AMENDMENT TO RULES COMMITTEE PRINT 113-6
OF H.R. 1120
OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the end of the bill insert the following:

SEC. 5. MODIFICATIONS WITH RESPECT TO RULEMAKING,
ISSUANCE OF COMPLAINTS, AND AUTHORITY
OVER UNFAIR LABOR PRACTICES.

(a) DUTIES OF THE GENERAL COUNSEL AND ADMINISTRA-
TIVE LAW JUDGES.—The National Labor Relations Act (29 U.S.C. 151 et seq.) is amended—

(1) in section 3(d), by striking “and issuance of complaints under section 10, and in respect of the prosecution of such complaints before the Board’’;

and

(2) in section 4(a), by striking the fourth sentence.

(b) CLARIFICATION OF THE BOARD’S RULEMAKING AUTHORITY.—Section 6 of such Act (29 U.S.C. 156) is amended by adding at the end the following: “Such rule-
making authority shall be limited to rules concerning the internal functions of the Board and the Board is prohib-
ited from promulgating rules that affect the substantive
(c) INVESTIGATORY POWER AND ADJUDICATORY AUTHORITY OVER UNFAIR LABOR PRACTICE ALLEGATIONS.—Section 10 of such Act (29 U.S.C. 60) is amended—

(1) in subsection (a)—

(A) by striking “prevent any person from engaging in” and inserting “investigate”; and

(B) by striking “This power shall” and all that follows through the end of the subsection;

(2) in subsection (b)—

(A) by striking “Whenever it is charged” and inserting “Whenever it appears”;

(B) by striking “or is engaging in” and inserting “, is engaging in, or is about to engage in”;

(C) by striking “the Board, or any agent” and all that follows through “Provided, That no complaint shall be issued” and inserting “the aggrieved party may bring a civil action for such relief (including injunctions) as may be appropriate. Any such action may be brought in the district court of the United States where the violation occurred, or at the option of the
parties, in the United States District Court for
the District of Columbia. No civil action may be
brought’’;

(D) by striking “charge with the Board
and the service of a copy thereof upon the per-
son against whom such charge is made” and in-
sert “civil action”; and

(E) by striking “Any such complaint may
be amended” and all that follows through “Any
such proceeding shall, so far as practicable,’’
and insert “Any such proceeding shall’’;

(3) by striking subsections (c) through (k) and
redesignating subsection (l) as subsection (e); and

(4) in subsection (e) (as so redesignated)—

(A) by striking “Whenever it is charged’’
and inserting “Whenever it is alleged’’;

(B) in the first sentence, by striking
“charge” both places it appears and inserting
“allegation”; and

(C) by striking “and that a complaint
should issue, he shall” and all that follows
through the end of the subsection and inserting
“, the officer or regional attorney shall, on be-
half of the Board, submit a written summary of
the findings to all parties involved in the alleged unfair labor practice.”

SEC. 6. REGULATIONS.

Not later than 6 months after the date of the enactment of this Act, the National Labor Relations Board shall review and revise all regulations promulgated before such date to implement the amendments made by this Act.