

Mr. BLUMENAUER, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York changed their vote from “nay” to yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)	Hartzler	Posey
Bass (Brownley)	(Lamborn)	(Cammack)
Crist	Kahele (Jacobs)	Rice (NY)
(Wasserman)	(CA))	(Murphy (FL))
Schultz)	Kind (Connolly)	Rush (Quigley)
DeFazio (Brown	Lawrence	Sires (Pallone)
(MD))	(Stevens)	Torres (CA)
Demings (Soto)	Lawson (FL)	(Correa)
Fulcher (Johnson	(Evans)	Trone (Beyer)
(OH))	Lesko (Miller	Underwood
Green (TX)	(WV))	(Casten)
(Escobar)	Meng (Kuster)	Vargas (Correa)
Grijalva	Moore (UT)	Wilson (FL)
(Stanton)	(Carl)	(Hayes)
Hagedorn (Carl)	Payne (Pallone)	

NATIONAL PULSE MEMORIAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (S. 1605) to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 363, nays 70, not voting 0, as follows:

[Roll No. 405]

YEAS—363

Adams	Carbajal	Deutch
Aderholt	Cárdenas	Diaz-Balart
Aguilar	Carey	Dingell
Allen	Carl	Donalds
Allred	Carson	Duncan
Amodei	Carter (GA)	Dunn
Armstrong	Carter (LA)	Ellzey
Arrington	Carter (TX)	Emmer
Axne	Cartwright	Escobar
Babin	Case	Eshoo
Bacon	Casten	Espallat
Baird	Castor (FL)	Estes
Balderson	Castro (TX)	Evans
Banks	Cawthorn	Fallon
Barr	Chabot	Feenstra
Barragán	Cheney	Ferguson
Bass	Cicilline	Fischbach
Beatty	Cleaver	Fitzgerald
Bentz	Cloud	Fitzpatrick
Bera	Clyburn	Fleischmann
Bergman	Clyde	Fletcher
Beyer	Cole	Fortenberry
Bice (OK)	Comer	Foster
Bilirakis	Cooper	Fox
Bishop (GA)	Correa	Frankel, Lois
Blunt Rochester	Costa	Franklin, C.
Boebert	Courtney	Scott
Bost	Craig	Fulcher
Bourdeaux	Crawford	Gaetz
Boyle, Brendan	Crenshaw	Gallagher
F.	Crist	Galleo
Brady	Crow	Garamendi
Brooks	Cuellar	Garbarino
Brown (OH)	Curtis	Garcia (CA)
Brownley	David	Garcia (TX)
Buchanan	Davidson	Gibbs
Bucshon	Davis, Rodney	Gimenez
Budd	Dean	Golden
Burchett	DeLauro	Gonzales, Tony
Burgess	DelBene	Gonzalez (OH)
Bustos	Delgado	Gonzalez,
Butterfield	Demings	Vicente
Calvert	DeSaulnier	Gooden (TX)
Cammack	DesJarlais	Gottheimer

Granger	Luria
Graves (LA)	Lynch
Graves (MO)	Mace
Green (TN)	Malliotakis
Grijalva	Maloney, Sean
Grothman	Mann
Guest	Manning
Guthrie	Mast
Hagedorn	Matsui
Harder (CA)	McBath
Harris	McCarthy
Harshbarger	McCaul
Hartzler	McClain
Hayes	McClintock
Hern	McCollum
Herrell	McEachin
Herrera Beutler	McHenry
Higgins (LA)	McKinley
Higgins (NY)	McNerney
Hill	Meeks
Himes	Meijer
Hinson	Meuser
Hollingsworth	Mfume
Horsford	Miller (WV)
Houlihan	Miller-Meeks
Hoyer	Moolenaar
Hudson	Mooney
Huizenga	Moore (AL)
Issa	Moore (UT)
Jackson	Morelle
Jackson Lee	Moulton
Jacobs (NY)	Mrvan
Jeffries	Mullin
Johnson (LA)	Murphy (FL)
Johnson (OH)	Murphy (NC)
Johnson (SD)	Napolitano
Johnson (TX)	Neal
Jordan	Nehls
Joyce (OH)	Newhouse
Joyce (PA)	Newman
Kahele	Norcross
Kaptur	Nunes
Katko	O'Halleran
Keating	Obernoite
Keller	Owens
Kelly (IL)	Palazzo
Kelly (MS)	Palmer
Kelly (PA)	Panetta
Kildee	Pappas
Kilmer	Pascrell
Kim (CA)	Pence
Kim (NJ)	Perlmutter
Kind	Perry
Kinzinger	Peters
Kirkpatrick	Pfleger
Krishnamoorthi	Phillips
Kuster	Pingree
Kustoff	Price (NC)
LaHood	Quigley
LaMalfa	Reed
Lamb	Reschenthaler
Lamborn	Rice (NY)
Langevin	Rodgers (WA)
Larsen (WA)	Rogers (AL)
Larson (CT)	Rogers (KY)
Latta	Rose
LaTurner	Ross
Lawrence	Rouzer
Lawson (FL)	Roybal-Allard
Lee (NV)	Ruiz
Leger Fernandez	Ruppersberger
Letlow	Rush
Levin (CA)	Rutherford
Lieu	Ryan
Lofgren	Salazar
Long	Sánchez
Loudermilk	Sarbanes
Lucas	Scalise
Luetkemeyer	Scanlon

NAYS—70

Auchincloss	Doggett
Biggs	Doyle, Michael
Bishop (NC)	F.
Blumenauer	Garcia (IL)
Bonamici	Gohmert
Bowman	Gomez
Brown (MD)	Good (VA)
Buck	Gosar
Bush	Green, Al (TX)
Chu	Greene (GA)
Clark (MA)	Griffith
Clarke (NY)	Hice (GA)
Cline	Huffman
Cohen	Jacobs (CA)
Connolly	Jayapal
Johnson, Danny K.	Johnson (GA)
DeFazio	Jones
DeGette	Khanna

Schiff	Payne
Schneider	Pocan
Schrader	Porter
Schrier	Posey
Scott (VA)	Pressley
Scott, Austin	Raskin
Scott, David	
Sessions	
Sewell	
Sherman	
Sherrill	
Simpson	
Sires	
Slotkin	
Smith (MO)	
Smith (NE)	
Smith (NJ)	
Smith (WA)	
Smucker	
Soto	
Spanberger	
Spartz	
Speier	
Stansbury	
Stanton	
Staubert	
Steel	
Stefanik	
Steil	
Steube	
Stevens	
Stewart	
Strickland	
Suozzi	
Swalwell	
Taylor	
Tenney	
Thompson (CA)	
Thompson (MS)	
Thompson (PA)	
Tiffany	
Timmons	
Titus	
Tonko	
Torres (CA)	
Trahan	
Trone	
Turner	
Underwood	
Upton	
Valadao	
Perry	
Van Drew	
Van Dwyne	
Vargas	
Veasey	
Vela	
Wagner	
Walberg	
Walorski	
Waltz	
Wasserman	
Schultz	
Waters	
Weber (TX)	
Webster (FL)	
Wenstrup	
Westernman	
Wexton	
Wild	
Williams (TX)	
Wilson (FL)	
Wilson (SC)	
Wittman	
Womack	
Yarmuth	
Young	
Zeldin	

□ 2151

Mr. GOHMERT changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)	Hagedorn (Carl)	Posey
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(Stanton)	Payne (Pallone)	(Hayes)

DIRECTING THE SECRETARY OF  
THE SENATE TO MAKE A COR-  
RECTION IN THE ENROLLMENT  
OF THE BILL S. 1605

Mr. SMITH of Washington. Madam Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Ms. DAVIDS of Kansas). Is there objection to the request of the gentleman from Washington?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 64

*Resolved by the House of Representatives (the Senate concurring), that in the enrollment of the bill S. 1605, the Secretary of the Senate shall make the following correction: Amend the long title so as to read: “An Act to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE PROFOUND SOR-  
ROW OF THE HOUSE OF REP-  
RESENTATIVES ON THE DEATH  
OF THE HONORABLE ROBERT JO-  
SEPH DOLE

Mr. ESTES. Madam Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 839

*Resolved, That the House has heard with profound sorrow of the death of the Honorable Robert Joseph Dole, a Senator from the State of Kansas.*

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ENROLLED BILL SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on Friday, December 3, 2021:

H.R. 6119. An Act making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

#### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 10 a.m. tomorrow as a further mark of respect to the memory of the late Honorable Robert Joseph Dole.

Thereupon (at 9 o'clock and 57 minutes p.m.), under its previous order and pursuant to H. Res. 839, the House adjourned until tomorrow, Wednesday, December 8, 2021, at 10 a.m., as a further mark of respect to the memory of the late Honorable Robert Joseph Dole.

#### AMENDED NOTICE OF ADOPTION OF REGULATIONS AND TRANSMITTAL FOR CONGRESSIONAL APPROVAL

U.S. CONGRESS,  
OFFICE OF CONGRESSIONAL  
WORKPLACE RIGHTS,  
Washington, DC, December 7, 2021.

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

DEAR MADAM 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 Congressional Workplace Rights (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 President pro tempore of the Senate for publication 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 Amended Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval which accompany this transmittal letter. The Board requests that the accompanying Amended 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 cov-

ered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

Any inquiries regarding this notice should be addressed to Susan Tsui Grundmann, Executive Director of the Office of Congressional Workplace Rights, Room LA-200, 110 2nd Street, S.E., Washington, DC 20540; 202-724-9250.

Sincerely,

BARBARA CHILDS WALLACE,  
Chair of the Board of Directors,  
Office of Congressional Workplace Rights  
Attachment.

FROM THE BOARD OF DIRECTORS OF THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS  
AMENDED 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), Amended Notice of Adoption of Regulations, as required by 2 U.S.C. 1384, Congressional Accountability Act of 1995, as amended (CAA).**

#### Background:

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 Congressional Workplace Rights (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 President pro tempore of the Senate for publication in the *Congressional Record* on the first day on which both Houses are in session following such transmittal."

Section 202 of the CAA (2 U.S.C. 1302 et seq.), applies the rights and protections of sections 101 through 105 of the FMLA to covered employees in the legislative branch. On June 22, 2016, the Board adopted and submitted for publication in the *Congressional Record* amendments to its substantive regulations regarding the FMLA. 162 Cong. Rec. H4128-H4168, S4475-S4516 (daily ed. June 22, 2016). As set forth in the Board's accompanying *Notice of Adoption of Regulations and Transmittal for Congressional Approval*, the 2016 amendments provide needed clarity on certain aspects of the FMLA. Congress has not yet acted on the Board's request for approval of these amendments.

The purpose of this *Amended Notice of Adoption of Regulations and Transmittal for Congressional Approval* is to announce adoption of additional modifications to the existing legislative branch FMLA substantive regulations. Specifically, on December 20, 2019, Congress enacted the Federal Employee Paid Leave Act (subtitle A of title LXXVI of division F of the National Defense Authorization Act for Fiscal Year 2020, Public Law 116-92, December 20, 2019) (FEPLA). FEPLA amended the FMLA to allow most civilian Federal employees, including eligible employees in the legislative branch, to substitute up to 12 weeks of paid parental leave (PPL) for unpaid FMLA leave granted in connection with the birth of an employee's son or daughter or for the placement of a son or daughter with an employee for adoption or foster care. These additional modifications are necessary in order to bring existing legislative branch FMLA regulations (issued April 19, 1996) in line with these recent statutory changes.

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

Section 202(a) of the CAA provides that the rights and protections established by sec-

tions 101 through 105 of the FMLA (29 U.S.C. 2611-2615) shall apply to covered employees in the legislative branch. Section 202(d)(1) and (2) of the CAA require that the Board, pursuant to section 304 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 the 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 proposed by the Board herein are on all matters for which section 202 of the CAA requires regulations to be issued.

#### Are there currently FMLA regulations in effect?

Yes. On January 22, 1996, the OCWR 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. After the Senate and the House passed these resolutions, the Board formally issued the FMLA regulations on April 19, 1996.

#### What does the FMLA provide?

In general, the FMLA provides eligible employees the right to take a total of 12 workweeks of unpaid leave during any 12-month period for specified family and medical reasons and for specified circumstances relating to a family member's military service. Employing offices in the legislative branch covered by FMLA provisions of the CAA must provide unpaid leave to eligible employees: (1) for the birth of a son or daughter and to care for the newborn son or daughter; or (2) for placement with the employee of a son or daughter for adoption or foster care; (3) to care for the employee's spouse, son, daughter, or parent with a serious health condition; (4) because of a serious health condition that makes the employee unable to perform the functions of the employee's job; (5) because of 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 status; and (6) to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the covered servicemember.

#### How do the FEPLA amendments affect the FMLA as applied to the legislative branch?

The FEPLA amendments to the FMLA include provisions expressly applicable to the legislative branch that both: (1) change the eligibility rules for employees to take protected leave for births or placements under the FMLA; and (2) permit employees to substitute PPL and other paid accrued leave for unpaid FMLA leave for such births or placements. The FEPLA amendments are summarized below.

For purposes of FMLA leave with respect to any birth or placement, all covered employees in the legislative branch are eligible