

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
Amodoi	Guthrie	Pittenger
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishek	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)	Kinzinger (IL)	Scott, Austin
Comstock	Kline	Sensenbrenner
Conaway	Knight	Sessions
Cook	Labrador	Shimkus
Costello (PA)	LaHood	Shuster
Cramer	LaMalfa	Simpson
Crawford	Lamborn	Smith (MO)
Crenshaw	Lance	Smith (NE)
Culberson	Latta	Smith (NJ)
Curbelo (FL)	LoBiondo	Smith (TX)
Davidson	Long	Stefanik
Davis, Rodney	Loudermilk	Stewart
Denham	Love	Stivers
Dent	Lucas	Stutzman
DeSantis	Luetkemeyer	Thompson (PA)
DesJarlais	Lummis	Tiberi
Diaz-Balart	MacArthur	Tipton
Dold	Marchant	Trott
Donovan	Massie	Turner
Duffy	McCarthy	Upton
Duncan (SC)	McCaul	Valadao
Duncan (TN)	McClintock	Waladao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fitzpatrick	Rodgers	Walker
Fleischmann	McSally	Walorski
Fleming	Meadows	Walters, Mimi
Flores	Meehan	Weber (TX)
Forbes	Messer	Webster (FL)
Fortenberry	Mica	Wenstrup
Foxx	Miller (FL)	Westerman
Franks (AZ)	Moolenaar	Williams
Frelinghuysen	Mooney (WV)	Wilson (SC)
Garrett	Mullin	Wittman
Gibbs	Mulvaney	Womack
Gibson	Murphy (PA)	Woodall
Gohmert	Neugebauer	Yoder
Goodlatte	Newhouse	Yoho
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Granger	Nunes	Zeldin
Graves (GA)	Olson	Zinke
Graves (LA)	Palazzo	

NOES—166

Adams	Frankel (FL)
Aguilar	Fudge
Bass	Gabbard
Beatty	Gallego
Becerra	Garamendi
Bera	Graham
Beyer	Green, Al
Bishop (GA)	Gutiérrez
Blumenauer	Hahn
Bonamici	Hastings
Boyle, Brendan	Heck (WA)
F.	Himes
Brady (PA)	Honda
Brown (FL)	Hoyer
Brownley (CA)	Huffman
Bustos	Israel
Butterfield	Jackson Lee
Capps	Jeffries
Capuano	Johnson (GA)
Cárdenas	Johnson, E. B.
Carney	Kaptur
Carson (IN)	Keating
Cartwright	Kelly (IL)
Castor (FL)	Kennedy
Castro (TX)	Kildee
Chu, Judy	Kilmer
Ciulline	Kind
Clark (MA)	Kuster
Clarke (NY)	Langevin
Cleaver	Larsen (WA)
Clyburn	Larson (CT)
Cohen	Lawrence
Connolly	Lee
Conyers	Levin
Cooper	Lewis
Costa	Lieu, Ted
Courtney	Lipinski
Crowley	Loebsock
Cuellar	Lofgren
Davis (CA)	Lowenthal
DeGette	Lowe
Delaney	Lujan Grisham
DeLauro	(NM)
DelBene	Lujan, Ben Ray
DeSaulnier	(NM)
Deutch	Maloney,
Dingell	Carolyn
Doggett	Maloney, Sean
Doyle, Michael	Matsui
F.	McCollum
Duckworth	McGovern
Edwards	McNerney
Ellison	Meeks
Engel	Meng
Eshoo	Moore
Esty	Moulton
Farr	Murphy (FL)
Foster	Nadler

NOT VOTING—34

Ashford	Herrera Beutler
Bost	Higgins
Clawson (FL)	Hinojosa
Clay	Jones
Cummings	Kirkpatrick
Davis, Danny	Lynch
DeFazio	Marino
Fattah	McDermott
Fincher	Miller (MI)
Grayson	Pallone
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
Amodoi	Guthrie	Pittenger
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishek	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)	Kinzinger (IL)	Scott, Austin
Comstock	Kline	Sensenbrenner
Conaway	Knight	Sessions
Cook	Labrador	Shimkus
Costello (PA)	LaHood	Shuster
Cramer	LaMalfa	Simpson
Crawford	Lamborn	Smith (MO)
Crenshaw	Lance	Smith (NE)
Culberson	Latta	Smith (NJ)
Curbelo (FL)	LoBiondo	Smith (TX)
Davidson	Long	Stefanik
Davis, Rodney	Loudermilk	Stewart
Denham	Love	Stivers
Dent	Lucas	Stutzman
DeSantis	Luetkemeyer	Thompson (PA)
DesJarlais	Lummis	Tiberi
Diaz-Balart	MacArthur	Tipton
Dold	Marchant	Trott
Donovan	Massie	Turner
Duffy	McCarthy	Upton
Duncan (SC)	McCaul	Valadao
Duncan (TN)	McClintock	Waladao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fitzpatrick	Rodgers	Walker
Fleischmann	McSally	Walorski
Fleming	Meadows	Walters, Mimi
Flores	Meehan	Weber (TX)
Forbes	Messer	Webster (FL)
Fortenberry	Mica	Wenstrup
Foxx	Miller (FL)	Westerman
Franks (AZ)	Moolenaar	Williams
Frelinghuysen	Mooney (WV)	Wilson (SC)
Garrett	Mullin	Wittman
Gibbs	Mulvaney	Womack
Gibson	Murphy (PA)	Woodall
Gohmert	Neugebauer	Yoder
Goodlatte	Newhouse	Yoho
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Granger	Nunes	Zeldin
Graves (GA)	Olson	Zinke
Graves (LA)	Palazzo	

NOES—173

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

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 sack	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	McColum	Titus
Galleo	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	Vislosky
Hastings	Napolitano	Wasserman
Heck (WA)	Neal	Schultz
Himes	Nolan	Waters, Maxine
Honda	Norcross	Watson Coleman
Hoyer	O'Rourke	Welch
Huffman	Pascrell	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 pro tempore of the Senate for publica-

tion 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 service-member 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