

**117th Congress**  
**1st Session**

**H. Res. \_\_**

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**H.R. 842 - Protecting the Right to Organize Act of 2021**

**H.R. 8 - Bipartisan Background Checks Act of 2021**

**H.R. 1446 - Enhanced Background Checks Act of 2021**

1. Structured rule for H.R. 842.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees.
3. Waives all points of order against consideration of the bill.
4. Provides that the amendment printed in part A of the Rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read.
5. Waives all points of order against provisions in the bill, as amended.
6. Provides that following debate, each further amendment printed in part B of the Rules Committee report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in the report, may be offered only 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debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Provides that at any time after debate the chair of the Committee on Education and Labor or his designee may offer amendments en bloc consisting of further amendments printed in part B of the Rules Committee report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

8. Provides one motion to recommit.
9. Structured rule for H.R. 8.
10. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees.
11. Waives all points of order against consideration of the bill.
12. Provides that the bill shall be considered as read.
13. Waives all points of order against provisions in the bill.
14. Provides that following debate, each further amendment printed in part C of the Rules Committee report not earlier considered as part of amendments en bloc pursuant to section 6 shall be considered only in the order printed in the report, may be offered only 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, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
15. Provides that at any time after debate the chair of the Committee on the Judiciary or his designee may offer amendments en bloc consisting of further amendments printed in part C of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
16. Provides one motion to recommit.
17. Structured rule for H.R. 1446.
18. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees.
19. Waives all points of order against consideration of the bill.
20. Provides that the bill shall be considered as read.
21. Waives all points of order against provisions in the bill.
22. Provides that following debate, each further amendment printed in part D of the Rules Committee report not earlier considered as part of amendments en bloc pursuant to section 9 shall be considered only in the order printed in the report, may be offered only 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, may be withdrawn by the proponent at any time before the

question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

23. Provides that at any time after debate the chair of the Committee on the Judiciary or his designee may offer amendments en bloc consisting of further amendments printed in part D of the Rules Committee report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
24. Provides one motion to recommit.
25. Waives all points of order against amendments printed in Parts B, C, and D of the Rules Committee report or amendments en bloc described in sections 3, 6, and 9 of the resolution.
26. Section 11 provides that on any legislative day during the period from March 13, 2021, through April 22, 2021— (a) the Journal of the proceedings of the previous day shall be considered as approved; and (b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.
27. Provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 11 as though under clause 8(a) of rule I.
28. Provides that each day during the period addressed by section 11 shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546); a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry); or a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII (motions to instruct).
29. Provides that it shall be in order at any time through the calendar day of April 22, 2021, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.
30. Provides that the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of April 22, 2021.
31. Amends Section 4(d) of House Resolution 8, One Hundred Seventeenth Congress, by adding at the end the following: “(5) the Select Committee shall be composed of 16 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom 7 shall be appointed on the recommendation of the Minority Leader.”.

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## RESOLUTION

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 842) 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. All points of order against consideration of the bill are waived. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees; (2) the further amendments described in section 2 of this resolution; (3) the amendments en bloc described in section 3 of this resolution; and (4) one motion to recommit.

Sec. 2. After debate pursuant to the first section of this resolution, each further amendment printed in part B of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 3 of this resolution shall be considered only in the order printed in the report, may be offered only 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, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 3. It shall be in order at any time after debate pursuant to the first section of this resolution for the chair of the Committee on Education and Labor or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8) to require a background check for every firearm sale. All points of order against consideration of the bill are waived. The bill shall be

considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; (2) the further amendments described in section 5 of this resolution; (3) the amendments en bloc described in section 6 of this resolution; and (4) one motion to recommit.

Sec. 5. After debate pursuant to section 4 of this resolution, each further amendment printed in part C of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 6 of this resolution shall be considered only in the order printed in the report, may be offered only 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, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 6. It shall be in order at any time after debate pursuant to section 4 of this resolution for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part C of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 7. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1446) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; (2) the further amendments described in section 8 of this resolution; (3) the amendments en bloc described in section 9 of this resolution; and (4) one motion to recommit.

Sec. 8. After debate pursuant to section 7 of this resolution, each further

amendment printed in part D of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 9 of this resolution shall be considered only in the order printed in the report, may be offered only 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, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 9. It shall be in order at any time after debate pursuant to section 7 of this resolution for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part D of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Sec. 10. All points of order against the further amendments printed in parts B, C, and D of the report of the Committee on Rules accompanying this resolution or amendments en bloc described in sections 3, 6, and 9 of this resolution are waived.

Sec. 11. On any legislative day during the period from March 13, 2021, through April 22, 2021—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

Sec. 12. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 11 of this resolution as though under clause 8(a) of rule I.

Sec. 13. Each day during the period addressed by section 11 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

Sec. 14. Each day during the period addressed by section 11 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

Sec. 15. Each day during the period addressed by section 11 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

Sec. 16. It shall be in order at any time through the calendar day of April 22, 2021, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

Sec. 17. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of April 22, 2021.

Sec. 18. Section 4(d) of House Resolution 8, One Hundred Seventeenth Congress, is amended by --

(a) in paragraph (3), striking “and”;

(b) in paragraph (4), striking the period and inserting “; and”; and

(c) adding at the end the following:

“(5) the Select Committee shall be composed of 16 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom 7 shall be appointed on the recommendation of the Minority Leader.”.

#### **SUMMARY OF AMENDMENT TO H.R. 842 IN PART A PROPOSED TO BE CONSIDERED AS ADOPTED**

<b>Sponsor</b>	<b># Description</b>
<b>1. Scott, Bobby (VA)</b>	<b>#14 (MANAGER’S)</b> States that amendments under this Act shall not be construed to amend section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

## SUMMARY OF AMENDMENTS TO H.R. 842 IN PART B PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Bourdeaux (GA)</b>	<b>#25</b> Clarifies that nothing in this Act shall be construed to affect the jurisdictional standards of the NLRB with respect to small businesses, including any standards those 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.	(10 minutes)
<b>2. Allen (GA), Cline (VA)</b>	<b>#47</b> Strikes Section 111 in the bill, which overturns state right-to-work laws.	(10 minutes)
<b>3. Comer (KY)</b>	<b>#21</b> Strikes Sec. 202 of the bill which codifies the Obama Administration's "persuader rule" requiring attorneys and consultants to disclose to DOL arrangements or agreements they have with employers regarding unionization where the attorney or consultant will not be communicating with employees.	(10 minutes)
<b>4. Davids (KS)</b>	<b>#71 (LATE)</b> Clarifies that the amendments made under this Act shall not affect the privacy of employees with respect to voter lists provided to labor organizations by employers pursuant to elections directed by the Board.	(10 minutes)
<b>5. Fitzgerald (WI)</b>	<b>#39</b> Requires a labor organization to receive express consent from the employee before using his or her union dues for any purpose not directly related to the labor organization's collective bargaining or contract administration.	(10 minutes)
<b>6. Fulcher (ID)</b>	<b>#37</b> Codifies "vote-and-impound" process for blocking charges and 45-day decertification window for voluntary recognition as set forth in	(10 minutes)



the NLRB's August 12, 2019, Notice of Proposed Rulemaking.

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| <b>7. Good (VA)</b>  | #18 Amends section 302 of the Labor Management Relations Act to prohibit "neutrality agreements", to allow for greater fairness and transparency for workers in their representation.   | (10 minutes) |
| <b>8. Hern (OK)</b>  | #6 States that the Act may not take effect until the Secretary of Labor certifies that the bill will not have an adverse impact on rates of employment in the United States.  | (10 minutes) |
| <b>9. Jackson Lee (TX)</b>   | #12 <b>(REVISED)</b> Provides whistleblower protections to employees who report violations of the Labor Management Reporting and Disclosure Act (LMRDA) with this amendment covering employees of employers as well as employees of labor unions.   | (10 minutes) |
| <b>10. Keller (PA)</b>   | #16 Strikes language in the bill banning employers from permanently replacing striking workers and language which permits intermittent striking. The NLRA currently protects the right of employees to replace striking workers permanently, and the NLRB has held that "intermittent" strikes are not protected activity under the NLRA. | (10 minutes) |
| <b>11. Levin, Andy (MI)</b>  | #34 Directs the National Labor Relations Board to develop a system and procedures to conduct union representation elections electronically, as allowed by the underlying legislation.   | (10 minutes) |
| <b>12. McBath (GA), Phillips (MN), Morelle (NY), Murphy, Stephanie (FL), Schrader (OR)</b> | #54 Clarifies that nothing in this Act shall affect the definitions of "employer" or "employee" under any state law for wage, hour, worker's compensation or unemployment insurance.  | (10 minutes) |
| <b>13. Murphy, Stephanie (FL),</b>   | #68 <b>(LATE) (REVISED)</b> Requires GAO, within one-and-a-half years from the date of  | (10 minutes) |

**McBath**  
**(GA), Peters**  
**(CA),**  
**Phillips**  
**(MN), Case**  
**(HI), Cuellar**  
**(TX),**  
**Schrader**  
**(OR), Rice,**  
**Kathleen**  
**(NY)**

enactment, to prepare a report on the impact—on workers and businesses across different sectors—of the changes made by the bill to the definition of “employee” (the “ABC” test) and the definition of “joint employer” under the National Labor Relations Act. The President is required to consider the report and, within 60 days, may recommend that Congress modify one or both of these definitions or make no recommendation. Expresses the Sense of the House that the House shall consider whether to accept, reject, or modify any recommendations received from the President.

- 14. Newman** #67 **(LATE)** Specifies the National Labor Relations Board's regulations regarding notices to inform workers of their rights must address requirements for posting notices in the languages spoken by the employees. (10 minutes)
- 15. Stevens** #65 Directs the GAO to conduct a report on sectoral bargaining in other countries. (10 minutes)
- 16. Tlaib** #8 Establishes a 120-day timeline for the tripartite arbitration process between the employees/labor organization and employer in order to ensure that the arbitration process is not indefinitely drawn out. (10 minutes)
- 17. Torres,** #22 Revises the Labor-Management and Disclosure Act of 1959 to require the Department of Labor to make disclosures under the persuader rule publicly available in an accessible and searchable electronic form, and through a secure software application for use on an electronic device. (10 minutes)
- Ritchie (NY)**
- 18. Walberg** #24 Strike the language in the bill requiring that a pre-election hearing begin no later than eight days after a notice of such hearing is served and replaces the provision with language ensuring at least 14 days between the filing of an election petition and a hearing taking place. (10 minutes)
- (MI)**
- 19. Wilson,** #59 Amends Section 111 to strike current language and insert the national right-to-work language erasing automatic dues clauses. (10 minutes)
- Joe (SC),**  
**Allen (GA),**  
**Gohmert**  
**(TX),**

**Burgess**  
**(TX), Weber**  
**(TX), Cline**  
**(VA),**  
**Norman**  
**(SC),**  
**Bishop, Dan**  
**(NC),**  
**McClintock**  
**(CA), Issa**  
**(CA),**  
**Timmons**  
**(SC), Mann**  
**(KS),**  
**Rutherford**  
**(FL), Lesko**  
**(AZ),**  
**Harshbarger**  
**(TN),**  
**Tiffany,**  
**Thomas (WI)**

**SUMMARY OF AMENDMENTS TO H.R. 8 IN PART C PROPOSED TO BE  
 MADE IN ORDER**

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Clyde (GA)</b>	#18 Requires the Attorney General, the Comptroller General, and a nongovernmental organization to each conduct a study, within 180 days of enactment, to determine how and to what extent the provisions of this Act will reduce rates of violent crime and gun violence.	(10 minutes)
<b>2. Crist (FL)</b>	#23 <b>(REVISED)</b> Requires an alien lawfully admitted to the United States under a non-immigrant visa to obtain the approval of the Attorney General before receiving a firearm.	(10 minutes)
<b>3. Crow (CO)</b>	#16 Expands the background check exemption for hunting and fishing to also include pest	(10 minutes)

	remediation associated with ranching and farming.	
<b>4. Garcia, Sylvia (TX)</b>	#3 Requires the Attorney General to make available to any person licensed under this chapter both Spanish and English versions of the form required for the conduct of a background check.	(10 minutes)
<b>5. Jackson Lee (TX)</b>	#9 Makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, if the risk is imminent, without a background check to prevent self-harm.	(10 minutes)
<b>6. Lamb (PA), Rice, Tom (SC)</b>	#19 <b>(REVISED)</b> Clarifies that no background check is required for exchanges of firearms between family members and rather should be viewed, between family members, as two simultaneous gifts.	(10 minutes)
<b>7. Newman (IL), Porter (CA)</b>	#21 Requires a report to Congress, within 150 day after enactment, analyzing the effect, if any, of this Act on the safety of victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking.	(10 minutes)
<b>8. Torres, Ritchie (NY)</b>	#4 Revises the purpose of the Act to explicitly prohibit gun purchases for certain individuals who do not pass background checks.	(10 minutes)

**SUMMARY OF AMENDMENTS TO H.R. 1446 IN PART D PROPOSED TO BE MADE IN ORDER**

(summaries derived from information provided by sponsors)

<b>Sponsor</b>	<b># Description</b>	<b>Debate Time</b>
<b>1. Burgess (TX)</b>	#1 <b>(REVISED)</b> Requires the Department of Justice Inspector General to submit a report to Congress on the number of NICS denials referred for investigation after a firearm was sold to a person who was later found to be ineligible.	(10 minutes)
<b>2. Levin,</b>	#5 Adds to the GAO reports in the bill, which are to	(10

**Mike (CA)** be completed one year, three years, and five minutes)  
years after enactment, data disaggregated by  
state and the basis for denial in state law.

**3. McBath (GA)** #2 Amends the domestic violence reporting (10  
provision to require that the effects of the Act on minutes)  
domestic violence, domestic abuse, dating  
partner violence, sexual assault, and stalking  
will be disaggregated by state.

**4. Neguse (CO),  
Schneider (IL)** #4 Strikes section 4 and replaces it to require the (10  
Director of the Federal Bureau of Investigation minutes)  
to make an annual report, which shall be  
available to the public, that provides  
disaggregated information on background check  
denials not made within the 10-day period.