

the petition to the actual election, little opportunity for employers to learn their rights or communicate with their employees their rights, and less opportunities for employees to research the union and the ramifications of forming the union.

The NLRB is ensuring that the odds are stacked against the employees and the businesses. This vote is an opportunity to tell the National Labor Relations Board to reverse course.

I hope this resolution will convince the National Labor Relations Board to pull back from this disastrous rule and encourage them to focus on their statutory mission rather than overturning decades of settled practice that ensures that this process is held in a timely manner and that there is a fair opportunity for all sides to understand, to participate, and to exercise their rights.

The NLRB's purpose is to enforce the National Labor Relations Act, which is a carefully balanced law that has only rarely been changed. When changes have occurred, they have been the result of careful negotiations, with input from stakeholders and thoughtful debate.

The NLRB is attempting a sneak attack through the rulemaking process. This is an ambush on the National Labor Relations Act to set up ambush elections.

The National Labor Relations Board is an agency that has historically issued very few regulations. Most of the questions that come up under the law are handled through the decisions of the Board. Board decisions often do change the enforcement of the law significantly, but they are issued in response to an actual dispute and a question of law.

In contrast, the ambush election is not a response to a real problem because the current election process for certifying whether employees want to form a union is not broken. The rule was not carefully negotiated by stakeholders, it was not made with careful debate, and there was no attempt to reach a consensus.

In the late 1950s Congress worked to pass the Landrieu-Griffin Act, which protected the rights of both rank-and-file union members and their employees. This was a carefully constructed piece of legislation that came out of a special committee to study the issue, that heard from more than 1,500 witnesses over 3 years. And Congress debated the issue of how long a period of

time there should be between the request for an election and the actual election coming up during those negotiations.

My colleagues may be surprised to learn—although they wouldn't if they were listening to the previous two speeches—that it was Senator John F. Kennedy who argued vigorously for a 30-day waiting period prior to the election. He said:

There should be at least a 30 day interval between a request for an election and the holding of an election . . . in which both parties can present their viewpoints. . . . The 30 day waiting period is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues.

Again, that was a quote by Senator John F. Kennedy, speaking directly to the need for fairness to employees. The 30-day waiting period provision he supported did not ultimately become part of the law, and obviously it is not a law today. Instead, the NLRB adopted the practice of a 25-day waiting period in almost every case.

This caution about the need for employees to have a chance to become familiar with the issues is just as true today. Employees who are not aware of the organizing activity at their worksites and even those who are need to have an opportunity to learn about the union they may join. They will want to research the union to ensure it has no signs of corruption. They will want to know how other worksites have fared with this union and whether they can believe the promises the union organizers may be extending. Employees should have every chance to understand the impact of unionization. Four decades ago Senators recognized that employees deserved the opportunity to gather this and all other relevant information before casting their votes. Unfortunately, the NLRB is choosing to ignore this caution, and rank-and-file employees will suffer.

This situation is exactly what the Congressional Review Act was intended for. When an agency goes too far and tries to impose rules and regulations that are unnecessary or harmful—in this case, both—the Congressional Review Act gives Congress an expedited process for repealing that regulation. It is a process that cannot be held up and cannot be stalled or put off to ensure that Congress can act when it needs to stop an out-of-control agency.

By any measure, the current law and certification system for union elections ensures that the process is fair for all parties and that all parties have

the opportunity to exercise their rights and to fully understand the implications. The National Labor Relations Board has not made the case that elections are being held up or stalled. They cannot make the case because the data doesn't support it. I want to repeat. The National Labor Relations Board has not made the case that elections are being held up or stalled. They cannot make that case because the data doesn't support it. There is no need for this rule, which is just a handout to Big Labor, which relies on pushing unions forward before businesses and employees have a chance to study and understand the full effects.

This resolution will preserve the fairness and swift resolution of claims which occur under current law. It will not disadvantage unions or roll back any rights. It is important to say that again because there is going to be a lot of misinformation about what this resolution does. This resolution does not disadvantage unions or roll back any union rights. What it does is it ensures that small business employers and employees in America are not unfairly disadvantaged by a burdensome process and that employees are not misled with insufficient or incorrect information during the union election process.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ENZI. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Under a successful Congressional Review Act disapproval, the agency in question is prohibited from issuing any substantially similar regulation. That means the National Labor Relations Board could not just reissue this regulation again and again, as they have currently done.

I encourage my colleagues to support this resolution to ensure that the National Labor Relations Board understands that this rule is a no-go and that we will stand up to ensure a fair process.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I wish to make a unanimous consent request that Lt. Col. Anthony McCarty, a defense fellow in my office, be granted floor privileges for the remainder of this year.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel: