRO Act is one of the most antiworker and antismall

business bills to be considered by Congress in decades. It is a liberal Democrat wish list designed to enrich and empower union bosses and trial lawyers at the expense of rank-and-file workers and small businesses, and this amendment makes it worse.

The largest federation of unions in America spends more than three times as much money on politics as it does on its stated purpose of organizing and representing workers. And unions attempted to organize less than one-tenth of 1 percent of eligible workers in 2018, so it should come as no surprise that union membership in the United States is plummeting.

Yet, rather than correct their own wrongdoing and increase their ranks by serving workers better, unions are demanding that Congress enact this sweeping, radical bill that tilts the playing field aggressively in their favor, against workers and small businesses.

I urge my colleagues to oppose this antiworker, pro-union boss amendment.

Mr. Chair, I yield back the balance of my time.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

Fake news. Don't believe it.

Just ask the people what they want to do. Close to 80 percent of those in the workplace would vote today to join a union, if they were allowed to under a fair process. That doesn't happen.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. NORCROSS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DAVID P. ROE OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116–392.

Mr. DAVID P. ROE of Tennessee. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 22, strike “and”.

Page 8, line 14, strike “and”.

Page 8, line 18, strike the period and insert “; and”.

Page 8, after line 18, insert the following:

“(7) to recognize or bargain collectively with a labor organization that has not been selected by a majority of such employees in a secret ballot conducted by the board in accordance with section 9.”.

Page 9, beginning line 1, amend subparagraph (D) to read as follows:

(D) by adding at the end the following:

“(6) to cause or attempt to cause an employer to recognize or bargain collectively with a representative of a labor organization that has not been selected by a majority of such employees in a secret ballot election conducted by the Board in accordance with section 9.”.

Page 18, line 3, strike “(A) If the Board” and insert “If the Board”.

Strike page 18, line 9, and all that follows through page 19, line 9.

Add at the end the following new section:
SEC. . SECRET BALLOT ELECTIONS.

(a) SECRET BALLOT ELECTION.—Section 9(a) of the National Labor Relations Act (29 U.S.C. 159(a)) is amended by inserting after “designated or selected” the following: “by a secret ballot election conducted in accordance with this section”.

(b) APPLICABILITY OF CERTAIN AMENDMENTS.—

(1) IN GENERAL.—The amendments described in paragraph (2) shall not apply to collective bargaining relationships in which a labor organization with majority support was lawfully recognized before the date of the enactment of this Act.

(2) AMENDMENTS LISTED.—The amendments described under this paragraph are the amendments—

(A) made under subsection (a) of this section;

(B) to subsection (a)(7) of section 8 of the National Labor Relations Act (29 U.S.C. 158); and

(C) to subsection (b)(6) of such section of such Act.

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from Tennessee (Mr. DAVID P. ROE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. DAVID P. ROE of Tennessee. Mr. Chair, my commonsense amendment to the PRO Act is very simple. It would require union elections to be conducted by a secret ballot, like every election in the country is.

Look, anybody who wants to in this country has the right to belong to a union. I was raised in a union household. My dad, after World War II, worked for 30 years in a factory as a union member.

In fact, this is so simple that in April of 2019, over 80 House Democrats, including 12 on the Committee on Education and Labor, signed a letter to Ambassador Lighthizer demanding the same protections for workers in Mexico as part of the USMCA. I happen to agree with that. If I had been asked, I would have signed this letter.

If House Democrats believe a secret ballot is essential for Mexican workers, why don't they want the same rights for American workers?

Mr. Chair, 47 years ago I put on a uniform. I left my family, I left this country to serve in the United States Army in the 2nd Infantry Division in Korea, about 11 miles south of the DMZ, to guarantee those rights for every American citizen to vote by a secret ballot.

My wife tells me she votes for me by secret ballot, but I don't know that for a fact because it is a secret ballot.

Secret ballots are the pillar of our democracy. It is a right that—I don't care if you are a billionaire or you don't have two wooden nickels to rub together; you have that power when you go in the voting booth because no one, no one has the right to intimidate you in a secret ballot. You are free from any threat of retribution.

Guaranteeing the right of a secret ballot for union representation is not

just the right thing to do, it is also wildly popular on the political spectrum. According to 2015 polling from Opinion Research Corporation, 79 percent of union households, 81 percent of Democrats, and 81 percent of Independents support the right to a secret ballot for union organizing campaigns.

This amendment eliminates the so-called “card-check” automatic certification in which a union can organize workers by potentially harassing, intimidating, or misleading them into signing authorization cards.

Over the years, in our committee, we have heard firsthand testimony in the Committee on Education and Labor from several witnesses about being pressured to sign a card check by union organizers. Under the card check system, the union organizers are free to harass a worker over email, the telephone, at their homes, in public, into signing the union authorization card. That is just not right.

Congress is elected, everybody in this body is elected by a secret ballot. House and Senate Democrats want a Mexican worker to have that right. I completely agree with that.

So why aren't American workers being granted the exact same freedoms that are being demanded and granted abroad?

Furthermore, you are going to hear supporters of card check say that a card check is needed because the election gives employers the ability to defeat a union organizing drive. That is nonsense. The most recent data we have from the Center for Union Facts say that unions were able to win almost 69 percent of the secret ballot elections that were held.

Our constituents deserve the same guarantee of privacy at the ballot box as Members of Congress. Union leaders are elected that way; and an opposition to this amendment makes it clear who is putting the interests of union bosses above the interest of workers.

We should all support the right to a secret ballot for all Americans. It is the most American thing I can think of, Mr. Chairman, is that right you have to go in that voting booth and press the button for whomever you wish to vote for.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I claim time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chair, under current law, which has been in effect since 1935, an employer may voluntarily recognize the union if a majority of employees have demonstrated support through signed cards or a petition to organize.

If an employer decides not to recognize the union based on those signatures, then NLRB will direct a secret ballot election to determine whether the employees will be represented by

the union. The PRO Act does not alter these requirements which have been in effect since 1935.

This amendment would limit the workers' and employers' option to enter into voluntary recognition agreements. There is no reason why we should limit workers' options to an election if the workers and employers agree to forego it.

But let's be clear. The PRO Act does not require card check in lieu of elections. Instead, it strengthens current law by requiring an employer to bargain with a union if the union has demonstrated majority support and the employer's interference coerced employees into voting against the union.

The only time the NLRB can order an employer to bargain, absent a secret ballot, is when the employer interferes with the union election after a majority have already indicated support through signed authorization cards or a petition. Again, this is current law, set forth by the Supreme Court, and it has been in effect since 1969.

In fact, the PRO Act actually strengthens secret ballot elections by ensuring they are free and fair, both to the workers and to the employers.

Contrary to the argument that this legislation undermines secret ballots, the PRO Act does make a change because it expands the use of secret ballot elections because current law allows employers to withdraw recognition of a union without an election to decertify the union if the employer has evidence that the union has lost the majority support.

The PRO Act just says that union elections are required for decertification, by secret ballot, that must take place before the employer can withdraw recognition. So this actually expands secret ballot elections and, otherwise, pretty much maintains current law that has been in effect for decades.

Mr. Chairman, I urge a “no” vote on the amendment, and I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Chair, I yield myself such time as I may consume.

For over 220 years since we have had a Constitution in the United States of America, one of the most precious rights we have is a secret ballot. And I wouldn't know why anybody would fear—if you have a great case to make for the union, fine. Make it.

I think we have a right to be unionized or not be unionized. As I said, I was raised in a union household.

But I think that is one of the most sacred rights that we have, as American citizens, as many people do not have. We ask that same right for our Mexican worker. I think we should treat an American worker the same way.

Mr. Chair, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time, only to remind the House that the only time the NLRB can order an

employer to bargain with a union, absent a secret ballot, is when the employer interferes with the union election after the majority has already indicated support through signed cards or petitions.

If the employer wants to insist on a secret ballot, all they have to do is not violate the Labor Relations Act.

The other side of it is that if they want to decertify, they have to have an election. So that is a change. But that is more secret ballot elections, not fewer.

So I urge my colleagues to vote “no” on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. DAVID P. ROE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DAVID P. ROE of Tennessee. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

□ 1730

AMENDMENT NO. 5 OFFERED BY MS. WILD

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116–392.

Ms. WILD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 32, line 8, redesignate section 5 as section 6.

On page 32, after line 7, insert the following:

SEC. 5. RULE OF CONSTRUCTION.

The amendments made under this Act shall not 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.

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Pennsylvania (Ms. WILD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. WILD. Mr. Chairman, I yield myself such time as I may consume.

I rise to offer a very simple amendment that I am hopeful will assuage the concerns of my friend and colleague, Ms. FOXX, regarding privacy issues. This amendment very simply clarifies a provision in the PRO Act that deals with the list of voters that employers are to provide to a union before an election. My amendment provides that the requirements surrounding this list of voters shall not affect employee privacy.

For more than 60 years, the NLRB has required employers to provide a list of names and home addresses of employees who are part of a potential

bargaining unit and who will vote in a union election. This list has never conscripted workers into a union against their will, and workers are still free to vote in favor of unionization or against it. Rather, this procedure is designed to create a modicum of fairness during a union election because employers already have this information to reach their employees, whereas unions otherwise would not. It just puts the employer and the union on equal footing in the lead-up to an election.

In 2014, the NLRB updated what had to be included in that list, requiring employers also to include job classifications, telephone and cell phone numbers, and email contact information that was in the employer’s possession. The PRO Act simply codifies that 2014 election rule.

According to information the NLRB provided to the Education and Labor Committee in 2018, no person has ever charged a union with abusing the voter information list since the new 2014 election rule took effect. Even the Republican NLRB in December 2019 kept the voting list requirement as it overhauled other union representation procedures.

My amendment removes any ambiguity in the PRO Act by making it clear that nothing in the bill will be permitted to affect employee privacy.

I urge a “yes” vote on this amendment, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. VARGAS). The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

This amendment is a weak attempt to lend lip service to employee privacy, but it fails to reduce the PRO Act’s invasion of workers’ personal lives. Simply because this amendment says the bill shall not be construed to affect employee privacy does not make it so.

This amendment will not affect the PRO Act’s mandate forcing employers to share employees’ home addresses, home phone numbers, cell phone numbers, personal email addresses, and more with union organizers without giving workers any say in the matter or ensuring that their personal information is protected.

The PRO Act’s provision is an invasion of privacy, and empty rhetoric in this fig leaf amendment does nothing to fix this harmful mandate.

Mr. Chairman, I reserve the balance of my time.

Ms. WILD. Mr. Chairman, I yield myself the balance of my time.

The argument of my friend and colleague is all well and good, but I am happy to report that current law already prohibits unions from engaging in harassment and coercion. The PRO Act doesn’t change that. The PRO Act simply codifies the 2014 election rule

and the NLRB rules about what had to be included in the list.

Harassment and coercion are prohibited today, will be prohibited tomorrow, and would still be prohibited if the PRO Act bill makes its way to the President’s desk for signature.

The truth is that this list is already narrowly designed to be used solely for union organizing campaigns before an election, and no union has ever been charged with using this list for any improper purpose or in violation of employee privacy.

If my friend’s fears of coercion or intimidation were legitimate, we would see labor charges against unions, but that hasn’t happened because the fear is unfounded.

My amendment merely memorializes and protects employees by clarifying that nothing in the PRO Act will affect employee privacy.

I am proud to support workers’ privacy and their right to organize.

I am proud of the PRO Act, a bill that recognizes that union participation is the fabric of our middle class; a bill that recognizes that strong union membership increases productivity, reduces turnover, and gives the middle class more purchasing power; a bill that recognizes that while union membership is at an all-time low, it is not the result of union apathy, and that 62 percent of workers want to unionize but cannot because workers are not on equal footing with management; a bill that ends unfair union election practices like employer-mandated captive audience speeches because the freedom to associate or not associate should also include the freedom not to listen. I urge a “yes” vote on this amendment and the underlying bill, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the PRO Act is one of the most antiworker and anti-small business bills to be considered by Congress in decades. It is a liberal Democrat wish list designed to enrich and empower union bosses and trial lawyers at the expense of rank-and-file workers in small businesses, and this amendment does nothing to change that.

My colleagues keep saying that the Trump administration is supporting many bad rules put in place in 2014; however, that is misleading. The administration has not completed its work on modifying or changing some of those rules.

Unions attempted to organize less than one-tenth of 1 percent of eligible workers in 2018, so it should come as no surprise that union membership in the United States is plummeting. Yet, rather than correct their own wrongdoing and increase their ranks by serving workers better or going out and actually doing the job that unions are supposed to do, unions are demanding that Congress enact this sweeping, radical bill that tilts the playing field aggressively in their favor against workers and small businesses.

This amendment does nothing to lessen the harm this bill will inflict on American workers in the form of violating their privacy, providing their personal information to union organizers without allowing workers the choice to refuse.

Mr. Chair, I urge my colleagues to defeat this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Ms. WILD).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WILD. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. ALLEN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 116-392.

Mr. ALLEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsection (k) of section 2.

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from Georgia (Mr. ALLEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. ALLEN. Mr. Chairman, I yield myself such time as I may consume.

As a small business owner, I came to Congress to put America back on a path to prosperity and create jobs. I am proud to say that as a result of pro-growth policies passed by the 115th Congress and enacted by President Trump, American workers are thriving under our strong economy. Unemployment is down and wages and jobs are up. I am particularly excited by the growth in my home State of Georgia.

For the seventh year in a row, Georgia has been named the best place to do business. A large part of that is because Georgia became a proud right-to-work State back in 1947. Ever since, families are flourishing; people are working; and business is booming.

But some of my colleagues in other States think they know what is best for Georgia. The PRO Act will outright ban right-to-work laws that have been so successful in States like Georgia. I can tell you right now that the folks of Georgia know what is best for them, not the Federal Government.

My amendment is simple. It strikes the ban on right-to-work States. The right to work is what fuels the American Dream, opening a door to upward mobility and the opportunity for workers to achieve their goals. No American should be forced to pay for representa-

tion and political activities that they do not agree with, and that is what will happen if we take away States' authority to enact right-to-work laws.

My amendment will protect States' right-to-work laws so that union dues are voluntary, giving power to workers, not union bosses, who pocket these benefits from mandatory dues. It should not even be up for debate. Workers should be in control of their earnings and how they spend it.

As Members of Congress our duty is to put our constituents first, so I encourage my colleagues to support my amendment, which prioritizes hard-working Americans' right to choose over the special interests of a union.

Mr. Chairman, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, I rise to oppose the amendment and to commend the Chair for including in the PRO Act provisions that will end the free-rider problem caused by so-called right-to-work States.

Right-to-work provisions undermine the right to unionize because our basic labor law requires a union to represent all those in the bargaining unit, and everyone in the bargaining unit benefits from the union contract. If you tell people you don't have to join, you don't have to pay the union dues, you don't have to pay a fee and you still get all the benefits, then right-to-work is really code for right to free ride.

The result is that States with so-called right-to-work laws have half the private sector unionization rates as other States. It doesn't just hurt those who are in a union because it hurts every wage earner in the whole State. Average wages decline. That is why average wages in so-called right-to-work States are \$8,700 less than they are in other States, but it doesn't just affect that whole State. It drives other States to perhaps adopt so-called right-to-work laws in a race to the bottom as they fight for businesses. It even hurts us in California, where we have to compete with low-wage employers in antiunion States.

I have been working on this problem for decades. That is why I introduced the Nationwide Right to Unionize Act in the 110th Congress, the 111th Congress, the 112th Congress, the 113th Congress, the 114th Congress, the 115th Congress, and now the 116th Congress each time with dozens of cosponsors.

Last Congress I was joined by ELIZABETH WARREN in the Senate where we introduced our bills together. Last week Senator WARREN and I each introduced our bills in the House with 30 original cosponsors and the Senate with 16.

The PRO Act is to be commended because it solves this free-rider problem. We had the State Department testify before my subcommittee of Foreign Affairs that so-called right-to-work laws are a violation of the U.N. Declaration of Human Rights because the right to organize is a human right, and right-to-work laws make a mockery of that right.

I also rise in opposition to the amendment we are going to be dealing with, No. 10 by Mr. MEADOWS, which is substantively identical to what we are considering now. The Rules Committee in an effort to be incredibly bipartisan has allowed two substantively identical amendments to be presented to this House. They are both substantively identical. They are both equally reprehensible.

Defeat this amendment. Pass the bill. End the race to the bottom and raise wages nationwide. A country which even last year saw wages rise just 1 percent more than inflation needs unions. We need the right to organize. Pass the bill.

Mr. ALLEN. Mr. Chairman, the fact of the matter is that right-to-work States are stronger, growing faster, and more prosperous. The Federal Government has no business outright banning right-to-work laws that are so successful in many States across the Nation.

Why would California tell Georgia how to run their State?

Democrats in this body have a radical agenda to erode the rights of States. It is just wrong.

Mr. Chair, I urge my colleagues to protect States' rights and vote "yes" on my amendment, and I yield back the balance of my time.

□ 1745

Mr. SCOTT of Virginia. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself the balance of my time.

First, I want to point out that, by every measure, unemployment, jobs per month, a Dow Jones industrial average, even the deficit were all better under President Obama than President Trump.

We also know that union members get better wages, better benefits, and safer workplaces than nonmembers. But unions have the duty to represent all workers in a bargaining unit, even those who are not members of the union.

In so-called right-to-work States, that means the union must equally represent those nonmembers who are free to avoid paying their fair share of the costs of representation. This obligation to represent everyone is known as the duty of fair representation.

Since all workers receive a benefit from union representation, it is only fair that everyone contribute their fair share. For example, if a worker files a grievance, the union must represent

that person with individualized representation, and that could cost thousands of dollars a day.

Likewise, when a union incurs expenses while bargaining for raises or benefits, everyone in the bargaining unit benefits, so it only makes sense that everyone help pay for that representation.

The PRO Act permits unions and employers to negotiate labor agreements, which include a service fee to cover the fair share of the cost of providing services mandated by law. That does not mean political activities or advocacy or holiday parties or Fourth of July celebrations, just those that are required by law. It just ensures that those who enjoy the benefits of union representation pay their fair share.

Mr. Chair, I urge a “no” vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. ALLEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ALLEN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 7 OFFERED BY MRS. HAYES

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 116-392.

Mrs. HAYES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, line 18, strike “and” after the semicolon.

Page 19, line 20, striking the period at the end and insert “; and”.

Page 19, after line 20, insert the following: (3) by adding at the end the following new subsection:

“(f) The Board shall dismiss any petition for an election with respect to a bargaining unit or any subdivision if, during the preceding 12-month period, the employer has recognized a labor organization without an election and in accordance with this Act.”.

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Connecticut (Mrs. HAYES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Mrs. HAYES. Mr. Chair, I rise to offer an amendment to preserve the ability for new, voluntarily recognized unions to collectively bargain for a reasonable period of time without the threat of an invited decertification campaign.

I include in the RECORD a letter from the National Education Association in support of the PRO Act.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, February 6, 2020.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 3 million members of the National Education Association who work in schools and on college campuses in 14,000 communities, we urge you to vote YES on the Protect the Right to Organize Act (H.R. 2474). Votes associated with this issue may be included in NEA's Report Card for the 116th Congress.

Collective bargaining is crucial in providing working people with a voice in the workplace and a means for improving their families' financial circumstances. The freedom to collectively bargain, in both the public and the private sectors, helps reduce income inequality and assists low- and middle-income workers in sharing in economic growth. However, according to Bureau of Labor statistics, only 6.2 percent of workers in the private sector were union members in 2019. Employers' hostility to union organizing is largely to blame for the declining number of private-sector union members. This negatively affects working families and our nation's economic viability. The PRO Act will take several steps to reduce the barriers to private-sector union organizing, including:

Revising the definition of “employee” and “supervisor” to prevent employers from classifying employees as exempt from labor law protections;

Expanding unfair labor practices to include prohibitions against replacement of or discrimination against workers who participate in strikes;

Making it an unfair labor practice to require or coerce employees to attend employer meetings designed to discourage union membership an unfair labor practice; and

Allowing injunctions against employers engaging in unfair labor practices involving discharge or serious economic harm to an employee.

All working families deserve financial stability and the ability to negotiate to improve their circumstances. The right to organize is essential to these, and to our nation's overall economic health. We urge you to vote YES on the PRO Act to help remove barriers to organizing in the private sector.

Sincerely,

MARC EGAN,
Director of Government Relations,
National Education Association.

Mrs. HAYES. Mr. Chair, as a union member, I have had the benefits of the organizing and collective bargaining power of WTA, CEA, NEA, and SEIU 1199. But not all people work in fields with a history of unionization. New unions need a chance to bargain with employers and prove they are productive and skilled advocates on behalf of their members.

For over 40 years, the National Labor Relations Board protected the voluntary recognition process by affording a reasonable amount of time for employers and unions to collectively bargain without fear of decertification challenges. That rule balanced the need for stability in labor relations with the right to have an election, while giving the unions a chance to demonstrate effectiveness to its members.

In 2007, the Bush administration's NLRB scrapped that policy by requiring employers to post a notice inviting a decertification election within a 45-

day window, fostering uncertainty among employees, undermining stability in collective bargaining, and encouraging employers to stall at the bargaining table. Although the NLRB rejected this policy in 2011, this administration has proposed to revive it.

Unions need our support now more than ever. In 2018, Connecticut saw a 3.5 percent decline in union membership from the previous year. Due to this administration's attacks following the Janus Supreme Court decision, national union membership is at 10.3 percent, down from 20.1 percent from the first year data was collected in 1983.

We should not be proposing new rules meant to antagonize and intimidate newly formed unions or new workers advocating for their constitutional right to organize. We should be giving new unions the tools they need to succeed.

A nonunionized workforce means lower wages, poorer working conditions, and reduced benefits. It means working at risk of exploitation. It means a workforce left with no tools to advocate for themselves in the workplace.

The PRO Act will strengthen unions formed over a century ago and those formed today. It will bolster the power of workers and the middle class by giving labor law teeth to prevent intimidation and retaliation. It will strengthen Connecticut workers' rights to collectively bargain on behalf of their members. And it will put a stop to the blatant attacks from employers and State legislatures.

Mr. Chair, I stand with my union brothers and sisters at all stages of the unionization process.

Mr. Chair, I urge my colleagues to support my amendment ensuring new unions are given the chance to organize without a rushed threat of decertification.

Mr. Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

The biggest problem with our Federal labor laws today is inadequate protection of workers' rights within the labor organizations that represent them. This amendment would make that problem worse. Workers should not be forced into a union with which they do not wish to associate.

The existing process for workers to remove a union is too limited and burdensome as it is. Workers face tremendous one-sided barriers to a decertification election that they do not face in a certification election.

Worse, more than 90 percent of workers represented by a union today have never voted for that union to represent them.

Let me repeat that. More than 90 percent of workers represented by a union

today have never voted for that union to represent them.

Democrats oppose legislation that would allow workers to vote periodically on the union in their workplace, and this amendment would make it even more difficult for workers to have an opportunity to vote, even after clearing all of the existing unnecessary hurdles.

This amendment would make the PRO Act even more antiworker than it already is.

Mr. Chairman, I reserve the balance of my time.

Mrs. HAYES. Mr. Chair, first, the PRO Act does not require employees to recognize unions without first having an election. Rather, the right of an employer to voluntarily recognize a union has been the law of this land since 1935, when the National Labor Relations Act was enacted.

Voluntary recognition happens with demonstrated majority support from members by petition or union authorization cards.

Again, voluntary recognition happens with demonstrated majority support from members by petition or union authorization cards.

The PRO Act simply strengthens employees' right to a free and fair election by establishing more effective remedies when an employer unlawfully interferes with an election.

Second, my amendment does not undermine the right to have an election. It codifies a period of time during which a union and an employer can focus on bargaining an agreement and allows workers to exercise their constitutional right to collectively bargain. It prevents wasteful delay tactics so both parties can get to the negotiating table.

If we are going to protect the practice of collective bargaining, we need to ensure there is a reasonable time period for the union to represent employees and bargain on their behalf without fighting over other challenges.

This time period only begins after the employees have demonstrated a majority want to have a union. It does not stop employees from seeking an election after a reasonable time of 1 year, provided it does not interfere with other existing NLRB policies.

The reality is union membership is declining because of the continued attacks on working-class Americans. Our workers are losing a seat at the table in their own workplaces. They need us to defend their rights and ensure they have a fair shot at negotiation.

Mr. Chair, I urge my colleagues to stand up for unions and support this amendment, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, union membership is plummeting because American workers have realized that they don't need the unions. We are seeing such a prosperous economy. And as I said, union

membership declining is correlated with the fact that our economy is booming for the middle class.

The PRO Act, Mr. Chairman, is one of the most antiworker and anti-small business bills to be considered by Congress in decades. It is a liberal Democrat wish list designed to enrich and empower union bosses and trial lawyers at the expense of rank-and-file workers and small businesses.

The largest federation of unions in America spends more than three times as much money on politics as it does on its stated purpose of organizing and representing workers.

With this bill, the unions are trying to take a shortcut. They have decided it is better to just focus on getting Democrats to do their work for them.

Unions attempted to organize less than one-tenth of 1 percent of eligible workers in 2018, so it should come as no surprise that union membership in the United States is plummeting, along with the great economy that we have.

Yet, rather than correct their own wrongdoing and increase their ranks by serving workers better, unions are demanding their allies in Congress enact this sweeping, radical bill that includes over 50 harmful provisions, including those which eliminate workers' privacy, forces workers to pay a labor union against their will, subjects workers and small businesses to direct union harassment, and will kill thousands of small businesses and good-paying jobs.

Mr. Chair, I urge my colleagues to oppose this antiworker, pro-union boss amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Mrs. HAYES).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. KELLER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 116-392.

Mr. KELLER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, strike line 11 and all that follows through line 16.

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from Pennsylvania (Mr. KELLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my amendment to H.R. 2474. This amendment would maintain current law, which protects the ability of employers to continue to do business and provide for their customers during a labor relations dispute.

One of the purposes of the National Labor Relations Act was to "eliminate

... substantial obstructions to the free flow of commerce." After the economic chaos of the 1930s, Congress passed the NLRA.

The NLRA struck a careful balance by protecting workers' ability to strike while outlawing intermittent strikes that create upheaval and uncertainty in the absence of a genuine commitment by the employees to abandon their work.

□ 1800

Similarly, the Supreme Court has upheld the right of employers to replace striking workers permanently in order to keep their business running.

H.R. 2474 discards more than 80 years of precedent by weaponizing the pain of economic conflict in order to empower union bosses. The bill aims to make it impossible for employers to continue to do business in the event of a labor dispute, a death sentence for thousands of small businesses.

In 1937, there were nearly 5,000 strikes in the United States, a nightmare for employers, customers, and the economy as a whole. H.R. 2474 seeks to resurrect this chaotic time in America's history. Imagine what a system that allows for intermittent strikes and bans on the replacement of striking workers would do to our economy, our global competitiveness, and the incentive to invest in American workers.

Allowing intermittent strikes and banning permanent replacements is great for union bosses, but a raw deal for workers, consumers, and small businesses.

Having worked in the manufacturing sector for over 25 years, I know it is critically important for the overall health of a business to be reliable and keep the doors open so employees can keep their jobs.

You cannot be pro-jobs and antibusiness. If a business cannot do its work, then its purpose no longer exists. Competition will inherently force businesses to close.

Allowing intermittent strikes and banning permanent replacements could force businesses to close their doors permanently. I urge my colleagues to adopt this amendment to protect small businesses and to prevent unnecessary disruptions of our economy.

Madam Chairwoman, I reserve the balance of my time.

Mr. LEVIN of Michigan. Madam Chairwoman, I rise in opposition to this amendment.

The Acting Chair (Ms. PINGREE). The gentleman is recognized for 5 minutes.

Mr. LEVIN of Michigan. Madam Chairwoman, first I would like to enter into the RECORD letters of support for the PRO Act from the International Brotherhood of Teamsters, the International Federation of Professional & Technical Engineers and the United Auto Workers.

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS,
February 4, 2020.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.4 million members of the International Brotherhood of Teamsters, I am writing to state our strong support for H.R. 2474, the Protecting the Right to Organize Act (PRO Act). I urge you to support this critical legislation and to oppose any weakening amendments and any motion to recommit when H.R. 2474 comes to the House floor this week.

Today, the economy is not working for working people. Wages have stagnated for workers across the economy, while income has skyrocketed for CEO's and the wealthiest one percent. This inequality is the result of a loss of bargaining power and the erosion of workers' ability to exercise their rights on the job.

Today, when workers make the decision to stand together and bargain with their employer for improved working conditions, the deck is stacked against them from day one. Under current law, unscrupulous employers, armed with limitless funds, routinely violate the National Labor Relations Act (NLRA) and block workers' ability to exercise their right to bargain for better wages and better working conditions. The Protecting the Right to Organize Act is an important step forward for workers' rights. It would restore and strengthen worker protections which have been eroded over the years.

The Protecting the Right to Organize Act addresses several major weaknesses in current law. H.R. 2474 enacts meaningful, enforceable penalties on employers who break the law and gives workers a private right of action if they've been terminated for union activity. The bill would make elections fairer by prohibiting employers from using coercive activities like captive audience meetings. H.R. 2474 establishes a process for mediation and arbitration to stop stalling tactics at the bargaining table and help parties achieve a first contract. Importantly, the bill also addresses rampant intentional misclassification and ensures that misclassified workers are not deprived of their right to form a union under the NLRA. These are among the many important provisions in the bill to help restore the middle class.

Research shows that workers want unions. However, there is a huge gap between the share of workers with union representation and the share of workers that would like to have a union and a voice on the job. The PRO Act would take a major step forward in closing that gap and ultimately growing a strong middle class.

I urge you to demonstrate to the American people that workers and their rights are a priority for this Congress. I hope I can tell our members that you stood with them and other workers in their efforts to achieve meaningful workers' rights and protections and better wages and working conditions. The Teamsters Union urges you to support H.R. 2474 and oppose all efforts to weaken this bill by amendment.

Sincerely,

JAMES P. HOFFA,
General President.

INTERNATIONAL FEDERATION OF
PROFESSIONAL & TECHNICAL ENGINEERS,
Washington, DC, January 31, 2020.

DEAR REPRESENTATIVE: On behalf of 90,000 workers represented by the International Federation of Professional and Technical Engineers (IFPTE), we urge you to vote for the H.R. 2474, the Protecting the Right to Organize Act of 2019 (PRO Act), scheduled for a floor vote next week. As currently written,

the PRO Act would restore and protect workers' rights to organize and collectively bargain in their workplaces and we urge you to oppose any Motion to Recommit and any amendments that would weaken the language, intent, or purpose of the bill.

If enacted, the PRO Act would counter the all too common anti-union intimidation tactics that workers who are organizing a union are subjected to. For example, upwards of 800 highly trained professionals employed by Southern California Edison are currently engaged in an organizing effort with IFPTE Local 20 to address issues such as mandatory overtime and ever-shortening training for new hires. These designers, estimators, field planning technicians, and planners play an important role in ensuring safety and wild-fire mitigation to the more than 15 million people in Southern California. Unfortunately, Southern California Edison has decided to engage in some of the very anti-worker behavior that this bill seeks to correct. This include such activities as mandatory all-staff captive audience meetings, one on one meetings, and handing out anti-union literature filled with misinformation, all aimed at discouraging union activity.

The PRO Act would counter the all too common anti-union intimidation tactics that workers in union organizing campaigns and first contract negotiations are subjected to. This bill meaningfully restores workers' rights to determine for themselves if they want a union by providing a fair process for union recognition if the National Labor Relations Board (NLRB) determines that the employer illegally interfered with the union representation election. Provisions in the bill also allow the union or the employer to request a mediation-arbitration process for first contract negotiations that take longer than 90 days. Language in this bill that prohibits captive audience meetings and reinstates the employer requirement to disclose any hiring of anti-union consultants will help workers make informed choices when they receive information from their employers. By clarifying and updating the National Labor Relations Act's definitions for employee, supervisor, and employer, the PRO Act closes loopholes that allow employers to misclassify workers and prevents employers from dodging joint employer liability. Furthermore, this bill gives the NLRB the authority to conduct economic analysis as it sets policies and regulations, increases penalties against employers who violate the National Labor Relations Act, requires employers to reinstate workers while the NLRB investigates the retaliatory firing, and gives unions the ability to collect fair-share fees.

For all the reasons above, IFPTE we request you vote for the PRO Act and opposed any weakening amendments that may be considered.

Sincerely,

PAUL SHEARON,
President.

MATTHEW BIGGS,
Secretary-Treasurer/Legislative Director.

INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE & AGRICULTURAL
IMPLEMENT WORKERS
OF AMERICA—UAW,

January 29, 2020.

DEAR REPRESENTATIVE: On behalf of the more than one million active and retired members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, I urge you to vote Yes on the Protecting the Right to Organize (PRO) Act (H.R. 2474) and oppose any weakening amendments, including the motion to recommit.

The right to form unions paved the way for the creation of a strong middle class. Over

time, unions have vastly improved workplace rights, wages, benefits, and conditions for all workers. A worker with a union contract earns, on average, 13.2 percent more in wages than a peer with similar education, occupation, and experience in a nonunionized workplace in the same sector. Although unions are fundamental to rebuilding the middle class, the percentage of workers in unions has declined over the last several decades. Weak labor laws, anti-worker policies and court rulings have severely curtailed workers' rights to have a voice on the job. Aggressive employer anti-union campaigns and weak labor laws have taken a toll on workers as union membership has diminished from 33 percent in 1956 to 10 percent in 2019. The ramifications of anti-worker policies extend well beyond the workplace and impact our society at large. Our labor laws need to be strengthened significantly.

Over the past several decades, workers seeking to form their union at their workplace have faced aggressive opposition from unscrupulous corporations and other well financed anti-union special interest groups. According to the Economic Policy Institute (EPI), in one out of every three campaigns, employers fire pro-union workers, and spend at least \$1 billion annually in opposition to organizing. EPI found that 90 percent of employers require captive-audience meetings to dissuade workers from joining a union.

Lower unionization rates harm our middle class, economy and democratic institutions. Collective bargaining raises wages for both union and non-union workers, lessens racial wage gaps, and increases wages for women.

The PRO Act directly addresses these and other problems by including provisions that could help ensure workers have a voice on the job and a fair opportunity to form a union if they so choose. Under the PRO Act, the National Labor Relations Board (NLRB) would be empowered to assess significant monetary penalties to deter or punish employers that unlawfully fire workers for exercising their rights to form a union or for speaking out to improve working conditions. The bill would also allow workers to enforce their labor rights in federal court and prohibit mandatory attendance in captive audience meetings. Should workers vote to form a union, the NLRB would be authorized to order immediate bargaining of a first contract, which would avoid common employer stall tactics and deliberate misclassification of workers. It would also ensure that unions can collect "fair-share fees" and eliminates so-called "right to work" laws in order for unions to have the necessary resources to effectively enforce collective bargaining agreements and other legally protected rights.

Furthermore, the PRO Act protects employees' right to strike by preventing employers from hiring permanent replacement workers. H.R. 2474 also permits unrepresented employees to engage in collective action or class action lawsuits to enforce basic workplace rights, rather than being forced to arbitrate such claims alone. It also reigns in offensive lockouts. In a lockout, a company expels its union-represented employees from the worksite, locks the gate, and refuses to permit them to return to work unless they accept the employer's proposal. Companies have all too often chosen to lock out workers rather than engage in good faith negotiations.

The PRO Act will strengthen the middle class and our national economy. We urge you to vote Yes on H.R. 2474.

Sincerely,

JOSH NASSAR,
UAW Legislative Director.

Mr. LEVIN of Michigan. Madam Chairwoman, I would remind the gentleman that the strikes of 1937 were

precisely the result of the arrangement, the balance that was struck by the National Labor Relations Act, which was passed in 1935.

The National Labor Relations Act sets forth procedures so that workers and employers could both advocate for their rights in the economy. And so to ban intermittent strikes, as the gentleman would propose, puts at stake two core portions of our Constitution's First Amendment: the freedom to peaceably assemble and the freedom of speech.

This amendment would place speech- and content-based restrictions on workers only because they choose to gather and speak on behalf of a union or forming a union.

We freely allow civil rights protesters, animal welfare activists, anti-choice activists, and all others to gather and share their messages. Union members should be no different.

Understand, going on strike is an option of last resort. No worker wants to risk their job and their paycheck to walk a picket line in the cold, the rain, or anything in-between. I have stood with striking workers and seen their resolve and know the impact striking has on them and their families.

These workers strike because they must, because they have no other option but to say: "No more." We must respect this resolve by allowing workers the dignity to stand up for themselves and shout: "One day longer. One day stronger."

I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. KELLER. Madam Chairwoman, I yield back the balance of my time.

Mr. LEVIN of Michigan. Madam Chairwoman, recently, members of the United Auto Workers went on strike at General Motors for 40 days. There was no leader who made them do this, and I have never seen a strike, in fact in my life, that was dictated by someone from on high. The workers voted, in that case way over 90 percent, to go on strike.

When I repeatedly visited picket lines at various workplaces throughout my district in Michigan, I was amazed that a lot of the veteran workers were out there striking; not for themselves. They were striking for workers forced to be temporary workers, and not having full-time status and regularized status for months and years at a time.

These veteran workers, some of whom had worked there 10, 20, 30 years said it just felt wrong to work side by side doing the same job with someone who was denied the pay and benefits due to workers at that workplace.

All of this talk about union bosses disgusts me, Madam Chairwoman. Unions are organizations that workers build themselves to advocate for their interests. They are nonprofits. They are not businesses. In an economy where the real bosses are making 300 and 400 times what the regular workers make, that is something that would be

an obscenity to the people in the manufacturing sector, to CEOs in the manufacturing sector, decades ago.

The CEO of General Motors, then the biggest company in the land, made 80 times or 50 times—I forget, something like that—what the workers made, which is nothing like what happens today. Those are the bosses that need to be brought under control.

The right to strike is basic to our labor relations and it must be preserved. We must pass the PRO Act.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLER).

The amendment was rejected.

AMENDMENT NO. 9 OFFERED BY MS. STEVENS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 116-392.

Ms. STEVENS. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate section 5 as section 6, and insert after section 4 the following:

SEC. 5. GAO REPORT ON SECTORAL BARGAINING.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General, in consultation with the persons described in subsection (b), shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report, that—

(1) identifies and analyzes the laws, policies, and procedures in countries outside the United States governing collective bargaining at the level of an industry sector, including the laws, policies, and procedures involved in—

(A) the administrative system facilitating such bargaining;

(B) how collective bargaining agreements are rendered binding on all firms in an industry sector;

(C) defining an industry sector;

(D) the relationship between collective bargaining at the level of an individual employer or group of employers and at the level of an industry sector;

(E) the designation of representatives for collective bargaining at the level of an industry sector;

(F) the scope of collective bargaining and impasses at the level of an industry sector; and

(G) the provision or administration of benefits by labor organizations (such as unemployment insurance), or union security at the firm level or the level of an industry sector, to cover the costs of collective bargaining at the level of an industry sector;

(2) conducts a comparative analysis of the laws, policies, and procedures specified in paragraph (1) that have been enacted in countries outside the United States;

(3) to the extent practicable, identifies the effects of such laws, policies, and procedures on—

(A) the wages and compensation of employees;

(B) the number of employees, disaggregated by 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

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

(b) EXPERT CONSULTATION.—The persons described in this subsection are—

(1) workers and the labor organizations representing such workers;

(2) representatives of businesses;

(3) the National Labor Relations Board;

(4) the International Labor Organization; and

(5) the International Labor Affairs Bureau of the Department of Labor.

(c) CONGRESSIONAL ASSESSMENT AND RECOMMENDATIONS.—Not later than 60 days after the date on which the report is submitted under subsection (a), the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate shall—

(1) assess the findings of such report; and

(2) make recommendations with respect to actions of Congress to address the findings of such report.

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Michigan (Ms. STEVENS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Ms. STEVENS. Madam Chairwoman, today, as we consider the PRO Act, we think of how far the labor movement has come and how far we have yet to go. We think of all the important steps we need to take as a government and as a nation to rebuild our working class as productivity is dropping and inequality is rising, to ensure fundamental, basic protections are in place for a better work environment and a stronger economy for all, to secure workers' rights to collectively bargain.

The PRO Act represents the rights of the nearly 700,000 brothers and sisters in unions across my home State of Michigan where the steady humming of hard work and determination abounds. The PRO Act is in our bones.

Public approval of labor unions is near a 50-year high, but union membership is at its lowest level since just after the National Labor Relations Act was enacted in 1935. It is not a coincidence that as union membership has declined, income inequality has soared.

At the same time, new forms of work continue to emerge in our innovation economy, work that allows individuals the complete freedom to work whenever and for whomever they choose.

Many developed countries have sought to address the changing nature of work through sectoral bargaining, where representatives of workers and employers in a given industry bargain over wages and standards throughout that industry. By covering more workers under a collective bargaining agreement, workers and employers can bargain for industry-wide floors in wages and benefits.

This amendment asks the Government Accountability Office to look to the future by evaluating how laws and

policies on sectoral bargaining have been playing out in other countries, strengthening workers' ability to effectively bargain in the face of a rapidly changing economy.

Specifically, my amendment asks the GAO to assess the various forms of sectoral bargaining, including:

One, multiemployer bargaining, which permits unions to collectively bargain contracts for workers across a region or an industry;

Two, pattern bargaining, which involves union organizing and collective bargaining with all the companies in an industry. The United Auto Workers has used this model to bargain for common terms with the big three in Michigan; and

Three, wage standard boards where government, industry, and labor would be responsible for setting wages, benefits, and other terms and conditions of employment across specific industries.

Madam Chairwoman, the Education and Labor Committee has held three hearings on the future of work where we have begun exploring alternative models to empower workers in the face of this rapidly changing economy.

While sectoral bargaining is no substitute for the essential reforms in the PRO Act, a number of emerging industries, think tanks, and other worker advocates have begun to explore this idea to complement the PRO Act.

We ask that the GAO also assess the economic impacts of sectoral bargaining, including the impact on wages, prices, productivity, and the development of emerging industries, including those who engage their workforces through technology.

As a co-chair of the Future of Work Task Force on the New Democrat Coalition, we, as Democrats, realize that there is an urgency to start to fix the problem that some of this legislation addresses. But this must not be the end of the conversation of what we need to do to support workers and allow our economy to thrive in the 21st century labor movement.

Another amendment I had introduced was not made in order, but it would have asked the GAO to explore the deployment of portable benefit systems and the feasibility of a new employee classification for this gig economy and their employees.

We will continue exploring these alternative work models that ensure a strong set of benefits and protections for workers, while allowing them to retain the independence and flexibility they want.

With a comprehensive assessment by the GAO on sectoral bargaining in other countries, Congress will be better informed on the next steps after the PRO Act is enacted into law.

I urge a "yes" vote on my amendment, and I reserve the balance of my time.

The Acting CHAIR. The time of the gentleman has expired.

Ms. FOXX of North Carolina. Madam Chairwoman, I rise in opposition to the amendment.

The Acting Chair. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chairwoman, I yield myself such time as I may consume.

This amendment will open Pandora's box. Sectoral bargaining which would apply a single one-size-fits-all contract to every employee in every business across a particular industry in the United States would be an unmitigated disaster for American small businesses. It would rob small business owners and workers alike of the freedom to negotiate their own contracts.

Every business is different. One-size-fits-all union contracts applied across an entire industry throughout the United States would saddle small businesses with labor and employment costs that do not work for their particular business and that they may not be able to afford.

Similarly, employees would be forced to accept wages, benefits, and other terms and conditions of employment that they had no say in determining, and that may not work for their individual situations.

□ 1815

Collective bargaining agreements already force workers into one-size-fits-all contracts, but currently, in the United States, they are at least confined within the walls of one business at a time.

Sectoral bargaining is a flawed and economically stifling policy used in other countries, and one we should not be importing into the United States. It would likely expand union contracts to hundreds of thousands of additional employees, to the detriment of every worker hoping for more individualized wages and benefits.

The absence of sectoral bargaining has allowed America's spirit of freedom and innovation to drive unrivaled economic growth and prosperity. Congress should not entertain importing the socialist method of collective bargaining from other countries. Look at our economy, especially compared to socialist European economies. It is booming; they are stagnant.

The United States Congress does not need to import the worst economic ideas from other countries with weaker economies, but socialist Democrats insist on doing so. Sectoral bargaining is one such proposal that we should not entertain.

Madam Chairman, I have seen some interesting amendments in my time in the Congress, in this Chamber, but I have to say, this is the most bizarre amendment that I believe I have ever seen. I urge my colleagues to defeat the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Ms. STEVENS).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. MEADOWS

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 116-392.

Mr. MEADOWS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike page 30, line 17, and all that follows through page 31, line 2.

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from North Carolina (Mr. MEADOWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Madam Chairman, my amendment strikes the language in the PRO Act that would, in effect, repeal right-to-work laws nationwide.

Currently, 27 States have adopted right-to-work laws that protect workers in their States from forced unionization. Eight of these States further protect their workers by enshrining right to work in their State constitutions.

At their root, right-to-work laws let workers choose whether or not to join a union. Right-to-work laws do not ban union membership. Instead, they let workers, not their employer and not the government, make the choice for them.

My colleagues opposite want to make the government the answer to everything. Yet, here we are today, and we should be protecting American values, American freedoms, that freedom of speech and that freedom to associate as a worker chooses.

The Supreme Court already recognized these rights in the union context when it ruled that government workers cannot be forced to pay union dues. Taking away this freedom in the private sector would reverse decades of protections that the States have given their workers.

I might add that some of the best growing economies are States where we have this ability, and my colleagues opposite want to, indeed, come in and reach into States and tell them how to operate when we have growing economies?

If California wants to make sure that everybody has to be in a union, let them move to California.

But do you know what? The verdict is already in. They are leaving California for States like Texas and other places where workers truly have the ability to choose for themselves.

I believe that we ought to adopt this amendment, and I reserve the balance of my time.

Mr. LEVIN of Michigan. Madam Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEVIN of Michigan. Madam Chairwoman, this amendment is a naked attempt to undermine unions by making it harder to collect reasonable fees for the services that they are required by law to perform.

Unions have a legal obligation to represent and advocate for all members of

a bargaining unit, even if those people choose to remain nonunion. As a result, the law has created a perverse incentive for workers to receive the benefits of unions' labor without paying a reasonable fee for these services—in fact, without paying anything at all.

For years, so-called right-to-work laws have been wildly misnamed. They don't actually provide any right to a job. Instead, they allow States to interfere with the freedom of contract, solely for the purposes of pitting workers against one another and threatening a union's ability to exist at all.

Let me be clear, the PRO Act does not allow the employer and union to agree that employees must be a member of the union as a condition of employment. Despite the rhetoric, that has not been possible since the late 1940s when the Supreme Court decided that no worker can be required to be a member of a union. It is simply false. Nor does it allow fair share dues to go toward political activity or advocacy.

It covers only the cost of representation and contract administration, what the union is required by law to provide for everybody in the bargaining unit.

The PRO Act simply restores fairness to the system.

Madam Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. MEADOWS. Madam Chair, it is interesting to hear this debate because the very State that the gentleman is from is a right-to-work State. I find it just amazing. He comes down here and suggests that somehow Washington, D.C., knows better than his own home State.

Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Madam Chair, I thank the gentleman.

The gentleman over there used the word "perverse." There is something perverse here, all right. I will say that I support the amendment by Mr. MEADOWS.

Among the numerous perverse power grabs in this bill offered today, H.R. 2474 seeks to eliminate right-to-work protections nationwide, superseding laws passed in those 27 States my good friend talked about, including my home State of Texas, which as he alluded to, by the way, its economy is so successful and our economy so big that if we were a country, we would be the 10th largest country in the world. That is how good our economy is.

Right-to-work laws prohibit the termination of employees for refusal to join or pay dues or fees to an organization they may or may not even support.

Let's protect families, not organizations. Let's protect families' incomes, not unions'.

My friend Mr. MEADOWS' amendment strikes the provision of this bill so that States may continue to protect workers from forced unionization and ensure Americans keep their hard-earned money.

Mr. LEVIN of Michigan. Madam Chairwoman, the real motives are revealed in the rhetoric. This is an attack on unions themselves.

The way that our labor relations have been organized since the 1930s when the Wagner Act was passed is that private-sector labor relations are governed by Federal law. Everything about our National Labor Relations Act and the way workers can form unions in the private sector and the rules for how elections happen, all these things are Federal.

This carve-out for States to be able to try to starve workers' organizations by allowing this free-riding to go on is something that happened over President Truman's veto, and, yes, we have been against it for the last 70 years. The proof is in the pudding. The right-to-freeload States have lower incomes; they have lower percentages of workers who have benefits; and they have shorter life expectancy.

Over and over, the statistics show that workers and families are better off. The old saw about letting people keep their hard-earned money, unions are something that workers form voluntarily to advance their interests. Union members make more money than nonunion members. They make a great investment by coming together and bargaining together to form a union.

Our labor relations are set up for workers to make a democratic choice as a group in a workplace about whether or not to form a union. If workers come together and make that choice, it is only fair that everybody pays their fair share to administer the contract that benefits all of them.

Madam Chairwoman, I reserve the balance of my time.

Mr. MEADOWS. Madam Chair, I just find it amazing that somehow we are here debating this issue, and he is suggesting that the numbers prove his point, and they do exactly the opposite.

The fact of the matter is that the reason why unions are failing is because the workers are going other places because they get a better benefit.

It is what it is because of what we are seeing on the ground not only in North Carolina and Texas but in 27 other States. It is more than half of the country. Yet the gentleman from Michigan over here somehow says: Well, it is the freeloaders.

I can tell you, Madam Chair, based on his assumption, there are a few people who pay dues into the Freedom Caucus. Some of the things that we have supported he has actually benefited from. So should he pay dues to the Freedom Caucus, based on his assumption?

I think that he would have a problem with that, just like everyone over here has a problem with forcing people to pay union dues when they don't want to join the union, and this is the protection for that.

I suggest that we support this amendment, and I reserve the balance of my time.

Mr. LEVIN of Michigan. Madam Chairwoman, I challenge the gentleman to point out a Chamber of Commerce in this country that allows people to receive the benefits of the chamber without paying dues. They have members and nonmembers. Health clubs, any kind of organization in this country, people pay their fair share for the benefits that it creates.

The purpose of right-to-freeload laws has been nakedly obvious from the beginning in the 1940s when they were pushed by far rightwing foundations like the Olin Foundation and the Scaife Foundation, whose sole purpose was to destroy collective bargaining in this country.

The other side is trying to destroy the solidarity of American workers, to benefit the bosses and the employers that want to have a union-free environment.

The facts are so obvious. When workers come together and form unions, they make more money; they make better wages; they are five times more likely to have a pension; and they are much more likely to have employer-provided health insurance. This is the truth.

Employers and their enablers simply want to destroy collective bargaining in this country, and I don't care if it is State by State or any other way.

Right is right, and wrong is wrong. These laws have been wrong since they came into existence, and they are still wrong today.

Madam Chair, I yield back the balance of my time.

Mr. MEADOWS. Madam Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from North Carolina has 45 seconds remaining.

Mr. MEADOWS. Madam Chair, at least we have found something that the gentleman from Michigan and I can agree on. What is wrong is wrong, and that is wrong.

When you look at what the gentleman is trying to propose with his legislation, and the fact that he is trying to put the will of Washington, D.C., on States all across this great country, that is wrong.

Why do we not allow the status quo to continue? Why? Because it is good for workers. It is good for my State. It is good for South Carolina. It is good for Texas. It is good for all kinds of States. I would even say it is good for his State because he is a right-to-work State.

But do you know what? We have talking points that are prepared by people who will benefit from this legislation and nothing more. This does not help the worker.

Madam Chair, I urge the adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MEADOWS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

□ 1830

AMENDMENT NO. 11 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116-392.

Ms. JACKSON LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 31, line 18, strike "Section 203(c)" and insert "(a) IN GENERAL.—Section 203(c)".

On page 32, after line 7, 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 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 subparagraph (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 non-discretionary 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.”

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Chair, I rise with enthusiasm and support for H.R. 2474, the PRO Act.

I would indicate that in America we would ask the question, When will we have a 40-hour week or the weekend? All brought about by union organizing and union leadership.

We need the PRO Act to ensure that Americans across the land have the ability legally to organize and to be able to operate under the Labor Management Reporting and Disclosure Act.

Let me also say that it is imperative that we begin to recognize that the American people like unions. Over 64 percent of Americans and millennials appreciate the idea of having representation for better quality of life and work.

So I rise to add to this very important legislation an amendment that extends whistleblower protections to employees of both employers and unions under the Labor Management Reporting and Disclosure Act. This is a fair and balanced amendment. We remember Supreme Court decisions like the Janus Act, and many others, who undermine the ability for unions to be able to organize or to engage. This protects the people who are trying to organize.

But the whistleblower protections allow employees of employers and employees of unions to be protected if they see something wrong and they want to make sure that it is right.

Let me give you an example:

Today, I met Kimberly Lawson, who is part of the Fight for \$15. She also came to share the problems she has had with sexual harassment on the job. It happens to be in one of the fast-food operations. She said, on the record, that if we could pass the PRO Act, she wouldn't be alone trying to raise our hourly wage or face sexual harassment without a union to help her.

This is important legislation. The whistleblower protection is important because Ms. Lawson would have the ability to be able to report what is happening to her without losing her job as a single mother with a young child.

Madam Chair, I ask my colleagues to support the Jackson Lee amendment, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I claim the time in opposition to the amendment, although I plan to vote in favor of the amendment.

The Acting CHAIR. Without objection, the gentlewoman from North Carolina is recognized for 5 minutes.

There was no objection.

Ms. FOXX of North Carolina. Madam Chair, this amendment is little more than a recognition from the Democrats that the PRO Act is truly a union boss wish list that strips rights away from workers, increases the coercive power of union bosses, and will make union corruption like we are seeing at the United Auto Workers Union even likelier.

It is ironic that Democrats have chosen to offer whistleblower protection for illegal union activities as an amendment to the PRO Act after years of opposing more transparency and accountability for union leaders when the Republicans were in the majority.

Last Congress, Congressman FRANCIS ROONEY offered not one, but two bills with whistleblower protections for union corruption. Both bills had zero Democrat cosponsors. This attempt to provide Democrat Members with a talking point is too little too late and does nothing to address the PRO Act's overwhelming problems.

Madam Chair, I reserve the balance of my time.

Ms. JACKSON LEE. Madam Chair, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentlewoman from Texas has 3 minutes remaining. The gentlewoman from North Carolina has 4 minutes remaining.

Ms. JACKSON LEE. Madam Chair, let me, first of all, thank the gentlewoman from North Carolina (Ms. FOXX), ranking member, for her support.

Let me also thank the chairman of this committee for his leadership and support, and the staff for working with my staff so very ably.

But let me add that, as I have seen, committee Democrats on this particular committee strongly agree that allegations of corruption should be fully investigated. They have not ignored it, and those who are charged should be prosecuted and held accountable. They have not ignored it. That is why we have robust criminal and civil penalties for unions and companies.

This is about whistleblower protection, and I would say that no union is against this. That is why this amendment particularly reinforces that the employees of employers and employees of unions have the right to bring to the attention anything that undermines

their workplace or their quality of work.

I believe this is an amendment that all of us can support and that it focuses on whistleblowers, and I ask my colleagues to support it.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, Democrats bemoan that plummeting union membership does not reflect workers' actual opinion of unions. But NLRB decisions and so-called conservative attacks are not the reason workers have voluntarily chosen to leave unions behind.

Democrats and their friends in Big Labor refuse to acknowledge that millions of workers are simply disenchanted with union representation and that union leaders have lost the trust of their members.

We need not look any further than the ongoing corruption scandal at United Auto Workers in which several high-ranking union officials have already been convicted of a litany of crimes, including embezzlement, misuse of workers' union dues on lavish personal expenses, money laundering, tax fraud, and accepting bribes in violation of Federal labor law.

Two former UAW vice presidents have been charged. The last two UAW presidents have been formally implicated in a racketeering scheme of more than \$1.5 million, and the current UAW president is under investigation for receiving bribes and kickbacks.

The UAW is now at risk of being placed under Federal oversight under the Racketeering Influence and Corruption Organization Act, or RICO. That is why I have sent not one, not two, but three letters requesting a public hearing by the Committee on Education and Labor to examine this widening corruption scandal.

It should come as no surprise that the UAW, long one of the largest unions in the country and a major benefactor of the Democrat party, lost 35,000 members in 2018, and the overall union membership fell again in 2019 to just 6.2 percent.

Rather than increase transparency and accountability to serve workers better, over the past decade unions successfully lobbied the Obama administration to roll back transparency requirements and are now calling on their political allies in Congress to pass the radical, coercive H.R. 2474 as a bailout.

Madam Chair, I reserve the balance of my time.

Ms. JACKSON LEE. Madam Chair, may I inquire how much time is remaining for both sides?

The Acting CHAIR. The gentlewoman from Texas has 2 minutes remaining. The gentlewoman from North Carolina has 2 minutes remaining.

Ms. JACKSON LEE. Madam Chair, let me be very clear. It is an important point to make that Democrats—the committee Democrats, in particular—recognize that a few bad actors are not

going to deter or dissuade us from taking this historic step towards strengthening workers' rights to organize and restoring balance to the economy.

As I said earlier, the growing support for unions is phenomenal. Millions of Americans look for a better quality of life because unions are negotiating on their behalf. If this particular employee at the fast-food organization had a union, she would be able to organize and ensure that she got \$15 an hour, or to be able to make sure she had better healthcare for her young 5-year-old.

Madam Chair, this is legislation that is long in coming. And my amendment adds to the importance of it by protecting whistleblowers who work for employers and work for unions. I also want to say that the Government Accountability Project that protects whistleblowers is supporting this legislation. I would ask that my colleagues support it because we are standing up to corruption, but we are also standing up for workers—workers who need opportunities and the ability to get a better quality of life.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

Democrats believe one-size-fits-all union contracts are good for workers in the modern economy and that forcing these workers to pay hundreds of dollars per year to left-wing political organizations is the only way to guarantee wage growth, combat inequality, and strengthen the middle class. But the last 3 years and beyond have made clear that nothing could be further from the truth.

Wages are not stagnant, and to claim they are is a blatant lie. Wages have grown by 3 percent each of the last 2 years. Moreover, the Federal Reserve Bank of Atlanta reported the pay for the bottom 25 percent of workers rose 4.5 percent from a year earlier, compared to 2.9 percent for the top 25 percent, meaning wages are rising faster for rank-and-file workers than for their bosses.

Over the first 3 years of the Trump presidency, wages for the bottom 10 percent of earners over age 25 rose an average of 5.9 percent per year compared to 2.4 percent during President Obama's second term. Wages for the middle two quartiles have also grown faster under President Trump than during President Obama's second term.

Overall, the typical American household earns over \$1,000 more per month today, adjusted for inflation, than it did in 1975. The union membership rate today is less than half of what it was in 1975.

Madam Chair, I reserve the balance of my time.

Ms. JACKSON LEE. Madam Chair, do I have the right to close as the proponent of the amendment?

The Acting CHAIR. The gentlewoman from Texas has the right to close.

Ms. JACKSON LEE. Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I believe that I am in opposition, do I not have the right to close?

The Acting CHAIR. The gentlewoman from North Carolina indicated her support for the amendment.

Ms. FOXX of North Carolina. Madam Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman from North Carolina has 30 seconds remaining.

Ms. FOXX of North Carolina. Madam Chair, I am prepared to close, and I yield myself the balance of my time.

Madam Chair, the PRO Act is one of the most antiworker and anti-small business bills to be considered by Congress in decades, and this amendment does not change that.

The PRO Act is a liberal Democrat wish list designed to enrich and empower union bosses and trial lawyers at the expense of rank-and-file workers and small businesses.

While I will support the amendment by the gentlewoman from Texas, we will still oppose the bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Chair, may I inquire how much time is remaining?

The Acting CHAIR. The gentlewoman has 1 minute remaining.

Ms. JACKSON LEE. Madam Chair, I thank the gentlewoman from North Carolina for us being able to come together around a very vital amendment that gives protection to employees of employers and employees of unions to be able to indicate when matters are wrong, incorrect, or violate the law, or impact negatively on employees of any organization.

But what I would say is that it is important that this particular legislation go forward because of the historic nature of ensuring the ability to organize for willing individuals.

And let me cite Kimberly Lawson again. She is fighting for \$15. A union would help her provide for her family and organize for those dollars. Maybe we don't know about those particular workers who are living below the poverty line or living with wages that are below an hourly wage or decent wage. Unions would help that.

We cannot talk about individuals already in the higher, upper brow of work in this Nation. Their salaries may be going up. Hers is not.

Madam Chair, I ask my colleagues to support and vote for the Jackson Lee amendment and support the PRO Act.

Madam Chair, I would like to offer an amendment today that would provide whistleblower protections to employees who report violations of the Labor Management Reporting and Disclosure Act (LMRDA). This amendment covers BOTH employees of employers as well as employees of labor unions.

The LMRDA is an important labor law passed in 1959 that protects union members' through a "bill of rights" for members of labor organizations, requires extensive reporting and

public disclosure of labor union finances, guards against the failure to observe high standards of responsibility and ethical conduct by providing civil and criminal remedies against employers and unions who engage in misconduct, and mandates transparency regarding arrangements between employers and anti-labor consultants.

I am pleased that the PRO Act includes reforms to the LMRDA that further clarify the original intent of the law by ensuring that employers not only disclose arrangements they enter into with antiunion consultants to directly persuade employees on how to exercise their rights under the NLRA, but also to disclose arrangements where the consultants are hired to engage in indirect persuasion activities.

Examples of indirect persuasion include planning employee meetings, drafting speeches or presentations to employees, training employer representatives, identifying employees for disciplinary action or targeting, or drafting employer personnel policies.

The DOL has narrowly construed the law for too long and excludes up to 75% of the arrangements with union busting consultants. To remedy this, the PRO Act reinstates requirements of the Persuader Rule adopted by the Obama Administration in 2016 but was unfortunately repealed by the Trump Administration. That repeal, coupled with the Trump Administration's refusal to defend the rule in court, ensures workers remain in the dark about the activities of consultants hired to bust union organizing drives.

Another way to strengthen the LMRDA is to provide whistleblower protections; which is exactly what this amendment does. All workers deserve whistleblower protections for reporting potential violations of law, no matter their place of employment or the type of employer. This amendment covers reporting alleged violations by an employee, regardless of whether their employer is a business or a labor organization.

This amendment allows employees to file complaints with the Department of Labor and provides for a prompt investigation of allegations of unlawful retaliation. It ensures employees have a right to a hearing, and effective remedies including reinstatement, back pay and attorney fees. And if the DOL fails to act in a timely manner, employees have the right to bring suit in federal court to secure a remedy. I urge all members to support this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. JACKSON LEE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. ROONEY OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116-392.

Mr. ROONEY of Florida. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, beginning line 1, strike subparagraph (A) and insert the following:

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “or” at the end;

(ii) in subparagraph (B), by adding “or” at the end; and

(iii) by inserting after subparagraph (B) the following new subparagraph:

“(C) by an employee or a group of employees or any individual or labor organization acting in their behalf, or an employer, alleging that the labor organization that has been certified or is currently recognized by the employer as the bargaining representative is no longer a representative as defined in subsection (a), if—

“(i) fewer than 50 percent of the members of the bargaining unit in question had an opportunity to vote in the certification election that resulted in certifying the labor organization then recognized as the bargaining representative for such unit; or

“(ii) no certification election was conducted regarding such unit;”;

Page 17, after line 8, insert the following:

(B) in paragraph (2), by adding at the end the following: “When a petition is filed under paragraph (1)(C), a question of representation affecting commerce exists if the petitioner establishes the existence of the circumstances described in paragraph (1)(C)(i) or paragraph (1)(C)(ii).”;

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from Florida (Mr. ROONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. ROONEY of Florida. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I am proud to offer this pro-worker amendment. Current employees are locked into old, obsolete, and outdated union contracts that were approved long before they ever came to work there.

Employees deserve a voice that is reflective of today's rapidly modernizing workforce and workplace. Baby boomers are retiring, and countless existing employees are locked into collective bargaining agreements made decades ago.

In 2016 alone, NLRB data showed that only 6 percent of union members voted to be represented by their union in those agreements that they were bound to. This simple amendment would allow employees to petition for a union certification election whenever fewer than 50 percent of the current union members were members during the last election. It also empowers employees who might deem unions unnecessary. It will allow them the right to decertify and to represent themselves.

This proposal gives new and current employees a seat at the table. They get their own voice and it provides for more accountability. With the recent news of embezzlement and corruption by United Auto Worker Union bosses, we must go further to empower all employees who are forced to pay dues to

their unions that they haven't voted on or wanted.

All employees deserve honest representation and the ability to decertify a collective bargaining agreement if they no longer need union representation. I encourage all of my colleagues to join me in supporting the current and future workforce by supporting this amendment.

Madam Chair, I reserve the balance of my time.

□ 1845

Mr. LEVIN of Michigan. I rise in opposition to this amendment, Madam Chairwoman.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. LEVIN of Michigan. Madam Chairwoman, there are no workers in America who are “locked into collective bargaining agreements negotiated decades ago”—zero.

What happens in our country is that workers vote to form a union in a workplace, and then they periodically negotiate contracts.

Usually, contracts last 2 or 3 years, 4 or 5 years. It is usually employers who want them to last longer. And the two parties, in freedom of contract, agree on those terms.

What the gentleman's amendment seeks to do is not for workers to have any rights whatsoever. Workers already have the right to decertify a union through an election. What this amendment seeks to do is to give a right to employers to destroy unions by not recognizing a union anymore under very strange circumstances.

The point of the National Labor Relations Act is to protect employees' freedom to choose a union or refrain from forming a union. This amendment, however, undermines that right by allowing an employer to step in and demand a new election without any objective showing that the union no longer enjoys majority support, no objective showing whatsoever.

As I said, employees already have the right to petition for another election if that is what they want. That is an existing law. It is in the PRO Act.

This amendment is a backdoor to providing an employer the ability to conduct another antiunion campaign designed to sow fear and discord amongst its employees. Under this amendment, a union with majority support could be challenged by an employer simply by virtue of the passage of time and the natural turnover that exists in all workplaces.

My colleagues across the aisle often speak about the need to protect employees' rights to choose a union, and yet here they are seeking to undermine that very right. This amendment is about promoting decertification, not protecting the rights of workers.

Madam Chairwoman, I reserve the balance of my time.

Mr. ROONEY of Florida. Madam Chairwoman, I would like to reemphasize a couple of facts here that are at

variance from what the gentleman from over there said.

Six percent of union members have voted to be represented by their union under current collective bargaining agreements. This amendment would say, if 50 percent or more of the people in a collective bargaining agreement never voted on it, they get the right to vote on it.

We all know people in business who have dealt with unions—and I have decertified unions all over Oklahoma and Texas and other States. These contracts are not as easy to decertify, given the existing impediments as might be seen. This law would enable those workers to have the freedom to do it themselves and not be subjugated to agreements that they never voted on in the first place.

When I decertified the unions in Oklahoma and Texas back in the eighties, thousands of our building trades employees flocked to vote yes to get rid of the unions because they weren't adding value and they wanted to keep those fees for themselves. Since that time, we know how the construction industry has developed in Oklahoma and Texas.

So I speak from real, personal experience, having been a member of the carpenters union, that it is good to give employees the right to decertify their union and to make it easier for them to do that.

I reserve the balance of my time.

Mr. LEVIN of Michigan. Madam Chairwoman, I reiterate that workers have the right to decertify a union if they want to under existing law and under the PRO Act. It doesn't change that. What we do is say that employers may not stop recognizing a union simply because of turnover.

If workers negotiated a contract with an employer through their union several years ago and now there has been some turnover, that doesn't mean the workers are against the collective bargaining agreement that benefits them. The contract will expire, and then the workers will negotiate another one, whichever workers are there at that time. At that time, if a majority of the workers want to decertify the union, they are fully free to do that.

What the gentleman is trying to defend is the employer's role in destroying unions. That is what is really going on here.

Madam Chairwoman, in my 30-some years of being involved in the labor movement, the biggest problem in workers' freedom to form unions is the idea that the employers are a party, and you have to try to create a union or keep a union by going up against your boss, the person who decides your wages, decides your assignment. This is just another tactic to allow employers to pressure workers out of having collective bargaining.

I reserve the balance of my time.

Mr. ROONEY of Florida. Madam Chairwoman, how much time do I have?

The Acting CHAIR. The gentleman from Florida has 2½ minutes remaining.

Mr. ROONEY of Florida. Madam Chairwoman, maybe I ought to do this in Spanish or Italian, because we are not communicating effectively.

There is nothing in this amendment that has anything to do with employers determining who is or is not decertified. It is when a certain number of employees have not voted on that collective bargaining agreement because of turnover in the rapidly evolving, modernizing workforce—which I appreciate the gentleman recognizing—it makes it easier for them to do it.

Employers don't have a role in this. This is about employees deciding if they want to keep their collective bargaining agreement or not.

We have all seen the difficult institutional impediments to the ability to decertify the way it is right now. This will help that and recognize that we are in an era of high volatility, workers going to many more jobs than they used to throughout their career, and making the NLRB get with the program on adapting to the current workforce that we live in.

I reserve the balance of my time.

Mr. LEVIN of Michigan. Madam Chairwoman, I reserve the balance of my time.

Mr. ROONEY of Florida. Madam Chairwoman, one more time, I would like to say that the NLRB was a very important piece of legislation 70 years ago. These little tweaks like this to update the NLRB for the modern workforce, the volatility, the digital era, are perfectly legitimate and logical responses to the conditions that we find ourselves in now.

We don't have carpenters who would spend their entire career at one company anymore. They come and go at different places. It happens in manufacturing as well. This bill would recognize that volatility and institutionalize it in a constructive manner.

I yield back the balance of my time.

Mr. LEVIN of Michigan. How much time do I have, Madam Chairwoman?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. LEVIN of Michigan. Madam Chairwoman, I would point out that the gentleman's amendment says that an employer alleging that a labor organization no longer has majority status because of turnover may seek a decertification election. The gentleman's amendment empowers the employer to decertify the union.

What we are doing in the PRO Act is overturning the Johnson Controls decision of the Trump NLRB from July 3 of last year that allowed an employer to announce it was withdrawing recognition of a union because of this turnover, because simply more than half the people weren't there the last time they negotiated a contract or when the union was formed.

This is an attempt to allow employers to determine that they want an-

other election and to go all, again, through the captive audience meetings where they force workers to attend on pain of termination, meetings whose sole purpose is to scare workers out of forming a union, to show movies or other propaganda that doesn't have to be truthful at all to scare workers out of forming a union.

It is time to stop having employers prevent workers from forming a union. That was the purpose of this amendment. That is why I oppose it. I urge all my colleagues to oppose it.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. ROONEY).

The amendment was rejected.

AMENDMENT NO. 13 OFFERED BY MR. VARGAS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 116-392.

Mr. VARGAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 19, line 15, strike "and".

On page 19, after line 15, insert the following:

"(B) a regional director shall transmit the notice of election at the same time as the direction of election, and shall transmit such notice and such direction electronically (including transmission by email or facsimile) or by overnight mail if electronic transmission is unavailable; and"

On page 19, line 16, strike "(B)" and insert "(C)".

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from California (Mr. VARGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. VARGAS. Madam Chair, I rise to offer an amendment to improve the efficiency of the union election process. This amendment will reverse an antiworker rule adopted by the National Labor Relations Board several months after the PRO Act was marked up in the Education and Labor Committee.

The PRO Act strengthens workers' rights to a free and fair union representation election. It does so by preventing unnecessary delays. If we allow these delays to occur, then we are allowing employers more time to engage in antiunion campaigns designed to erode support for the union.

Democracy in the workplace should be a right, not a fight, and the workers who request a union representation election should not be denied their right to vote through unnecessary delay.

In 2014, the National Labor Relations Board, the NLRB, updated its union election procedures by enacting reasonable deadlines and preventing employers from stalling elections through frivolous litigation. The PRO Act codifies many of those requirements, including the timelines for pre- and post-election hearings.

The 2014 election rule protected the integrity of the union representation process and was upheld in every court where it was challenged. However, on December 18, 2019, the Trump NLRB rescinded parts of the 2014 rule, burdening the employees with unnecessary delays and giving employers more opportunity to stall a timely election with frivolous litigation.

One important change in the 2014 election rule was that, once the NLRB's regional director decides that a representation election should be held, the director must ordinarily issue the notice of election at the same time as that decision. The notice of election must be posted in the workplace. It is crucial to informing employees of the time and details of the voting process.

However, the Trump NLRB changed this policy to allow delay before the regional director issues a notice which details the election. This amendment removes the delay by requiring the decision directing an election and the notice of an election to be issued at the same time, unless extraordinary circumstances warrant otherwise.

In doing so, my amendment provides clarity to employees so that they may know the details of their election as soon as possible.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I rise in opposition to the amendment, despite my affection for the gentleman offering it.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

Madam Chair, while this amendment appears to make arbitrary changes to union election procedures, make no mistake: It is part of Democrats' and union bosses' ongoing efforts to rush the union election process at the expense of American workers by requiring that National Labor Relation Board, NLRB, regional directors transmit the notice of election at the same time as the direction of election.

This amendment should actually be called the ambush elections amendment, as it would worsen the already harmful impacts of the Obama NLRB's ambush election rule, which shortened the timeline for union elections from a median of 38 days to as few as 11 days.

This amendment would reduce the timeline even more, increasing the unfair advantage for labor unions that the Obama NLRB created and which the PRO Act makes Federal law.

The unfairly condensed timeline required by this amendment—in which employers are expected to obtain counsel, understand complex matters of labor law, and effectively communicate with their employees—infringes on an employer's right to due process and is antithetical to the NLRB's promise of a fair and robust election process.

Madam Chair, I reserve the balance of my time.

□ 1900

Mr. VARGAS. Madam Chair, I yield myself such time as I may consume.

Unnecessary delays in union representation elections enable employers to have more time to campaign against unions through lawful or unlawful means.

Once the NLRB determines that an election should go forward, the details of the election must be settled expeditiously so employees understand their rights as quickly as possible.

Employers engage in all kinds of tactics designed to scare employees out of supporting the union, from holding captive audience meetings, to issuing threats to specific employees.

Unnecessary delays only provide more time for employers to undermine employees' free choice. The choice of whether to join a union belongs to the employee. The PRO Act prevents employers from interfering with employees' freedom of association.

Moreover, the provisions of my amendment apply except under extraordinary circumstances.

When the NLRB created this rule initially in 2014, it found the details of the election, included in the notice, would often be resolved either in a pre-election hearing or in an agreement between the union and the employer.

If there is still an issue with the details of the election after the pre-election hearing, and at the time the regional director issues the direction of election, these would count as "extraordinary circumstances."

Minimizing these delays preserves employee free choice by ensuring that their vote is untainted by employer interference.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

Americans continue to enjoy substantial economic mobility, despite Democrat claims that the decline in union membership has led to a permanent upper class. Millions of poor Americans continue to move into the middle class and millions in the middle class are moving into the ranks of the wealthy, a group heavily criticized by the Democrats' class-warfare politics.

In inflation-adjusted 2018 dollars, from 1967 to 2018, the portion of U.S. households earning less than \$35,000 a year fell by 25 percent.

The portion earning between \$35,000 and \$100,000, the middle class, fell by 22 percent, from 53.8 percent to 41 percent of the country. But it did not fall because the middle class is worse off.

The ranks of the poor and middle class are shrinking as the ranks of the wealthy and upper middle class are growing. From 1967 to 2018, the portion of U.S. households making more than \$100,000 rose from 9 percent to more than 30 percent of the country.

In 1967, nearly 25 percent of workers belonged to a union. In 2018, that number was just 10.5 percent. That means

that while the union membership rate fell by more than half, the share of American households earning six-figure incomes—that is more than 100,000—more than tripled.

And, yes, contrary to another popular Democrat claim, throughout most of the country, these wage gains are outpacing the cost of living.

No one can argue with this good news, yet, in an attempt to score political points and bail out their allies in Big Labor, Democrats claim that the economy isn't working for the poor and the middle class.

As lawmakers, we can always do more to increase opportunities for people to achieve the American Dream. But to suggest the economy isn't working for average Americans, and the way to fix it is to expand forced unionism through coercive socialist schemes like H.R. 2474, is flatly untrue.

Madam Chair, I reserve the balance of my time.

Mr. VARGAS. Madam Chair, I yield myself the balance of my time.

Unions created the middle class in our country. And all of the things that we enjoy, the safety that we have in our manufacturing, the 5-day work week, all the opportunities that women have, and people of color, all those came because unions stood up for these rights.

My amendment strengthens the opportunity for people to choose to become a union.

I ask for an "aye" vote, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I yield myself the balance of my time.

Madam Chair, again, I really respect my colleague from California, and he knows that.

However, it is not the unions who have created the middle class in this country. What has created the middle class in this country is freedom, the capitalistic society, the rule of law, our Judeo-Christian beliefs. We are the most prosperous, most successful country in the world, and it is because of those things.

Did unions help at one time? Yes, they did. But they have outgrown their usefulness. We don't need to force unionism on the American people. We need to preserve their freedom and do everything that we can. That is what grows this country and makes it great.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. VARGAS).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MS. TLAIB

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 116-392.

Ms. TLAIB. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 19, line 15, strike “and”.

On page 19, after line 15, insert the following:

“(B) not later than 2 days after the service of the notice of hearing, the employer shall—

“(i) post the Notice of Petition for Election in conspicuous places, including all places where notices to employees are customarily posted;

“(ii) if the employer customarily communicates with employees electronically, distribute such Notice electronically; and

“(iii) maintain such posting until the petition is dismissed or withdrawn or the Notice of Petition for Election is replaced by the Notice of Election; and”.

On page 19, line 16, strike “(B)” and insert “(C)”.

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Michigan (Ms. TLAI B) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Ms. TLAI B. Madam Chair, I rise to offer an amendment that protects union elections by ensuring timely notices of union representation elections. This amendment overturns a recent National Labor Relations Board regulation that undermines workers’ rights to organize in their workplace.

I would like to begin by thanking Chairman SCOTT and his exceptional staff for working with me on this amendment, and for their tireless efforts to strengthen unions and protect our country’s workers.

The PRO Act strengthens workers’ rights to a free and fair union representation election. It does so by fostering transparency in the workplace about the right to organize and removing barriers that were solely created to undercut labor organizing at the workplace.

In 2014, Madam Chair, the Board updated its union election procedures by streamlining the union representation process. The PRO Act codifies many of the 2004 requirements, including the timelines for pre- and post-election hearings.

The 2014 Election Rule protected the integrity of the union representation process, which is critical, and it was upheld in every court where it was challenged.

You see, corporate greed is what is driving this administration’s attack on workers. In December of 2019, the Board rescinded many parts of that 2014 rule, burdening our workers with unnecessary delays and giving corporations more opportunity to stall workplace rights and organizing with frivolous litigation.

The Republican Chairman of the Board, John Ring, pushed these changes without providing any notice to the public, ambushing workers with new procedures, solely designed to undermine the rights for our folks, for our neighbors and workers to organize.

One important change in that 2014 Election Rule required corporations to post a notice when workers file a petition for an election. This notice is critical to informing workers about the details of the petition, and their rights,

while the board processes their petition.

Notably, the 2014 rule required corporations to post this notice within two business days, 2 business days after the board issues notice of a pre-election hearing. This requirement was fair, and it was just.

However, once again, the agents of corporate greed are trying to cheat us out of our rights. Chairman Ring and the other Republican members of the board nearly tripled the amount of time corporations have to post that notice to 5 days after being notified about the pre-election hearing. This delay enables the corporations to take advantage of a crucial time period where workers may not know their rights or the details of the board process governing their petition for a fair election.

We should be doing all we can do, Madam Chair, to ensure workers’ collective bargaining rights are protected. Enough of the antiworker mentality driven by those who want to avoid paying fair wages and offering strong workplace protections for our neighbors.

This amendment restores fairness and democracy into our process, Madam Chair, and it brings back the 2014 election rule by requiring the corporations to post the notice of petition for election within 2 days after the board notifies the corporations and the union about the pre-election hearing.

It is pretty simple. In doing so, this amendment will foster more transparency, and will prevent unnecessary delays that undermine the right to organize in our country.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chair, this amendment imposes yet another unnecessary and harmful requirement on employers as they prepare for a union election; and this new mandate will be imposed on business owners who will have already lost numerous employer rights because of other provisions in the PRO Act.

During the Obama administration, the National Labor Relations Board drastically changed its union election procedures, adding dozens of new requirements and restrictions on employers in an effort to short-circuit the union election process and increase union membership.

On top of this, the PRO Act makes over 50 changes to existing labor law, adding a litany of burdensome constraints that will harm employers, particularly small employers who do not have infinite time and resources to respond to a union organizing drive.

Unions often begin organizing campaigns weeks, or even months before employers are made aware; creating a scenario in which workers are only hearing one side of the issue prior to a union election.

When an election petition is filed, employers have only a few days to prepare their case, depriving them of their rights to due process and all parties of their right to a fair and robust election process. This amendment would further burden employers and tilt the playing field in favor of union bosses.

Madam Chair, I reserve the balance of my time.

Ms. TLAI B. Madam Chair, I yield myself such time as I may consume.

Look, unnecessary delays in union representation elections provide corporations with more time to wage anti-union campaigns using illegal and legal tactics. That is why folks are going to be against this.

When workers file a petition for union representation elections, corporations must properly notify them of their rights under the law. It is pretty clear. It is pretty transparent, and allows, again, information to get to workers, our neighbors that are there that want to organize for better wages, for protection at the workplace.

I urge my colleagues to please vote “yes” on this amendment.

Madam Chair, I yield the balance of my time to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL. Madam Chair, because of the force of labor unions, American workers have higher wages and workplaces that are fairer and safer. And we can thank labor unions for things like employee health coverage, the end of child labor, and a 40-hour work week.

To counter the power of collective bargaining, some in corporate America have struck back by harassing union organizers, denying information to employees, and using independent contractors.

That is why I am voting for the Protecting the Right to Organize Act of 2019, to defend and secure our labor unions, the champions of the American workers. I urge support of this amendment and the bill.

Ms. TLAI B. Madam Chair, I yield back the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

Democrats insist that the PRO Act expands workers’ rights. But, in reality, this bill coerces workers and undermines their rights in order to increase the wealth and power of union bosses. Unions have a long and sordid history of harassing and intimidating workers into supporting them, and this bill makes it worse.

For example, in 2013, Ms. Marlene Felter, a medical records coder in California, testified that union organizers “were calling them on their cell phones, coming to their homes, stalking them, harassing them . . . to convince them to sign union cards.”

In 2017, one Minnesota personal care attendant, who chose not to provide her full name, described her experience with an SEIU union organizer for a Forbes.com piece: “The woman identified herself as a SEIU representative,

and asked if they could talk for a few minutes. Holly said she didn't have time right now, but the woman persisted, placing herself between Holly and the front of the door and repeatedly asking her how she intended to vote in the upcoming union election.

"Holly became frightened; arms full of groceries, she could hear her patient becoming agitated and distressed inside, and here was this strange woman blocking her way and demanding to know how she would 'vote.' Holly finally extricated herself and entered her home, slamming the door behind her. But that wasn't the end of things. Over the next weeks and months, she received multiple calls and visits from the union."

□ 1915

The author of the piece asked Holly how she would characterize the nature of these calls and visits. "Stalking, absolutely," said Holly. "They wouldn't leave me alone."

Richard Trumka, president of the AFL-CIO, testified before our committee in May 2019 that unions need workers' personal information because "it is essential in order to be able to communicate with them. . . . You may have to meet with them at a grocery store, anyplace else where you can get them. The most efficient place and the best place for them to be able to talk is in their home setting, at their home, so that you can have a real conversation with them."

The PRO Act's own supporters admit unions will harass workers at their own homes, at work, and at the grocery store, yet Democrats claim this bill expands and protects workers' rights.

I urge my colleagues to vote "no" on this amendment and "no" on the underlying bill.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Ms. TLAIB).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MRS. LAWRENCE

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 116-392.

Mrs. LAWRENCE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 19, line 15, strike "and".

On page 19, after line 15, insert the following:

"(B) regional directors shall schedule elections for the earliest date practicable, but not later than the 20th business day after the direction of election; and".

On page 19, line 16, strike "(B)" and insert "(C)".

The Acting CHAIR. Pursuant to House Resolution 833, the gentlewoman from Michigan (Mrs. LAWRENCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Madam Chair, I thank Chairman SCOTT and the committee for working so hard to bring this historic legislation to the floor.

As Members may know, my district, which includes the city of Detroit, was built on the backs of unions and standing up for worker rights. Thanks to our unions, our communities receive respectful benefits, fair pay, and great representation. However—this comes as no surprise—this administration has weakened workers' rights and labor authority.

The PRO Act and my amendment look to shed some light on these recent attacks by strengthening workers' rights to a free and fair union representation election. My amendment accomplishes this by preventing unnecessary delays between the filing of a petition and the holding of an election. When such delays ensue, this gives employers the opportunity to launch antiunion campaigns designed to erode union support.

Madam Chair, we need to protect workers' rights to a timely election, not dismiss it. My amendment does just that, as it looks to eliminate an unnecessary delay relating to union elections recently imposed by the NLRB. This amendment addresses the mandatory 20-day wait period between the filing of the petition and holding the election. There has been no justification for establishing this wait period.

In 2014, under the Obama administration, the NLRB updated its union election processes by enacting reasonable deadlines and preventing employers from stalling elections through frivolous litigation. The PRO Act codifies many of these requirements, including the timelines for pre- and post-election hearings.

One of the most notable changes in the 2014 election rule was that once the NLRB regional director concludes that an election should happen, the regional director must schedule the election for the earliest date practicable. The NLRB changed this by requiring regional directors to impose a random 20-day waiting period.

My amendment eliminates this arbitrary waiting period and returns to the requirement that an election shall be scheduled as soon as practicable, unless extraordinary circumstances apply.

Workers who request a union representation election should not be impeded in their right to vote with frivolous delays. Democracy in the workplace should be a right, not a fight.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chair, again, I have respect for the gentlewoman on this, but I have to respectfully oppose this amendment,

which is intended to tilt the playing field even further against workers and in favor of union bosses, more so than the underlying bill already does.

By requiring union elections to be held as early as practicable, union bosses will have an unfair advantage because it deprives workers of adequate opportunity to hear from their employer about potential risks of unionization.

The PRO Act codifies the Obama NLRB's ambush election rule, which shortened the time before a union election takes place from a median of 38 days to as few as 11 days. This amendment would further reduce that time, increasing union bosses' advantage.

Madam Chair, I reserve the balance of my time.

Mrs. LAWRENCE. Madam Chair, unnecessary delays only serve one purpose, and that is to enable antiunion employers to have more time to expose employees to their campaign against the union.

I have so much respect for my colleague on the other side, but to say that we should not protect our workers because of a union boss? They are not bosses. They are elected by the membership.

We should be promoting employee free choice by ensuring that their vote is untainted by an employer delay or interference. Once the NLRB determines that an election should go forward, it should happen as soon as possible.

I urge a "yes" vote on my amendment and this bill, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

My colleague and I agree that workers should be protected. There is absolutely no disagreement between Democrats and Republicans on that, but we believe that the existing law is sufficient both for protecting the right to organize as well as protecting workers.

Democrats bemoan attacks on the right to organize, but the right to organize has not changed in more than 70 years. Unions have simply abandoned their stated purpose of organizing workers and are trying to take a shortcut through the Congress.

NLRB data shows that the number of representation petitions filed by unions with the NLRB fell from 5,000 in 1997 to fewer than 1,600 in fiscal year 2018, the fewest in over 75 years. Let me repeat that. The number of representation petitions filed by unions with the NLRB fell from 5,000 in 1997 to fewer than 1,600 in fiscal year 2018, the fewest in over 75 years.

In fiscal year 2018, there were more than 110 million private-sector employees available for organizing under the National Labor Relations Act, but the number of employees who actually petitioned for union representation was just 73,000. That means that unions sought to represent less than one one-tenth of 1 percent of potential new

members in this country in fiscal year 2018, yet Democrats blame falling unionization on conservatives.

This lack of attention to organizing is reflected in unions' financial priorities, as well, and not just by UAW leaders spending workers' dues on cigar parties and golf. The AFL-CIO's 2018–2019 budget dedicated less than one-tenth of the budget to organizing efforts. The largest portion of the budget, more than 35 percent, was dedicated to political activities.

In addition to spending massive sums on political activities, unions also generously spent workers' dues, money intended for collective bargaining representation, to advance political causes. From 2010 through 2018, unions sent more than \$1.6 billion in union dues to hundreds of leftwing advocacy organizations, including Planned Parenthood, the Progressive Democrats of America, and the Center for American Progress.

Much of this spending came amidst a Presidential cycle in which more than 40 percent of union households voted for the Republican Donald J. Trump for President, yet Democrats blame conservatives for plummeting union membership. That is not the problem.

The Acting CHAIR. The time of the gentlewoman has expired.

Mrs. LAWRENCE. Madam Chair, I want to be clear that we should be promoting employee free choice. This is not about the election process.

When we are standing here on the floor, we are talking about the American people and their rights. I stand here representing the city of Detroit, the city that put the country on wheels by strong union workers.

I urge a "yes" vote on this amendment and a "yes" vote on this bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. ROUDA

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 116–392.

Mr. ROUDA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate section 5 as section 6.

After section 4, insert the following:

SEC. 5. 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.).

The Acting CHAIR. Pursuant to House Resolution 833, the gentleman from California (Mr. ROUDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROUDA. Madam Chair, I yield myself such time as I may consume.

As a businessman, I know firsthand the power of small businesses as a driver of economic growth, not just for the owners but for the 60 million small business employees in the United States.

While the underlying bill makes the playing field fairer for American workers, my amendment clarifies that the National Labor Relations Board jurisdictional standards for small businesses remain consistent, ensuring small businesses have the stability they need to develop long-term business plans.

The NLRB uses businesses' gross annual volume to determine whether a company is subject to its standards, with different thresholds for different types of businesses. My amendment ensures existing thresholds do not change.

Madam Chair, we cannot keep shifting the goalposts for millions of Americans. Small businesses need stability to strategize and consistency to create jobs.

I urge my colleagues on both sides of the aisle to support small businesses across America and adopt this amendment.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

This amendment changes nothing about the underlying bill and the pain it will inflict on American workers and businesses. It is simply another weak attempt to pay lip service to address one of the many glaring flaws in the PRO Act.

The National Labor Relations Act, NLRA, already applies to nearly every business in the country, and the PRO Act's harmful provisions will also. This amendment does nothing to protect small business entrepreneurs and independent contractors.

If adopted, small businesses will still be saddled with new costs and mandates. They will still be forced to turn their employees' private information over to union organizers. They will still be subject to completely unrestricted union harassment even if they aren't the subject of a union organizing campaign. They will still have their rights throughout that process completely obliterated.

Independent contractors will still be at risk of being classified as employees under the bill's onerous ABC test. The NLRA's existing jurisdictional standards do not change that reality. The ABC test is not about whether independent contractors are businesses cov-

ered by the NLRA but, rather, whether they are employees covered by the act.

This amendment does nothing to change the fact that millions of independent contractors will be classified as employees against their will and, as a result, will have their livelihoods put at risk by socialist Democrats in Washington.

Madam Chair, I reserve the balance of my time.

□ 1930

Mr. ROUDA. Madam Chair, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Chair, I thank the gentleman for yielding, and I thank him for his leadership in bringing this important amendment to the floor, and I rise in support of it. It clarifies that nothing in this act shall be construed to affect the jurisdictional standards of the National Labor Relations Board with respect to small businesses. I thank the gentleman, Mr. ROUDA, for his leadership in that regard. I urge passage of the amendment.

Madam Chair, I proudly rise on this historic day as the Democratic House takes bold action to restore fundamental fairness to America's workers by passing the Protecting the Right to Organize Act, the PRO Act.

Madam Chair, I salute our distinguished chairman, BOBBY SCOTT, for his lifetime of leadership to tilt back the playing field to the side of the American worker. I thank the members of the Education and Labor Committee and all who have worked to make this legislation go over the finish line.

Some people always say to us: Your Caucus is so very diverse. What unifies them?

I say it is diverse in every way. Sixty percent of our Caucus are women, people of color, LGBTQ. We have generational differences, geographical, gender, gender identity, ethnicity, opinion—the beautiful diversity of opinion.

But what does unify us is our commitment to America's working families, and that is what brings us to the floor today. It is a commitment to salute working families, to raise paychecks, and to do so by enabling workers to bargain collectively.

I always say that the middle class is the backbone of America's democracy. The middle class has a union label on it.

So many things that have come into the workforce, whether it is the 40-hour workweek, safer working conditions, fair pay for family leave, collective bargaining for secure retirement—the list goes on and on—the labor unions have been responsible for that.

Yesterday, several Members and I were honored to meet with Jennifer Womack, a worker who had been prevented from joining a union, and I want to share her story with my colleagues.

She told us about the unfair working conditions that she has faced: how she

was illegally denied pay after missing work to undergo serious surgery, even after spending her entire recovery period on the phone with the benefits department to help her pay her bills; how one of her managers engaged in offensive and bigoted behavior but was never disciplined, in fact, was given a company award.

When Jennifer and her coworkers tried to form a union to improve working conditions, she was subjected to humiliating retaliation and forced to attend antiunion trainings designed to scare her off.

She told us: “I believe that the decision of whether to join a union should be up to me and other workers without having to face threats and retaliation. And Democrats agree.

Sadly, her story is shared every day by millions of Americans who face a grim reality of reprisal, of retaliation, of denial of their rights to join or trying to join a union.

Democrats offered our Better Deal for Workers, pledging to tilt the playing field, with Mr. Chairman so much in the lead, to tilt the playing field back to the side of workers.

Since day one, our majority has worked to build an economy that works for workers’ interests, not the special interests: passing the \$15 minimum wage, securing paycheck fairness for women.

Madam Chair, I thank the unions for their leadership in our country for equal pay for equal work. No institution has done more in that regard. We are trying to make that the case for all workers that you would have equal pay for equal work.

We are also protecting the pensions of millions and lowering healthcare costs and increasing paychecks, to name a few.

Today, we are building on that progress by passing the cornerstone of our pro-worker agenda, the PRO Act.

With this legislation, Democrats are holding companies that violate workers’ rights accountable. We are strengthening workers’ sacred collective bargaining rights, and we are protecting workers’ access to fair union elections.

The PRO Act secures justice for workers and advances progress for all.

As Richard Trumka, the President of the AFL-CIO, which represents 12.5 million Americans and 55 unions, testified last year: “A happier, healthier, more upwardly mobile workforce is good for our economy as consumers have additional money to spend. Local tax revenues increase, and education funding is bolstered. Inequality shrinks. It is a virtuous cycle.

“The union movement and all working people are hungry for pro-worker reforms to our existing labor laws. . . . It is time for our laws to catch up. It is time to make the PRO Act the law of the land.”

I quite agree.

Democrats call on Republicans to join us to pass the PRO Act and to rebalance the scales toward workers.

I always say, whether it is an election or a debate or a negotiation: Who has the leverage?

Well, right now there is too much leverage used against America’s workers, and that is harmful to America’s working families.

We want to again tilt that playing field back into the direction of workers so their leverage is increased, so their opportunities are improved, and then we can move closer to ending the inequality, the disparity in income in our country.

Madam Chair, I urge our colleagues to vote “aye” on this important PRO Act.

Madam Chair, I commend the chairman, the distinguished chairman, for his leadership again, Mr. SCOTT, and members of his committee.

And I again thank Mr. ROUDA for his amendment that clarifies that nothing in this act shall be construed to affect the jurisdictional standards of the NLRB with respect to small businesses. I thank the gentleman, Mr. ROUDA, for his leadership.

Madam Chair, I urge an “aye” vote on both the underlying bill and this amendment.

Mr. ROUDA, Madam Chair, once again, I reiterate the previous comments that this bill and the supporting amendments deserve the bipartisan support that we have already seen. I encourage Members across the aisle to reconsider those ideas and support the passage of this bill.

Madam Chair, if the gentlewoman is ready to close, I am as well, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I enter into the RECORD the Statement of Administration Policy on H.R. 2474.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2474—PROTECTING THE RIGHT TO ORGANIZE ACT—REP. SCOTT, D-VA, AND 218 COSPONSORS

The Administration opposes H.R. 2474, the Protecting the Right to Organize Act. The Administration supports the rights of workers to freely join a union. In fact, under President Trump, on average over 250,000 more Americans are members of a private-sector union than under President Obama. This growth has been driven, in part, by the tremendous strength of the Trump economy. The Administration is willing to work with Congress to strengthen protections for union members. Unfortunately, H.R. 2474 contains provisions that would kill jobs, violate workers’ privacy, restrict freedom of association, and roll back the Administration’s successful deregulatory agenda.

H.R. 2474 would hurt workers in several ways. First, the bill would kill jobs and destroy the gig economy. It appears to cut and paste the core provisions of California’s controversial AB 5, which severely restricts self-employment. AB 5 is actively threatening the existence of both the franchise business sector and the gig economy in California. It would be a serious mistake for Congress to impose this flawed job-killing policy on the entire country. Additionally, H.R. 2474’s job-killing effects could be even greater, as it would empower third-party arbitrators to impose collective bargaining agreements. Involuntary contracts that do not work for employees or their employers could force

layoffs or even bankruptcies—ultimately, harming workers.

Second, H.R. 2474 would violate workers’ privacy. It would require companies to give union organizers their employees’ home addresses, personal phone numbers, and personal e-mail addresses, and it also would allow unions to bypass secret-ballot elections. Secret ballots protect workers from both employer and union coercion, and the Administration believes voting privacy should be protected.

Third, H.R. 2474 would also restrict workers’ freedom of association. It abolishes State right-to-work laws, and would thereby make union dues compulsory nationwide. Additionally, the bill would legalize “secondary boycotts,” which Congress previously banned because they pressure workers to join a particular union. And it would rush union elections, depriving employees of time to make a considered choice. The Administration is willing to discuss legislation clarifying that unions do not need to represent workers who do not pay dues. But it believes that workers’ decisions to join and support a union should be the product of choice, not compulsion.

Finally, by imposing unnecessary and costly burdens on American businesses, this bill would take the country in precisely the opposite direction from the President’s successful deregulatory agenda, which has produced rising blue-collar wages and record low unemployment. For example, by expansively defining joint employer liability, the bill would discourage investment and job creation and reduce opportunities for workers.

If H.R. 2474 were presented to the President in its current form, his advisors would recommend that he veto it.

Ms. FOXX of North Carolina. Madam Chair, I would like to quote from a part of the Statement of Administration Policy.

“The administration opposes H.R. 2474, the Protecting the Right to Organize Act. The administration supports the rights of workers to freely join a union. In fact, under President Trump, on average, over 250,000 more Americans are members of a private-sector union than under President Obama. This growth has been driven, in part, by the tremendous strength of the Trump economy. The administration is willing to work with Congress to strengthen protections for union members. Unfortunately, H.R. 2474 contains provisions that would kill jobs, violate workers’ privacy, restrict freedom of association, and roll back the administration’s successful deregulatory agenda.”

“Finally, by imposing unnecessary and costly burdens on American businesses, this bill would take the country in precisely the opposite direction from the President’s successful deregulatory agenda, which has produced rising blue-collar wages and record low unemployment.”

Madam Chair, I oppose this amendment, I oppose the underlying bill. We need to keep this economy doing very well, and we need not to support this piece of legislation which is unfair to American workers, unfair to businesses, unfair to the American taxpayers.

Madam Chair, I urge a “no” vote on the amendment and a “no” vote on the

underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROUDA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROUDA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 116-392 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. STEVENS of Michigan.

Amendment No. 2 by Ms. FOXX of North Carolina.

Amendment No. 4 by Mr. DAVID P. ROE of Tennessee.

Amendment No. 5 by Ms. WILD of Pennsylvania.

Amendment No. 6 by Mr. ALLEN of Georgia.

Amendment No. 10 by Mr. MEADOWS of North Carolina.

Amendment No. 11 by Ms. JACKSON LEE of Texas.

Amendment No. 16 by Mr. ROUDA of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. STEVENS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Ms. STEVENS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 178, not voting 16, as follows:

[Roll No. 41]

AYES—241

Adams	Brindisi	Clay
Aguiar	Brown (MD)	Clyburn
Allred	Brownley (CA)	Cohen
Amash	Bustos	Cannolly
Axne	Butterfield	Cooper
Bacon	Carbajal	Correa
Barragán	Cárdenas	Costa
Bass	Carson (IN)	Courtney
Beatty	Cartwright	Cox (CA)
Bera	Case	Craig
Bergman	Casten (IL)	Crist
Beyer	Castor (FL)	Crow
Bishop (GA)	Castro (TX)	Cuellar
Blumenauer	Chu, Judy	Cunningham
Blunt Rochester	Cicilline	Daivs (KS)
Bonamici	Cisneros	Davis (CA)
Boyle, Brendan	Clark (MA)	Davis, Danny K.
F.	Clarke (NY)	Dean

DeFazio	Langevin
DeGette	Larsen (WA)
DeLauro	Larsen (CT)
DelBene	Lawrence
Delgado	Lawson (FL)
Demings	Lee (CA)
DeSaulnier	Lee (NV)
Deutch	Levin (CA)
Dingell	Levin (MI)
Doggett	Lieu, Ted
Doyle, Michael	Lipinski
F.	Loeb sack
Emmer	Lofgren
Engel	Lowenthal
Escobar	Lowey
Eshoo	Luján
Espallat	Luria
Evans	Lynch
Finkenauer	Malinowski
Fitzpatrick	Maloney,
Fletcher	Carolyn B.
Fortenberry	Maloney, Sean
Foster	Patrick
Frankel	Sires
Fudge	Matsui
Gallego	McAdams
Garamendi	McBath
Garcia (IL)	McCollum
Garcia (TX)	McEachin
Golden	McGovern
Gomez	McNerney
Gonzalez (TX)	Meeks
Gottheimer	Meng
Green, Al (TX)	Moore
Grijalva	Moulton
Haaland	Mucarsel-Powell
Harder (CA)	Nadler
Hastings	Napolitano
Hayes	Neal
Heck	Neguse
Higgins (NY)	Norcross
Himes	Norton
Horn, Kendra S.	O'Halleran
Horsford	Ocasio-Cortez
Houlihan	Omar
Hoyer	Pallone
Huffman	Panetta
Jackson Lee	Pappas
Jayapal	Pascrell
Jeffries	Payne
Johnson (GA)	Perlmutter
Johnson (TX)	Peters
Kaptur	Peterson
Katko	Phillips
Keating	Pingree
Kelly (IL)	Plaskett
Kennedy	Pocan
Khanna	Porter
Kildee	Posey
Kilmer	Pressley
Kim	Price (NC)
Kind	Quigley
Krishnamoorthi	Raskin
Kuster (NH)	Rice (NY)
Lamb	Richmond
	Rose (NY)

NOES—178

Abraham	Collins (GA)
Aderholt	Comer
Allen	Conaway
Amodei	Cook
Armstrong	Crawford
Babin	Crenshaw
Baird	Curtis
Balderson	Davidson (OH)
Banks	Davis, Rodney
Barr	DesJarlais
Biggs	Diaz-Balart
Bilirakis	Duncan
Bishop (NC)	Dunn
Bishop (UT)	Estes
Bost	Ferguson
Brady	Fleischmann
Brooks (AL)	Flores
Brooks (IN)	Foxx (NC)
Buchanan	Fulcher
Buck	Gallagher
Bucshon	Gianforte
Budd	Gibbs
Burchett	Gohmert
Burgess	Gonzalez (OH)
Calvert	González-Colón
Carter (GA)	(PR)
Carter (TX)	Gooden
Chabot	Gosar
Cheney	Granger
Cline	Graves (GA)
Cloud	Graves (LA)
Cole	Graves (MO)

Rouda	Lamborn
Roy	Latta
Roybal-Allard	Lesko
Ruiz	Long
Ruppersberger	Loudermilk
Rush	Lucas
Ryan	Luetkemeyer
Sablan	Marchant
Sánchez	Marshall
Sarbanes	Massie
Scanlon	Mast
Schakowsky	McCarthy
Schiff	McClintock
Schneider	McHenry
Schrader	McKinley
Schrier	Meadows
Scott (VA)	Meuser
Scott, David	Miller
Serrano	Mitchell
Shalala	Moolenaar
Sherman	Mooney (WV)
Sherrill	Mullin
Sires	Murphy (NC)
Slotkin	Newhouse
Smith (NJ)	Norman
Smith (WA)	Nunes
Soto	Olson
Spanberger	Palazzo
Speier	
Stanton	Arrington
Staubert	Byrne
Stevens	Cleaver
Stivers	Gabbard
Suozi	Gaetz
Swalwell (CA)	Holding
Takano	
Thompson (CA)	
Thompson (MS)	
Titus	
Tlaib	
Tonko	
Torres (CA)	
Torres Small	
(NM)	
Trahan	
Trone	
Underwood	
Upton	
Vargas	
Veasey	
Vela	
Velázquez	
Visclosky	
Wasserman	
Schultz	
Waters	
Watson Coleman	
Welch	
Wexton	
Wild	
Wilson (FL)	
Yarmuth	
Young	

Palmer	Steupe
Pence	Stewart
Perry	Taylor
Ratcliffe	Thompson (PA)
Reed	Thornberry
Reschenthaler	Timmons
Rice (SC)	Tipton
Riggleman	Turner
Rodgers (WA)	Van Drew
Roe, David P.	Wagner
Rogers (AL)	Walberg
Rogers (KY)	Walden
Rooney (FL)	Walker
Rose, John W.	Walorski
Rouzer	Waltz
Rutherford	Watkins
Scalise	Weber (TX)
Schweikert	Wenstrup
Scott, Austin	Westerman
Sensenbrenner	Williams
Shimkus	Wilson (SC)
Simpson	Wittman
Smith (MO)	Womack
Smith (NE)	Woodall
Smucker	Wright
Spano	Yoho
Stefanik	Zeldin
Stell	

NOT VOTING—16

Kirkpatrick	Roby
Lewis	San Nicolas
McCaul	Sewell (AL)
Morelle	Webster (FL)
Murphy (FL)	
Radewagen	

□ 2006

Mr. LAMALFA changed his vote from “aye” to “no.”

Messrs. CARBAJAL, BUTTERFIELD, POSEY, and ROY changed their vote from “no” to “aye.”

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. FOXX OF NORTH CAROLINA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 229, not voting 16, as follows:

[Roll No. 42]

AYES—190

Abraham	Bost	Collins (GA)
Aderholt	Brady	Comer
Allen	Brooks (AL)	Conaway
Amash	Brooks (IN)	Cook
Amodei	Buchanan	Crawford
Armstrong	Buck	Crenshaw
Arrington	Bucshon	Cuellar
Babin	Budd	Cunningham
Bacon	Burchett	Curtis
Baird	Burgess	Davidson (OH)
Balderson	Calvert	Davis, Rodney
Banks	Carter (GA)	DesJarlais
Barr	Carter (TX)	Diaz-Balart
Bergman	Chabot	Duncan
Biggs	Cheney	Dunn
Bilirakis	Cline	Emmer
Bishop (NC)	Cloud	Estes
Bishop (UT)	Cole	Ferguson

Fleischmann Kustoff (TN)
 Flores LaHood
 Fortenberry LaMalfa
 Foxx (NC) Lamborn
 Fulcher Latta
 Gallagher Lesko
 Gianforte Long
 Gibbs Loudermilk
 Gohmert Lucas
 Gonzalez (OH) Luetkemeyer
 González-Colón Marchant
 (PR) Marshall
 Gooden Massie
 Gosar Mast
 Granger McCarthy
 Graves (GA) McCaul
 Graves (LA) McHenry
 Graves (MO) Meadows
 Green (TN) Miller
 Griffith Mitchell
 Grothman Moolenaar
 Guest Mooney (WV)
 Guthrie Mullin
 Hagedorn Murphy (FL)
 Harris Murphy (NC)
 Hartzler Newhouse
 Hern, Kevin Norman
 Herrera Beutler Nunes
 Hice (GA) Olson
 Higgins (LA) Palazzo
 Hill (AR) Palmer
 Hollingsworth Pence
 Hudson Perry
 Hurd (TX) Posey
 Johnson (LA) Ratcliffe
 Johnson (OH) Reed
 Johnson (SD) Reschenthaler
 Jordan Rice (SC)
 Joyce (OH) Rigglesman
 Joyce (PA) Rodgers (WA)
 Katko Roe, David P.
 Keller Rogers (AL)
 Kelly (MS) Rogers (KY)
 Kelly (PA) Rooney (FL)
 King (IA) Rose, John W.
 Kinzinger Rouzer

NOES—229

Adams DelBene
 Aguilar Delgado
 Allred Demings
 Axne DeSaulnier
 Barragán Deutch
 Bass Dingell
 Beatty Doggett
 Bera Doyle, Michael
 Beyer F.
 Bishop (GA) Engel
 Blumenauer Escobar
 Blunt Rochester Espaillat
 Bonamici Evans
 Boyle, Brendan Finkenauer
 F. Fitzpatrick
 Brindisi Fletcher
 Brown (MD) Foster
 Brownley (CA) Frankel
 Bustos Fudge
 Butterfield Gallego
 Carbajal Garamendi
 Carson (IN) Garcia (IL)
 Cartwright Garcia (TX)
 Case Golden
 Casten (IL) Gomez
 Castor (FL) Gonzalez (TX)
 Castro (TX) Gottheimer
 Chu, Judy Green, Al (TX)
 Cicilline Grijalva
 Cisneros Haaland
 Clark (MA) Harder (CA)
 Clarke (NY) Hastings
 Clay Hayes
 Clyburn Heck
 Cohen Higgins (NY)
 Connolly Himes
 Cooper Horn, Kendra S.
 Correa Horsford
 Costa Houlahan
 Courtney Hoyer
 Cox (CA) Huffman
 Craig Huizenga
 Crist Jackson Lee
 Crow Jayapal
 Davids (KS) Jeffries
 Davis (CA) Johnson (GA)
 Davis, Danny K. Johnson (TX)
 Dean Kaptur
 DeFazio Keating
 DeGette Kelly (IL)
 DeLauro Kennedy

Roy Rutherford
 O'Halleran Scalise
 Ocasio-Cortez Schrader
 Omar Sarbanes
 Pallone Scanlon
 Peters Sarbanes
 Pappas Schakowsky
 Pascarell Schiff
 Payne Schneider
 Perlmutter Schrier
 Peters Scott (VA)
 Phillips Scott, David
 Pingree Serrano
 Plaskett Shalala
 Pocan Sherman
 Porter Sherrill
 Pressley Sires
 Price (NC) Slotkin
 Quigley Smith (NJ)
 Raskin Smith (WA)
 Rice (NY) Soto
 Richmond Speier
 Rose (NY) Stanton
 Rouda Stevens
 Roybal-Allard Suozzi
 Ruiz Swalwell (CA)
 Ruppertsberger Takano

Byrne Holding
 Cárdenas Kirkpatrick
 Cleaver Lewis
 Eshoo Meuser
 Gabbard Murrelle
 Gaetz Radewagen

Rush Thompson (CA)
 Ryan Thompson (MS)
 Sablan Titus
 Sánchez Tlaib
 Sarbanes Tonko
 Scanlon Torres (CA)
 Schakowsky Torres Small
 Schiff (NM)
 Schneider Trahan
 Schrier Trone
 Scott (VA) Underwood
 Scott, David Van Drew
 Serrano Vargas
 Shalala Veasey
 Sherman Vela
 Sherrill Velázquez
 Sires Visclosky
 Slotkin Walberg
 Smith (NJ) Wasserman
 Smith (WA) Schultz
 Soto Waters
 Speier Watson Coleman
 Stanton Welch
 Stevens Wexton
 Suozzi Wild
 Swalwell (CA) Wilson (FL)
 Takano Yarmuth

Gooden Loudermilk
 Gosar Lucas
 Granger Luetkemeyer
 Graves (GA) Marchant
 Graves (LA) Marshall
 Graves (MO) Massie
 Green (TN) Mast
 Griffith McCarthy
 Grothman McCaul
 Guest McClintock
 Guthrie McHenry
 Hagedorn McKinley
 Harris Meadows
 Hartzler Meuser
 Hern, Kevin Miller
 Herrera Beutler Mitchell
 Hice (GA) Moolenaar
 Higgins (LA) Mooney (WV)
 Hill (AR) Mullin
 Hollingsworth Murphy (NC)
 Hudson Newhouse
 Huizenga Norman
 Hurd (TX) Nunes
 Johnson (LA) Olson
 Johnson (OH) Palazzo
 Johnson (SD) Palmer
 Jordan Pence
 Joyce (OH) Perry
 Joyce (PA) Posey
 Keller Ratcliffe
 Kelly (MS) Reed
 Kelly (PA) Reschenthaler
 King (IA) Rice (SC)
 King (NY) Rigglesman
 Kinzinger Rodgers (WA)
 Kustoff (TN) Roe, David P.
 LaHood Rogers (AL)
 LaMalfa Rogers (KY)
 Lamborn Rooney (FL)
 Latta Rose, John W.
 Lesko Rouzer
 Long Roy

Adams DelBene
 Aguilar Delgado
 Allred Demings
 Amash DeSaulnier
 Axne Deutch
 Barragán Dingell
 Bass Doggett
 Beatty Doyle, Michael
 Bera F.
 Beyer Engel
 Bishop (GA) Escobar
 Blumenauer Eshoo
 Blunt Rochester Espaillat
 Bonamici Evans
 Bost Finkenauer
 Boyle, Brendan Fitzpatrick
 F. Fletcher
 Brindisi Foster
 Brown (MD) Frankel
 Brownley (CA) Fudge
 Bustos Gallego
 Butterfield Garamendi
 Carbajal Garcia (IL)
 Cárdenas Garcia (TX)
 Carson (IN) Golden
 Cartwright Gomez
 Case Gonzalez (TX)
 Casten (IL) Gottheimer
 Castor (FL) Green, Al (TX)
 Castro (TX) Grijalva
 Chu, Judy Haaland
 Cicilline Harder (CA)
 Cisneros Hastings
 Clark (MA) Hayes
 Clarke (NY) Heck
 Clay Higgins (NY)
 Clyburn Himes
 Cohen Horn, Kendra S.
 Connolly Horsford
 Cooper Houlahan
 Correa Hoyer
 Costa Huffman
 Courtney Jackson Lee
 Cox (CA) Jayapal
 Craig Jeffries
 Crist Johnson (GA)
 Crow Johnson (TX)
 Davids (KS) Kaptur
 Davis (CA) Katko
 Davis, Danny K. Keating
 Davis, Rodney Kelly (IL)
 Dean Kennedy
 DeFazio Khanna
 DeGette Kildee
 DeLauro Kilmer

Kim
 Kind
 Krishnamoorthi
 Kuster (NH)
 Lamb
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee (CA)
 Lee (NV)
 Levin (CA)
 Levin (MI)
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Luján
 Luria
 Lynch
 Malinowski
 Maloney
 Carolyn B.
 Maloney, Sean
 Matsui
 McAdams
 McBath
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Moulton
 Mucarsel-Powell
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Neguse
 Norcross
 Norton
 O'Halleran
 Ocasio-Cortez
 Omar
 Pallone
 Panetta
 Pappas
 Pascarell
 Payne
 Perlmutter

NOES—235

NOT VOTING—16

Roby
 San Nicolas
 Sewell (AL)
 Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 2011

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. DAVID P.
 ROE OF TENNESSEE

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Tennessee (Mr. DAVID
 P. ROE) on which further proceedings
 were postponed and on which the noes
 prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.
 The Acting CHAIR. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 187, noes 235,
 not voting 13, as follows:

[Roll No. 43]

AYES—187

Abraham Buck
 Aderholt Bucsosh
 Allen Budd
 Amodei Burchett
 Armstrong Burgess
 Arrington Calvert
 Babin Carter (GA)
 Bacon Carter (TX)
 Baird Chabot
 Balderson Cheney
 Banks Cline
 Barr Cloud
 Bergman Cole
 Biggs Collins (GA)
 Bilirakis Comer
 Bishop (NC) Conaway
 Bishop (UT) Cook
 Brady Crawford
 Brooks (AL) Crenshaw
 Brooks (IN) Cuellar
 Buchanan Cunningham

DelBene
 Delgado
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Engel
 Escobar
 Eshoo
 Espaillat
 Evans
 Finkenauer
 Fitzpatrick
 Fletcher
 Foster
 Frankel
 Fudge
 Gallego
 Garamendi
 Garcia (IL)
 Garcia (TX)
 Golden
 Gomez
 Gonzalez (TX)
 Gottheimer
 Green, Al (TX)
 Grijalva
 Haaland
 Harder (CA)
 Hastings
 Hayes
 Heck
 Higgins (NY)
 Himes
 Horn, Kendra S.
 Horsford
 Houlahan
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson (TX)
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kildee
 Kilmer

Peters Schiff Titus Haaland Maloney, Sean Sarbanes Rogers (AL) Spano Walker
 Peterson Schneider Tlaib Harder (CA) Patrick Rogers (KY) Stefanik Walorski
 Phillips Schrader Tonko Hastings Matsui Schakowsky Rooney (FL) Stell Waltz
 Pingree Schrier Torres (CA) Hayes McAdams Schief Schakowsky Rose, John W. Steube Watkins
 Plaskett Scott (VA) Heck McBeth Schaefer Rouzer Stewart Weber (TX)
 Pocan Scott, David (NM) Higgins (NY) McCollum Schrader Roy Stivers Wenstrup
 Porter Serrano Trahan Himes McEachin Schrier Rutherford Taylor Westerman
 Pressley Shalala Trone Horn, Kendra S. McGovern Scott (VA) Scalise Thompson (PA) Williams
 Price (NC) Sherman Underwood Horsford McKinley Scott, David Schweikert Thornberry
 Quigley Sherrill Van Drew Houlihan McNerney Serrano Scott, Austin Timmons Williams (SC)
 Raskin Sires Vargas Hoyer Meeks Shalala Sensenbrenner Tipton Wittman
 Rice (NY) Slotkin Veasey Meng Sherman Shimkus Turner Womack
 Richmond Smith (NJ) Vela Huffman Moore Sherrill Simpson Upton Woodall
 Rose (NY) Smith (WA) Velázquez Moulton Sires Smith (MO) Wright
 Rouda Soto Visclosky Jayapal Mucarsel-Powell Slotkin Smith (NE) Walberg Yoho
 Roybal-Allard Spanberger Wasserman Murphy (FL) Smith (NJ) Smucker Walden Zeldin
 Ruiz Speier Schultz Johnson (GA) Nader Smith (WA)
 Ruppberger Stanton Waters Johnson (TX) Kaptur Napolitano Soto
 Rush Stauber Watson Coleman Kapur Neal Spanberger
 Ryan Stevens Welch Katko Neale Speier
 Sablan Suozzi Wexton Keating Neguse Speier
 Sánchez Swalwell (CA) Wild Keating Neguse Stanton
 Sarbanes Takano Wilson (FL) Norton Norcross Stantton
 Scanlon Thompson (CA) Yarmuth O'Halleran Stauber
 Schakowsky Thompson (MS) Young Ocasio-Cortez Stevens Suozzi

NOT VOTING—13

Byrne Kirkpatrick San Nicolas
 Cleaver Lewis Sewell (AL)
 Gabbard Morelle Webster (FL)
 Gaetz Radewagen
 Holding Roby

□ 2015

So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. WILD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Pennsylvania (Ms. WILD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 178, not voting 15, as follows:

[Roll No. 44]

AYES—242

Adams Castor (FL) Demings
 Aguilar Castro (TX) DeSaulnier
 Allred Chu, Judy Deutch
 Amash Cicilline Dingell
 Axne Cisneros Doggett
 Bacon Clark (MA) Doyle, Michael
 Barragán Clarke (NY) F.
 Bass Clay Emmer
 Beatty Clyburn Engel
 Bera Cohen Escobar
 Bergman Connolly Eshoo
 Beyer Cooper Espallat
 Bilirakis Correa Evans
 Bishop (GA) Costa Pinkenauer
 Blumenauer Courtney Fitzpatrick
 Blunt Rochester Cox (CA) Fletcher
 Bonamici Craig Fortenberry
 Boyle, Brendan Crist Foster
 F. Crow Frankel
 Brindisi Cuellar Fudge
 Brown (MD) Cunningham Gallego
 Brownley (CA) Davids (KS) Garamendi
 Bustos Davis (CA) Garcia (IL)
 Butterfield Davis, Danny K. Garcia (TX)
 Carbajal Dean Golden
 Cárdenas DeFazio Gomez
 Carson (IN) DeGette Gonzalez (TX)
 Cartwright DeLauro Gottheimer
 Case DelBene Green, Al (TX)
 Casten (IL) Delgado Grijalva

Abraham
 Aderholt
 Allen
 Amodei
 Armstrong
 Arrington
 Babin
 Baird
 Balderson
 Banks
 Barr
 Biggs
 Bishop (NC)
 Bishop (UT)
 Bost
 Brady
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burchett
 Burgess
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Cheney
 Cline
 Cloud
 Cole
 Collins (GA)
 Comer
 Conaway
 Cook
 Crawford
 Crenshaw
 Curtis
 Davidson (OH)
 Davis, Rodney
 DesJarlais
 Diaz-Balart
 Duncan
 Dunn
 Estes
 Ferguson
 Fleischmann
 Flores
 Foxx (NC)
 Fulcher
 Gallagher
 Gianforte
 Gibbs
 Gohmert
 Gonzalez (OH)
 González-Colón
 (PR)
 Gooden
 Gosar
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green (TN)
 Griffith
 Grothman
 Guest
 Guthrie
 Hagedorn
 Harris
 Hartzer
 Hern, Kevin
 Herrera Beutler
 Hice (GA)
 Higgins (LA)
 Hill (AR)
 Hollingsworth
 Hudson
 Cook
 Huizenga
 Hurd (TX)
 Johnson (OH)
 Johnson (SD)
 Jordan
 Joyce (OH)
 Joyce (PA)
 Keller
 Kelly (MS)

NOES—178

Abraham
 Aderholt
 Allen
 Amodei
 Armstrong
 Arrington
 Babin
 Baird
 Balderson
 Banks
 Barr
 Biggs
 Bishop (NC)
 Bishop (UT)
 Bost
 Brady
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burchett
 Burgess
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Cheney
 Cline
 Cloud
 Cole
 Collins (GA)
 Comer
 Conaway
 Cook
 Crawford
 Crenshaw
 Curtis
 Davidson (OH)
 Davis, Rodney
 DesJarlais
 Diaz-Balart
 Duncan
 Dunn
 Estes
 Ferguson
 Fleischmann
 Flores
 Foxx (NC)
 Fulcher
 Lamborn
 Latta
 Long
 Loudermilk
 Lucas
 Luetkemeyer
 Marchant
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 Meadows
 Meuser
 Miller
 Mitchell
 Mooleenaar
 Mooney (WV)
 Mullin
 Murphy (NC)
 Newhouse
 Norman
 Nunes
 Olson
 Palazzo
 Palmer
 Pence
 Perry
 Posey
 Ratcliffe
 Reed
 Reschenthaler
 Rice (SC)
 Rigglesman
 Rodgers (WA)
 Roe, David P.

Byrne
 Cleaver
 Gabbard
 Gaetz
 Holding
 Johnson (LA)
 Kirkpatrick
 Lesko
 Lewis
 Morelle
 Johnson (LA)
 Kirkpatrick
 Lesko
 Lewis
 Morelle
 Johnson (LA)
 Kirkpatrick
 Lesko
 Lewis
 Morelle
 Johnson (LA)
 Kirkpatrick
 Lesko
 Lewis
 Morelle

NOT VOTING—15

Byrne
 Cleaver
 Gabbard
 Gaetz
 Holding
 Johnson (LA)
 Kirkpatrick
 Lesko
 Lewis
 Morelle

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 2019

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ALLEN
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. ALLEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
 The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 232, not voting 16, as follows:

[Roll No. 45]

AYES—187

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Armstrong
 Arrington
 Babin
 Bacon
 Baird
 Balderson
 Banks
 Barr
 Bergman
 Biggs
 Bilirakis
 Bishop (NC)
 Bishop (UT)
 Brady
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burchett
 Burgess
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Cheney
 Cline
 Cloud
 Cole
 Collins (GA)
 Comer
 Conaway
 Cook
 Crawford
 Crenshaw
 Curtis
 Davidson (OH)
 Davis, Rodney
 DesJarlais
 Diaz-Balart
 Duncan
 Dunn
 Estes
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx (NC)
 Fulcher
 Gallagher
 Gianforte
 Gibbs
 Gohmert
 Gonzalez (OH)
 Gonzalez-Colón
 (PR)
 Gooden
 Gosar
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green (TN)
 Griffith
 Grothman
 Guest
 Guthrie
 Hagedorn
 Harris
 Hartzer
 Hern, Kevin
 Herrera Beutler
 Hice (GA)
 Higgins (LA)
 Hill (AR)
 Hollingsworth
 Hudson
 Huizenga
 Hurd (TX)
 Johnson (LA)
 Johnson (OH)
 Johnson (SD)
 Jordan
 Joyce (PA)
 Katko
 Keller
 Kelly (MS)
 Kelly (PA)
 King (IA)
 Kinzinger
 Kustoff (TN)
 LaHood
 LaMalfa
 Lamborn
 Latta
 Loudermilk
 Comer
 Conaway
 Cook
 Crawford
 Crenshaw
 Cuellar
 Cunningham
 Curtis
 Davidson (OH)
 DesJarlais
 Diaz-Balart
 Duncan
 Dunn
 Estes
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx (NC)
 Fulcher
 Gallagher
 Gianforte
 Gibbs
 Gohmert
 Gonzalez (OH)
 Gonzalez-Colón
 (PR)
 Gooden
 Gosar
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green (TN)

Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey

Ratcliffe
Reed
Rice (SC)
Rigglesman
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stefanik
Steil
Steube
Stewart
Stivers

Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOES—232

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Emmer
Engel
Escobar
Eshoo
Español
Evans
Finkenauer

Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
García (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Houlihan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
King (NY)
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Luján
Luria
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath

McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Perlmutter
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Raskin
Reschenthaler
Rice (NY)
Richmond
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford

Stauber
Stevens
Suzuki
Swailwell (CA)
Takano
Trahan
Trone
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko

Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez

Visclosky
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

Byrne
Cisneros
Cleaver
Gabbard
Gautz
Holding

Kirkpatrick
Lewis
Lynch
Morelle
Price (NC)
Radewagen

NOT VOTING—16

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2023

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. MEADOWS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 235, not voting 14, as follows:

[Roll No. 46]

AYES—186

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford

Crenshaw
Cuellar
Cunningham
Curtis
Davidson (OH)
DesJarlais
Diaz-Balart
Duncan
Dunn
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxy (NC)
Fulcher
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón
Lesko
Long
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)

Higgins (LA)
Hill (AR)
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
Kingzer
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
Meadows
Meuser
Miller
Mitchell
Moolenaar

Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Rice (SC)
Rigglesman
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer

Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Turner

NOES—235

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Cox (CA)
Craig
Crist
Crow
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Emmer
Engel
Escobar
Eshoo
Español
Evans
Finkenauer
Frankel

Fudge
Gallego
Garamendi
García (IL)
García (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlihan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Luján
Luria
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath

Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sablan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schra der
Schrier
Scott (VA)
Scott, David
Serrano
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton

Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey

Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson Coleman

Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOT VOTING—14

Byrne
Cleaver
Gabbard
Gaetz
Holding

Hollingsworth
Kirkpatrick
Lewis
Morelle
Radewagen

Roby
San Nicolas
Sewell (AL)
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2026

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 404, noes 18, not voting 13, as follows:

[Roll No. 47]

AYES—404

Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess

Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Cardenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cline
Cloud
Clyburn
Cohen
Cole
Blunt Rochester
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar

Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DesJarlais
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael
F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Españillat
Estes
Evans
Pinkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Fox (NC)
Frankel
Fudge
Gallagher

Gallego
Garamendi
García (IL)
García (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
González-Colón (PR)
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Hollingsworth
Horn, Kendra S.
Horsford
Houlihan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Joyce (OH)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
King
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Long

Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Patrick
Marchant
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Norman
Norton
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Piscakett
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush

Rutherford
Ryan
Sablan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cline
Cloud
Clyburn
Cohen
Cole
Blunt Rochester
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar

NOES—18

Abraham
Amash

Biggs
Brooks (AL)

Gooden
Gosar
Griffith
Harris

Jordan
Joyce (PA)
Marshall
Massie

Ratcliffe
Roy
Waltz
Yoho

NOT VOTING—13

Byrne
Cleaver
Gabbard
Gaetz
Holding

Kirkpatrick
Lewis
Morelle
Radewagen
Roby

San Nicolas
Sewell (AL)
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2030

Mr. RICHMOND changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 OFFERED BY MR. ROUDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROUDA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 173, not voting 13, as follows:

[Roll No. 48]

AYES—249

Adams
Aguilar
Allred
Amash
Axne
Bacon
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney

Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DesJarlais
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Emmer
Engel
Escobar
Eshoo
Españillat
Evans
Finkenauer
Fitzpatrick
King (NY)
Fortenberry
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
García (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer

Graves (LA)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Hollingsworth
Horn, Kendra S.
Horsford
Houlihan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)

Levin (MI)	Payne	Smith (WA)
Lieu, Ted	Perlmutter	Soto
Lipinski	Peters	Spanberger
Loeb sack	Peterson	Speier
Lofgren	Phillips	Stanton
Lowenthal	Pingree	Stauber
Lowey	Plaskett	Stefanik
Lujan	Pocan	Stevens
Luria	Porter	Suo zzi
Lynch	Pressley	Swalwell (CA)
Malinowski	Price (NC)	Takano
Maloney,	Quigley	Thompson (CA)
Carolyn B.	Raskin	Thompson (MS)
Maloney, Sean	Rice (NY)	Titus
Matsui	Richmond	Tlaib
McAdams	Rose (NY)	Tonko
McBath	Rouda	Torres (CA)
McCollum	Roybal-Allard	Torres Small
McEachin	Ruiz	(NM)
McGovern	Ruppersberger	Trahan
McKinley	Rush	Trone
McNerney	Ryan	Underwood
Meeks	Sablan	Upton
Meng	Sánchez	Van Drew
Moore	Sarbanes	Vargas
Moulton	Scanlon	Veasey
Mucarsel-Powell	Schakowsky	Vela
Murphy (FL)	Schiff	Velázquez
Nadler	Schneider	Visclosky
Napolitano	Schrader	Wasserman
Neal	Schrier	Schultz
Neguse	Scott (VA)	Waters
Norcross	Scott, David	Watson Coleman
Norton	Sensenbrenner	Welch
O'Halleran	Serrano	Wexton
Ocasio-Cortez	Shalala	Wild
Omar	Sherman	Wilson (FL)
Pallone	Sherrill	Yarmuth
Panetta	Sires	Young
Pappas	Slotkin	Zeldin
Pascrell	Smith (NJ)	

NOES—173

Abraham	González-Colón	Mooney (WV)
Aderholt	(PR)	Mullin
Allen	Gooden	Murphy (NC)
Amodei	Gosar	Newhouse
Armstrong	Granger	Norman
Arrington	Graves (GA)	Nunes
Babin	Graves (MO)	Olson
Baird	Green (TN)	Palazzo
Balderson	Griffith	Palmer
Banks	Grothman	Pence
Barr	Guest	Perry
Biggs	Guthrie	Posey
Bilirakis	Hagedorn	Ratcliffe
Bishop (NC)	Harris	Reed
Bishop (UT)	Hartzler	Reschenthaler
Bost	Hern, Kevin	Rice (SC)
Brady	Herrera Beutler	Riggleman
Brooks (AL)	Hice (GA)	Rodgers (WA)
Brooks (IN)	Higgins (LA)	Roe, David P.
Buchanan	Hill (AR)	Rogers (AL)
Buck	Hudson	Rogers (KY)
Bucshon	Huizenga	Rooney (FL)
Budd	Hurd (TX)	Rose, John W.
Burchett	Johnson (LA)	Rouzer
Burgess	Johnson (OH)	Roy
Calvert	Johnson (SD)	Rutherford
Carter (GA)	Jordan	Scallise
Carter (TX)	Joyce (OH)	Schweikert
Chabot	Joyce (PA)	Scott, Austin
Cheney	Keller	Shimkus
Cline	Kelly (MS)	Simpson
Cloud	Kelly (PA)	Smith (MO)
Cole	King (IA)	Smith (NE)
Collins (GA)	Kustoff (TN)	Smucker
Comer	LaHood	Spano
Conaway	LaMalfa	Steil
Cook	Lamborn	Steube
Crawford	Latta	Stewart
Crenshaw	Lesko	Stivers
Curtis	Long	Taylor
Davidson (OH)	Loudermilk	Thompson (PA)
DesJarlais	Lucas	Thornberry
Diaz-Balart	Luetkemeyer	Timmons
Duncan	Marchant	Tipton
Dunn	Marshall	Turner
Estes	Massie	Wagner
Ferguson	Mast	Walberg
Fleischmann	McCarthy	Walden
Flores	McCaul	Walker
Foxx (NC)	McClintock	Walorski
Fulcher	McHenry	Waltz
Gallagher	Meadows	Watkins
Gianforte	Meuser	Weber (TX)
Gibbs	Miller	Wenstrup
Gohmert	Mitchell	Westerman
Gonzalez (OH)	Moolenaar	Williams

Wilson (SC)	Womack	Wright
Wittman	Woodall	Yoho

NOT VOTING—13

Byrne	Kirkpatrick	San Nicolas
Cleaver	Lewis	Sewell (AL)
Gabbard	Morelle	Webster (FL)
Gaetz	Radewagen	
Holding	Roby	

□ 2038

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. RASKIN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. PINGREE) having assumed the chair, Mr. RASKIN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (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, and for other purposes, and, pursuant to House Resolution 833, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KEVIN HERN of Oklahoma. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KEVIN HERN of Oklahoma. Madam Speaker, I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kevin Hern of Oklahoma moves to recommit the bill H.R. 2474 to the Committee on Education and Labor with instructions to report the same back to the House forthwith, with the following amendment:

Page 15, line 21, strike the closed quotation marks and the second period.

Page 15, after line 21, insert the following: “(j) A labor organization shall not communicate with an employee regarding joining or supporting the labor organization if the employee is not authorized to work in the United States.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma is recognized for 5 minutes in support of his motion.

Mr. KEVIN HERN of Oklahoma. Madam Speaker, this motion is the

final opportunity to amend the legislation and would do so without any delay in passage.

This amendment ensures that labor unions are not using illegal foreign labor to expand their region to the American workplaces and collect more union dues.

Under current law, an employee can sign a union authorization card to count toward the showing of interest in union elections regardless of whether that worker is authorized to work in the United States. Illegal immigrants should not be working at American companies, let alone used by labor unions to organize workplaces.

This motion to recommit ensures that unions cannot communicate with employees for organizing purposes if the employee is not legally authorized to work in the United States.

Because of the success I have worked for in life, not many people know that my life began very differently.

My family was dependant on food stamps for most of my youth. My stepdad never worked, and my siblings and I paid the price for it.

I knew from a young age that I would not let that be my life. From the moment I could start working, I did whatever it took to earn financial security: hog farming, welding, computer programming, and the list goes on.

If it weren't for the McDonald's Franchisee program, I wouldn't be here today. After 11 years working in the restaurants, I was able to work my way into the franchisee program and purchase my first franchise location, then build a successful company with over 20 locations; a program that allowed a person that came from a place like I did to achieve the American Dream.

I have lived a true American story. And my mission in life is to help every child who grew up like me, wondering where their next meal would come from, unsure if their lights would be on when they got home from school; I want those kids to know that our country is a place of opportunity and a place of hope for those who will work for it.

We shouldn't be here discussing this bill today. It is not worthy of this Chamber. But since we are, I must do everything I can to show my disapproval in the strongest terms.

The change we are proposing here is simple. We are asking that unions be barred from contacting individuals who are not eligible to work in this country.

If an employer cannot hire someone in our country illegally, a union should not be allowed to organize those individuals. Believe it or not, this is not currently outlawed.

If my colleagues insist on moving forward with legislation that empowers union bosses and strips independence from our workers, they should not do it in a way that encourages illegal immigration.

This motion to recommit would make the PRO Act pro-American worker, rather than just pro-union bosses.

I have been doing my research a long time. I spent 34 years as a business owner before coming to Congress. I have dealt with union issues for longer than some of my colleagues have been alive.

AFL-CIO President Richard Trumka, who will financially benefit from the passage of this bill, said:

Those who will oppose, delay, or derail this legislation, do not ask us for a single dollar or a door knock. We won't be coming.

Well, I am standing here today to let Mr. Trumka know that I proudly oppose this legislation.

One of the biggest glaring failures of this legislation is taking away employee choice; effectively repealing right-to-work laws all across this country, like in my home State, where we choose to empower employers and employees alike.

Decades of legal precedent will be pushed aside. Where workers have previously had the freedom to choose whether or not to pay fees and join a union, they will now be forced to pay membership fees or lose their job. This will put immeasurable power in the hands of union bosses.

Privacy provisions—that have been in place for decades—barring unions from accessing private information about employees, will be eradicated under this bill. You heard that right. Unions will be able to access employees' private information, even those that are not members of the union. They can use that information for anything; sell it to the highest bidder, all without the knowledge or the consent of the individuals.

The same franchises that gave me the opportunity to achieve the American Dream are under attack with this legislation. Over 750,000 franchise locations that employ more than 8 million people are at risk because of the joint employer provisions in the bill.

The expanded joint employer standard has cost franchise businesses \$33.3 billion per year; resulting in 376,000 lost job opportunities and 93 percent more lawsuits.

Many of the ideas in this bill have already been rejected in the court system and are currently opposed by a bipartisan coalition in Congress.

I urge my friends across the aisle to support the motion to recommit on behalf of the American worker and their right to choose.

Madam Speaker, I yield back the balance of my time.

Mr. LEVIN of Michigan. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. LEVIN of Michigan. Madam Speaker, the PRO Act is about tackling income inequality and remedying laws that have failed to protect workers' rights.

The PRO Act expressly says it shall not be construed to amend any laws regarding hiring undocumented workers. It also prevents employers from being

able to bust a union organizing drive simply by firing undocumented workers they had hired previously.

The real-world effect of this MTR is to create a perverse incentive to go ahead and hire undocumented workers, because they could never receive information from a union about organizing.

Moreover, carving out undocumented workers from organizing deters all workers from exercising their rights. Employees who witness employers violating labor laws without repercussions will be afraid to rely on the National Labor Relations Act.

Finally, our immigration laws require employers to find out about whether workers are documented or not. There is no provision in our laws that allow unions to find that out.

This MTR is truly bad policy. It will encourage more hiring of undocumented workers; exactly the opposite of what the authors intend. But the main thing is it will undermine the freedom to form unions and bargain collectively for all workers.

Republicans offered this MTR to score political points. But we are focused on rebuilding the American middle class.

I have spent most of my career helping workers form unions and bargain collectively. The power of workers to unite and demand fair wages, better benefits, and safer working conditions is truly inspiring, and it is essential for working families simply trying to get by.

Right now, corporate profits are skyrocketing, while the share of healthcare costs paid by employers is falling. Worker productivity is at a peak, yet wages are stagnant. The gap between the rich and poor is the highest ever recorded.

One of the main causes of these problems is declining union membership, which is at its lowest point in decades. The PRO Act is about reversing these trends so workers can enjoy their fair share in the economy that they help create.

Recent studies have shown that in cities where union membership is strong, children in low-income families go on to ascend to higher income levels than their parents. Isn't that what every parent wants?

Creating a pathway to a better life, that is the American Dream, and that is the power of a union.

Fifty-eight million Americans say they would join a union if given the opportunity; 58 million, 48 percent of non-union workers.

Just think of the impact we could have simply by making it easier for Americans to exercise the rights they already supposedly have under the law; rights that have been undermined systematically by special interests that want to keep the economy working for the very wealthiest, at the expense of the vast majority of Americans.

The PRO Act is about that most American of ideals, freedom. All we are doing today is allowing workers to de-

side on their own, free of harassment and intimidation, whether or not they wish to form a union and bargain collectively, and to access their other rights under the NLRA.

When we pass the PRO Act today, we say loud and clear that we are not on the side of special interests. We stand proudly on the side of working families.

I strongly urge my colleagues to vote "no" on this motion to recommit, and to vote "yes" on the PRO Act.

Madam Speaker, I yield to the gentleman from Virginia (Mr. SCOTT), the distinguished chairman of the Committee on Education and Labor.

Mr. SCOTT of Virginia. Madam Speaker, this is the last step before we can pass the PRO Act. We know that union members make higher salaries, get better benefits, work in safer workplaces. Nonunion members benefit from the high salaries.

Mr. LEVIN of Michigan. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KEVIN HERN of Oklahoma. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on:

Passage of H.R. 2474, if ordered; and Agreeing to H. Res. 826.

The vote was taken by electronic device, and there were—ayes 195, noes 223, not voting 11, as follows:

[Roll No. 49]

AYES—195

Abraham	Chabot	Gibbs
Aderholt	Chenev	Gohmert
Allen	Cline	Gonzalez (OH)
Amodei	Cloud	Gooden
Armstrong	Cole	Gosar
Arrington	Collins (GA)	Granger
Babin	Comer	Graves (GA)
Bacon	Conaway	Graves (LA)
Baird	Cook	Graves (MO)
Balderson	Crawford	Green (TN)
Banks	Crenshaw	Griffith
Barr	Cunningham	Grothman
Bergman	Curtis	Guest
Biggs	Davidson (OH)	Guthrie
Bilirakis	Davis, Rodney	Hagedorn
Bishop (NC)	DesJarlais	Harris
Bishop (UT)	Diaz-Balart	Hartzler
Bost	Duncan	Hern, Kevin
Brady	Dunn	Herrera Beutler
Brooks (AL)	Emmer	Hice (GA)
Brooks (IN)	Estes	Higgins (LA)
Buchanan	Ferguson	Hill (AR)
Buck	Fitzpatrick	Hollingsworth
Bucshon	Fleischmann	Hudson
Budd	Flores	Huizenga
Burchett	Fortenberry	Hurd (TX)
Burgess	Fox (NC)	Johnson (LA)
Calvert	Fulcher	Johnson (OH)
Carter (GA)	Gallagher	Johnson (SD)
Carter (TX)	Gianforte	Jordan

Joyce (OH) Murphy (NC)
 Joyce (PA) Newhouse
 Katko Norman
 Keller Nunes
 Kelly (MS) Olson
 Kelly (PA) Palazzo
 King (IA) Palmer
 King (NY) Pence
 Kinzinger Perry
 Kustoff (TN) Peterson
 LaHood Posey
 LaMalfa Ratcliffe
 Lamborn Reed
 Latta Reschenthaler
 Lesko Rice (SC)
 Long Rigglesman
 Loudermilk Rodgers (WA)
 Lucas Roe, David P.
 Luetkemeyer Rogers (AL)
 Marchant Rogers (KY)
 Marshall Rooney (FL)
 Massie Rose, John W.
 Mast Rouzer
 McCarthy Roy
 McCaul Rutherford
 McClintock Scalise
 McHenry Schweikert
 McKinley Scott, Austin
 Meadows Sensenbrenner
 Meuser Shimkus
 Miller Simpson
 Mitchell Smith (MO)
 Moolenaar Smith (NE)
 Mooney (WV) Smith (NJ)
 Mullin Smucker

NOES—223

Adams Doyle, Michael
 Aguilar F.
 Allred Engel
 Amash Escobar
 Axne Eshoo
 Barragán Espaillat
 Bass Evans
 Beatty Finkenauer
 Bera Fletcher
 Beyer Foster
 Bishop (GA) Frankel
 Blumenauer Fudge
 Blunt Rochester Gallego
 Bonamici Garamendi
 Boyle, Brendan Garcia (IL)
 F. Garcia (TX)
 Golden
 Brindisi Gomez
 Brown (MD) Gonzalez (TX)
 Brownley (CA) Gottheimer
 Bustos Moore
 Butterfield Grijalva
 Carbajal Haaland
 Cárdenas Harder (CA)
 Carson (IN) Hastings
 Cartwright Nadler
 Case Hayes
 Heck Napolitano
 Casten (IL) Neal
 Castor (FL) Neguse
 Himes Norcross
 Castro (TX) Horn, Kendra S.
 Chu, Judy Horsford
 Cicilline Houlihan
 Cisneros Hoyer
 Clark (MA) Huffman
 Clarke (NY) Jackson Lee
 Clay Jayapal
 Clyburn Jeffries
 Cohen Johnson (GA)
 Connolly Johnson (TX)
 Cooper Kaptur
 Correa Keating
 Costa Kelly (IL)
 Courtney Porter
 Cox (CA) Kennedy
 Craig Khanna
 Crist Kildee
 Crow Kilmer
 Cuellar Kim
 Davids (KS) Kind
 Davis (CA) Krishnamoorthi
 Davis, Danny K. Kuster (NH)
 Dean Lamb
 DeFazio Langevin
 DeGette Larsen (WA)
 DeLauro Larson (CT)
 DelBene Lawrence
 Demings Lawson (FL)
 DeSaulnier Lee (CA)
 Deutch Lee (NV)
 Dingell Levin (CA)
 Doggett Deutch
 Lipinski

Schraeder Schroder
 Schrier Scott (VA)
 Scott (VA) Scott, David
 Serrano Steil
 Shalala Steube
 Sherman Stewart
 Sherrill Stivers
 Sires Taylor
 Slotkin Thompson (PA)
 Smith (WA) Thornberry
 Soto Timmons
 Speier Tipton
 Stanton Turner
 Stevens Upton

Byrne Holding
 Cleaver Kirkpatrick
 Gabbard Lewis
 Gaetz Morelle

□ 2100

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FOXX of North Carolina. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 194, not voting 12, as follows:

[Roll No. 50]

AYES—224

Adams DeFazio
 Aguilar DeGette
 Allred DeLauro
 Axne DelBene
 Barragán Delgado
 Bass Demings
 Beatty DeSaulnier
 Bera Deutch
 Beyer Dingell
 Bishop (GA) Doggett
 Blumenauer Doyle, Michael
 Blunt Rochester F.
 Bonamici Engel
 Boyle, Brendan Escobar
 F. Espaillat
 Brindisi Brown (MD)
 Brown (CA) Brownley (CA)
 Bustos Bustos
 Butterfield Butterfield
 Carbajal Fletcher
 Cárdenas Panetta
 Carson (IN) Pappas
 Cartwright Fudge
 Case Gallego
 Casten (IL) Garamendi
 Castor (FL) Garcia (IL)
 Castro (TX) Garcia (TX)
 Chu, Judy Golden
 Cicilline Gomez
 Cisneros Gonzalez (TX)
 Clark (MA) Gottheimer
 Clarke (NY) Green, Al (TX)
 Clay Grijalva
 Clyburn Haaland
 Cohen Harder (CA)
 Connolly Hastings
 Cooper Hayes
 Correa Heck
 Costa Higgins (NY)
 Courtney Himes
 Cox (CA) Horsford
 Craig Houlihan
 Crist Hoyer
 Crow Huffman
 Cuellar Jackson Lee
 Davids (KS) Jayapal
 Davis (CA) Jeffries
 Davis, Danny K. Johnson (GA)
 Dean Johnson (TX)

Norcross
 O'Halleran
 Ocasio-Cortez
 Omar
 Pallone
 Panetta
 Pappas
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Phillips
 Pingree
 Pocan
 Porter
 Pressley
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rose (NY)
 Rouda
 Roybal-Allard
 Ruiz
 Ruppertsberger

Rush
 Ryan
 Sánchez
 Sarbanes
 Scanlon
 Schakowsky
 Schiff
 Schneider
 Schrier
 Scott (VA)
 Scott, David
 Serrano
 Shalala
 Sherman
 Sherrill
 Sires
 Slotkin
 Smith (NJ)
 Smith (WA)
 Soto
 Spangler
 Speier
 Stanton
 Stevens
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)

NOES—194

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Armstrong
 Arrington
 Babin
 Bacon
 Baird
 Balderson
 Banks
 Barr
 Bergman
 Biggs
 Bilirakis
 Bishop (NC)
 Bishop (UT)
 Bost
 Brady
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burchett
 Burgess
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Cheney
 Cline
 Cloud
 Cole
 Collins (GA)
 Comer
 Conaway
 Cook
 Crawford
 Crenshaw
 Cuellar
 Cunningham
 Curtis
 Davidson (OH)
 Davis, Rodney
 DesJarlais
 Diaz-Balart
 Duncan
 Dunn
 Emmer
 Estes
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foxx (NC)
 Fulcher
 Gallagher
 Gianforte
 Gibbs
 Gohmert
 Gonzalez (OH)
 Gooden

NOT VOTING—12

Byrne
 Cleaver
 Gabbard
 Gaetz
 Holding
 Kirkpatrick

LaHood Lewis Morelle Roby Sewell (AL) Webster (FL)

Lowey Lujan Luria Lynch Malinowski Maloney, Carolyn B. Maloney, Sean Matsui McAdams McBath McCollum McEachin McGovern McNeerney Meeks Meng Moore Moulton Mucarsel-Powell Murphy (FL) Nadler Napolitano Neal Neguse O'Halleran Ocasio-Cortez Omar Pallone Panetta Pappas Pascrell Payne Perlmutter

Peters Peterson Phillips Pingree Pocan Porter Pressley Price (NC) Quigley Raskin Rice (NY) Richmond Rose (NY) Rouda Roybal-Allard Ruiz Ruppertsberger Rush Ryan Sanchez Sarbanes Scanlon Schakowsky Schiff Schneider Schrier Scott (VA) Scott, David Serrano Shalala Sherman Sherrill Sires Slotkin

Smith (WA) Soto Spanberger Speier Stanton Pocan Stevens Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS)

Wittman Womack Woodall Wright Young Zeldin

NOT VOTING—16

Armstrong Barr Byrne Cleaver Gabbard Gaetz Holding Kirkpatrick Lewis Marchant Morelle Norcross

□ 2114

So the resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Madam Speaker, I was absent today due to a medical emergency. Had I been present, I would have voted: "yea" on rollcall No. 38, "yea" on rollcall No. 39, "yea" on rollcall No. 40, "yea" on rollcall No. 41, "no" on rollcall No. 42, "no" on rollcall No. 43, "yea" on rollcall No. 44, "no" on rollcall No. 45, "no" on rollcall No. 46, "yea" on rollcall No. 47, "yea" on rollcall No. 48, "no" on rollcall No. 49, "yea" on rollcall No. 50, and "yea" on rollcall No. 51.

□ 2107

So the bill was passed. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

EXPRESSING DISAPPROVAL OF THE TRUMP ADMINISTRATION'S HARMFUL ACTIONS TOWARDS MEDICAID

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of the resolution (H. Res. 826) expressing disapproval of the Trump administration's harmful actions towards Medicaid, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 190, not voting 16, as follows:

[Roll No. 51] YEAS—223

Adams Aguilar Allred Axne Barragan Bass Beatty Bera Beyer Bishop (GA) Blumenauer Blunt Rochester Bonamici Boyle, Brendan F. Brindisi Brown (MD) Brownley (CA) Bustos Butterfield Carbajal Cárdenas Carson (IN) Cartwright Case Casten (IL) Castor (FL) Castro (TX) Chu, Judy Cicilline Cisneros Clark (MA) Clarke (NY) Clay Clyburn Cohen Connolly Cooper Correa Costa Courtney Cox (CA) Craig Crist Crow Cuellar Cunningham Davids (KS) Davis (CA) Davis, Danny K. Dean DeFazio DeGette DeLauro DelBene Delgado Demings DeSaulnier Deutch Dingell Doggett Doyle, Michael F. Engel Escobar Eshoo Espaillat Evans Finkenauer Fletcher Foster Frankel Fudge Gallego Garamendi Garcia (IL) Garcia (TX) Golden Gomez Gonzalez (TX) Gottheimer Green, Al (TX) Grijalva Haaland Harder (CA) Hastings Hayes Heck Higgins (NY) Himes Horn, Kendra S. Horsford Houlihan Hoyer Huffman Jackson Lee Jayapal Jeffries Johnson (GA) Johnson (TX) Kaptur Keating Kelly (IL) Kennedy Khanna Kildee Kilmer Kim Kind Krishnamoorthi Kuster (NH) Lamb Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Lee (CA) Lee (NV) Levin (CA) Levin (MI) Lieu, Ted Lipinski Loebsack Lofgren Lowenthal

NAYS—190

Abraham Aderholt Allen Amash Amodei Arrington Babin Bacon Baird Balderson Banks Bergman Biggs Bilirakis Bishop (NC) Bishop (UT) Bost Brady Brooks (AL) Brooks (IN) Buchanan Buck Bucshon Budd Burchett Burgess Calvert Carter (GA) Carter (TX) Chabot Cheney Cline Cloud Cole Collins (GA) Comer Conaway Cook Crawford Crenshaw Curtis Davidson (OH) Davis, Rodney DesJarlais Diaz-Balart Duncan Dunn Emmer Estes Ferguson Fitzpatrick Fleischmann Flores Fortenberry Foxx (NC) Fulcher Gallagher Gallaghe Giffords Gibbs Gohmert Gonzalez (OH) Gooden Gosar Granger Graves (GA) Graves (LA) Graves (MO) Green (TN) Griffith Grothman Guest Guthrie Hagedorn Harris Hartzler Hern, Kevin Herrera Beutler Hice (GA) Higgins (LA) Hill (AR) Hollingsworth Hudson Huizenga Hurd (TX) Johnson (LA) Johnson (OH) Johnson (SD) Jordan Joyce (OH) Joyce (PA) Katko Keller Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Kustoff (TN) LaHood LaMalfa Lamborn Latta Lesko Long Loudermilk Lucas Luetkemeyer Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinley Meadows Meuser Miller Mitchell Moelenaar Mooney (WV) Mullin Murphy (NC) Newhouse Norman Nunes Olson Palazzo Palmer Pence Perry Posey Ratcliffe Reed Reschenthaler Rice (SC) Riggleman Rodgers (WA) Roe, David P. Rogers (AL) Rogers (KY) Rooney (FL) Rose, John W. Rouzer Roy Rutherford Scalise Schrader Schweikert Scott, Austin Sensenbrenner Shimkus Simpson Smith (MO) Smith (NE) Smith (NJ) Smucker Spano Stauber Stefanik Steil Steube Stewart Stivers Taylor Thompson (PA) Thornberry Timmons Tipton Turner Upton Van Drew Wagner Walberg Walden Walker Walorski Waltz Watkins Weber (TX) Wenstrup Westerman Williams Wilson (SC)

MOMENT OF SILENCE HONORING REPRESENTATIVE FORTNEY "PETE" STARK

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, we rise to honor the legacy of Representative Fortney "Pete" Stark, who passed away on January 24.

With his passing, the country, California, and the East Bay community lost a champion of the people and a leader of great courage and compassion who served in the House of Representatives for 40 years.

Those of us who had the honor of serving with Pete in our California congressional delegation have all lost a dear friend.

Pete was a relentless champion for universal healthcare. He had an unrivaled understanding of the challenges of America's health system.

Whether it was fighting for COBRA to help working families maintain their coverage during times of financial insecurity or taking a leading role in writing the Affordable Care Act, Pete always seized opportunities to expand access to quality, affordable healthcare for all.

Pete will rightly be remembered and celebrated for his commitment to fighting for those in need, particularly America's children.

He fought relentlessly to improve our children's access to quality education, to protect clean air for them to breathe and clean water for them to drink, and to leave them a more peaceful world.

Pete leaves behind a legacy that will inspire generations of future lawmakers, and he leaves behind a wonderful family, whom he adored, who are with us tonight.

May it give comfort to his wife, Deborah; his children, Jeffrey, Beatrice, Thekla, Sarah, Fish, also known