

The SPEAKER pro tempore. The motion is not debatable.

The question is on the motion offered by the gentleman from Texas.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 166, not voting 34, as follows:

[Roll No. 339]

AYES—234

Abraham	Graves (MO)	Palmer
Aderholt	Griffith	Paulsen
Allen	Grothman	Pearce
Amash	Guinta	Perry
Amodei	Guthrie	Pittenger
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishkek	Hartzler	Price, Tom
Bilirakis	Heck (NV)	Ratcliffe
Bishop (MI)	Hensarling	Reed
Bishop (UT)	Hice, Jody B.	Reichert
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (KS)	Rooney (FL)
Bucshon	Jenkins (WV)	Ros-Lehtinen
Burgess	Johnson (OH)	Roskam
Byrne	Johnson, Sam	Ross
Calvert	Jolly	Rothfus
Carter (GA)	Jordan	Rouzer
Carter (TX)	Joyce	Royce
Chabot	Katko	Russell
Chaffetz	Kelly (MS)	Salmon
Coffman	Kelly (PA)	Sanford
Cole	King (IA)	Scalise
Collins (GA)	King (NY)	Schweikert
Collins (NY)	Kinzing (IL)	Scott, Austin
Comstock	Kline	Sensenbrenner
Conaway	Knight	Shimkus
Cook	Labrador	Shuster
Costello (PA)	LaHood	Simpson
Cramer	LaMalfa	Smith (MO)
Crawford	Lamborn	Smith (NE)
Crenshaw	Lance	Smith (NJ)
Culberson	Latta	Smith (TX)
Curbelo (FL)	LoBiondo	Stefanik
Davidson	Long	Stewart
Davis, Rodney	Loudermilk	Stivers
Denham	Love	Stutzman
Dent	Lucas	Thompson (PA)
DeSantis	Luetkemeyer	Tiberi
DesJarlais	Lummis	Tipton
Diaz-Balart	MacArthur	Trott
Dold	Marchant	Turner
Donovan	Massie	Upton
Duffy	McCarthy	Valadao
Duncan (SC)	McCaul	Wagner
Duncan (TN)	McClintock	Walberg
Ellmers (NC)	McHenry	Walker
Emmer (MN)	McKinley	Walorski
Farenthold	McMorris	Walters, Mimi
Fitzpatrick	Rodgers	Weber (TX)
Fleischmann	McSally	Webster (FL)
Fleming	Meadows	Wenstrup
Flores	Meehan	Westerman
Forbes	Messer	Williams
Fortenberry	Mica	Wilson (SC)
Fox	Miller (FL)	Wittman
Franks (AZ)	Moolenaar	Womack
Frelinghuysen	Mooney (WV)	Woodall
Garrett	Mullin	Yoder
Gibbs	Mulvaney	Yoho
Gibson	Murphy (PA)	Young (IA)
Gohmert	Neugebauer	Young (IN)
Goodlatte	Newhouse	Zeldin
Gosar	Noem	Zinke
Gowdy	Nugent	
Granger	Nunes	
Graves (GA)	Olson	
Graves (LA)	Palazzo	

NOES—166

Adams	Frankel (FL)	Napolitano
Aguilar	Fudge	Neal
Bass	Gabbard	Nolan
Beatty	Gallego	Norcross
Becerra	Garamendi	O'Rourke
Bera	Graham	Pascarell
Beyer	Green, Al	Payne
Bishop (GA)	Gutiérrez	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan F.	Heck (WA)	Peterson
Brady (PA)	Himes	Pingree
Brown (FL)	Honda	Pocan
Brownley (CA)	Hoyer	Price (NC)
Bustos	Huffman	Quigley
Butterfield	Israel	Rangel
Capps	Jackson Lee	Rice (NY)
Capuano	Jeffries	Richmond
Cárdenas	Johnson (GA)	Roybal-Allard
Carney	Johnson, E. B.	Ruiz
Carson (IN)	Kaptur	Ruppersberger
Cartwright	Keating	Rush
Castor (FL)	Kelly (IL)	Ryan (OH)
Castro (TX)	Kennedy	Sánchez, Linda T.
Chu, Judy	Kildee	Sarbanes
Ciilline	Kilmer	Schakowsky
Clark (MA)	Kind	Schiff
Clarke (NY)	Kuster	Scott (VA)
Cleaver	Langevin	Scott, David
Clyburn	Larsen (WA)	Serrano
Cohen	Larson (CT)	Sewell (AL)
Connolly	Lawrence	Sherman
Conyers	Lee	Sinema
Cooper	Levin	Sires
Costa	Lewis	Slaughter
Courtney	Lieu, Ted	Smith (WA)
Crowley	Lipinski	Swallow (CA)
Cuellar	Loebach	Takano
Davis (CA)	Lofgren	Thompson (CA)
DeGette	Lowenthal	Thompson (MS)
Delaney	Lowe	Titus
DeLauro	Lujan Grisham	Tonko
DeBene	(NM)	Torres
DeSaulnier	Lujan, Ben Ray	Tsongas
Deutsch	(NM)	Van Hollen
Dingell	Maloney, Sean	Vargas
Doggett	Maloney, Carolyn	Veasey
Doyle, Michael F.	Malone, Sean	Velázquez
Duckworth	Matsumi	Visclosky
Edwards	McCollum	Wasserman
Ellison	McGovern	Schultz
Engel	McNerney	Waters, Maxine
Eshoo	Meeks	Watson Coleman
Esty	Meng	Welch
Farr	Moore	Wilson (FL)
Foster	Moulton	Yarmuth
	Murphy (FL)	
	Nadler	

NOT VOTING—34

Ashford	Herrera Beutler	Sanchez, Loretta
Bost	Higgins	Schader
Clawson (FL)	Hinojosa	Speier
Clay	Jones	Takai
Cummings	Kirkpatrick	Thornberry
Davis, Danny	Lynch	Vela
DeFazio	Marino	Walz
Fattah	McDermott	Westmoreland
Fincher	Miller (MI)	Whitfield
Grayson	Pallone	Young (AK)
Green, Gene	Pitts	
Grijalva	Polis	

□ 0117

So the motion to fix next convening time was agreed to.

The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 173, not voting 27, as follows:

[Roll No. 340]

AYES—234

Abraham	Graves (MO)	Palmer
Aderholt	Griffith	Paulsen
Allen	Grothman	Pearce
Amash	Guinta	Perry
Amodei	Guthrie	Pittenger
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishkek	Hartzler	Price, Tom
Bilirakis	Heck (NV)	Ratcliffe
Bishop (MI)	Hensarling	Reed
Bishop (UT)	Hice, Jody B.	Reichert
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (KS)	Rooney (FL)
Bucshon	Jenkins (WV)	Ros-Lehtinen
Burgess	Johnson (OH)	Roskam
Byrne	Johnson, Sam	Ross
Calvert	Jordan	Rothfus
Carter (GA)	Joyce	Rouzer
Carter (TX)	Katko	Royce
Chabot	Kelly (MS)	Russell
Chaffetz	Kelly (PA)	Salmon
Coffman	King (IA)	Sanford
Cole	King (NY)	Scalise
Collins (GA)	Kinzing (IL)	Schweikert
Collins (NY)	Kline	Scott, Austin
Comstock	Knight	Sensenbrenner
Conaway	Labrador	Sessions
Cook	LaHood	Shimkus
Costello (PA)	LaMalfa	Shuster
Cramer	Lamborn	Simpson
Crawford	Lance	Smith (MO)
Crenshaw	Latta	Smith (NE)
Culberson	LoBiondo	Smith (NJ)
Curbelo (FL)	Long	Smith (TX)
Davidson	Loudermilk	Stefanik
Davis, Rodney	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marchant	Tipton
Dold	Massie	Trott
Donovan	McCarthy	Turner
Duffy	McCaul	Upton
Duncan (SC)	McClintock	Valadao
Duncan (TN)	McHenry	Wagner
Ellmers (NC)	McKinley	Walberg
Emmer (MN)	McMorris	Walker
Farenthold	Rodgers	Walorski
Fitzpatrick	McSally	Walters, Mimi
Fleischmann	Meadows	Weber (TX)
Fleming	Meehan	Webster (FL)
Flores	Messer	Wenstrup
Forbes	Mica	Westerman
Fortenberry	Miller (FL)	Williams
Fox	Moolenaar	Wilson (SC)
Franks (AZ)	Mooney (WV)	Wittman
Frelinghuysen	Mullin	Womack
Garrett	Mulvaney	Woodall
Gibbs	Murphy (PA)	Yoder
Gibson	Neugebauer	Yoho
Gohmert	Newhouse	Young (IA)
Goodlatte	Noem	Young (IN)
Gosar	Nugent	Zeldin
Gowdy	Nunes	Zinke
Granger	Olson	
Graves (GA)	Palazzo	
Graves (LA)		

NOES—173

Adams	Bonamici	Cárdenas
Aguilar	Boyle, Brendan F.	Carney
Ashford	Brady (PA)	Carson (IN)
Bass	Brown (FL)	Cartwright
Beatty	Brownley (CA)	Castor (FL)
Becerra	Bustos	Castro (TX)
Bera	Butterfield	Chu, Judy
Beyer	Capps	Ciilline
Bishop (GA)	Capuano	Clark (MA)
Blumenauer		Clarke (NY)

Cleaver	Jackson Lee	Pelosi
Clyburn	Jeffries	Perlmutter
Cohen	Johnson (GA)	Peters
Connolly	Johnson, E. B.	Peterson
Conyers	Kaptur	Pingree
Cooper	Keating	Pocan
Costa	Kelly (IL)	Price (NC)
Courtney	Kennedy	Quigley
Crowley	Kildee	Rangel
Cuellar	Kilmer	Rice (NY)
Cummings	Kind	Richmond
Davis (CA)	Kuster	Roybal-Allard
DeFazio	Langevin	Ruiz
DeGette	Larsen (WA)	Ruppersberger
Delaney	Larson (CT)	Rush
DeLauro	Lawrence	Ryan (OH)
DelBene	Lee	Sánchez, Linda
DeSaulnier	Levin	T.
Deutch	Lewis	Sarbanes
Dingell	Lieu, Ted	Schakowsky
Doggett	Lipinski	Schiff
Dold	Loeb	Scott (VA)
Doyle, Michael	Lofgren	Scott, David
F.	Lowenthal	Serrano
Duckworth	Lowey	Sewell (AL)
Edwards	Lujan Grisham	Sherman
Ellison	(NM)	Sinema
Engel	Lujan, Ben Ray	Sires
Eshoo	(NM)	Slaughter
Esty	Lynch	Smith (WA)
Farr	Maloney,	Swalwell (CA)
Foster	Carolyn	Takano
Frankel (FL)	Maloney, Sean	Thompson (CA)
Fudge	Matsui	Thompson (MS)
Gabbard	McCollum	Titus
Gallagher	McGovern	Tonko
Garamendi	McNerney	Torres
Graham	Meeks	Tsongas
Green, Al	Meng	Van Hollen
Green, Gene	Moore	Vargas
Grijalva	Moulton	Veasey
Gutiérrez	Murphy (FL)	Velázquez
Hahn	Nadler	Visclosky
Hastings	Napolitano	Wasserman
Heck (WA)	Neal	Schultz
Himes	Nolan	Waters, Maxine
Honda	Norcross	Watson Coleman
Hoyer	O'Rourke	Welch
Huffman	Pascarell	Wilson (FL)
Israel	Payne	Yarmuth

NOT VOTING—27

Clawson (FL)	Jones	Schrader
Clay	Kirkpatrick	Speier
Davis, Danny	Marino	Takai
Fattah	McDermott	Thornberry
Fincher	Miller (MI)	Vela
Grayson	Pallone	Walz
Herrera Beutler	Pitts	Westmoreland
Higgins	Polis	Whitfield
Hinojosa	Sanchez, Loretta	Young (AK)

□ 0133

So the motion to adjourn was agreed to.

The result of the vote was announced as above recorded.

Accordingly (at 1 o'clock and 34 minutes a.m.), under its previous order, the House adjourned until today, Thursday, June 23, 2016, at 2:30 a.m.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, June 22, 2016.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: Section 304(b)(3) of the Congressional Accountability Act ("CAA"), 2 U.S.C. § 1384(b)(3), requires that, with regard to substantive regulations under the CAA, after the Board of Directors of the Office of Compliance ("Board") has published a general notice of proposed rulemaking as required by subsection (b)(1), and received comments as required by subsection (b)(2), "the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the Presi-

dent in the *Congressional Record* on the first day on which both Houses are in session following such transmittal."

The Board has adopted the regulations in the Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval which accompany this transmittal letter. The Board requests that the accompanying Notice be published in the House version of the *Congressional Record* on the first day on which both Houses are in session following receipt of this transmittal.

The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

All inquiries regarding this notice should be addressed to Barbara J. Sapin, Executive Director of the Office of Compliance, Room LA-200, 110 2nd Street, SE, Washington, DC 20540; (202) 724-9250.

Sincerely,

BARBARA L. CAMENS,
Chair of the Board of Directors,
Office of Compliance.

FROM THE BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE

NOTICE OF ADOPTION OF REGULATIONS AND TRANSMITTAL FOR CONGRESSIONAL APPROVAL **Modifications to the rights and protections under the Family and Medical Leave Act of 1993 (FMLA), Notice of Adoption of Regulations, as required by 2 U.S.C. § 1384, Congressional Accountability Act of 1995, as amended (CAA).**

Background

The purpose of this Notice is to announce adoption of modifications to the existing legislative branch FMLA substantive regulations under section 202 of the CAA (2 U.S.C. § 1302 et seq.), which applies to covered employees the rights and protections of sections 101 through 105 of the FMLA (29 U.S.C. §§ 2611 through 2615), and such remedies as would be appropriate if awarded under paragraph (1) of section 107(a) of the FMLA (29 U.S.C. § 2617(a)(1)). These modifications are necessary in order to bring previously approved existing legislative branch FMLA regulations (approved by Congress April 15, 1996) in line with current Department of Labor (DOL) regulations implementing recent statutory changes to the FMLA, 29 U.S.C. § 2601 et seq.

What is the authority under the CAA for these adopted substantive regulations?

Section 202(a) of the CAA provides that the rights and protections established by sections 101 through 105, and remedies under section 107(a)(1) of the FMLA (29 U.S.C. §§ 2611-2615) shall apply to covered employees.

Section 202(d)(1) and (2) of the CAA require that the Office of Compliance (OOC) Board of Directors (the Board), pursuant to section 1384 of the CAA, issue regulations implementing the rights and protections of the FMLA and that those regulations shall be "the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) [of section 202 of the CAA] except insofar as the Board may determine, for good cause shown . . . that a modification of such regulations would be more effective for the implementation of the rights and protections under this section." The modifications to the regulations issued by the Board herein are all on matters for which section 202 of the CAA requires regulations to be issued.

Are there FMLA regulations currently in effect?

Yes. On January 22, 1996, the OOC Board adopted and submitted for publication in the *Congressional Record* the original FMLA final regulations implementing section 202 of

the CAA, which applies certain rights and protections of the FMLA. On April 15, 1996, pursuant to section 304(c) of the CAA, the House and the Senate passed resolutions approving the final regulations. Specifically, the Senate passed S. Res. 242, providing for approval of the final regulations applicable to the Senate and the employees of the Senate; the House passed H. Res. 400 providing for approval of the final regulations applicable to the House and the employees of the House; and the House and the Senate passed S. Con. Res. 51, providing for approval of the final regulations applicable to employing offices and employees other than those offices and employees of the House and the Senate. Once approved by Congress, these regulations would supersede and replace the current substantive Board FMLA regulations from 1996.

What does the FMLA provide?

The FMLA entitles eligible employees of covered employers to take job-protected, unpaid leave, or to substitute appropriate accrued paid leave, for up to a total of 12 workweeks in a 12-month period: for the birth of the employee's son or daughter and to care for the newborn child; for the placement of a son or daughter with the employee for adoption or foster care; to care for the employee's spouse, parent, son, or daughter with a serious health condition; when the employee is unable to work due to the employee's own serious health condition; or for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty ("qualifying exigency leave"). An eligible employee may also take up to 26 workweeks of FMLA leave during a "single 12-month period" to care for a covered servicemember with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

FMLA leave may be taken in a block or, under certain circumstances, intermittently or on a reduced leave schedule basis. In addition to providing job-protected family and medical leave, employers must also maintain any preexisting group health plan coverage for an employee on FMLA-protected leave under the same conditions that would apply if the employee had not taken leave. 2 U.S.C. § 1312(a)(1) (incorporating 29 U.S.C. § 2614). Once the leave period is concluded, the employer is required to restore the employee to the same or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. *Id.* Under the FMLA statute, but not applicable to the legislative branch, if an employee believes that his or her FMLA rights have been violated, the employee may file a complaint with the DOL or file a private lawsuit in federal or state court.

Under the CAA, a covered employee of the legislative branch may initiate proceedings with the OOC and may be awarded damages if the employing office has violated the employee's FMLA rights. The employee is entitled to reimbursement for any monetary loss incurred, equitable relief as appropriate, interest, attorneys' fees, expert witness fees, and court costs. Liquidated damages also may be awarded. *See* 29 U.S.C. § 2617.

What changes do the proposed amendments make?

First, these regulations add the military leave provisions of the FMLA enacted under the National Defense Authorization Acts (NDAA) for Fiscal Years 2008 and 2010 (Pub.L. 110-181, Div. A, Title V §§ 585(a)(2), (3)(A)-(D) and Pub.L. 111-84, Div. A, Title V § 565(a)(1)(B) and (4), which: extend the availability of FMLA leave to family members of