

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:

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

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

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

11 (2) in section 4(a), by striking the fourth sen-
12 tence.

13 (b) CLARIFICATION OF THE BOARD’S RULEMAKING
14 AUTHORITY.—Section 6 of such Act (29 U.S.C. 156) is
15 amended by adding at the end the following: “Such rule-
16 making authority shall be limited to rules concerning the
17 internal functions of the Board and the Board is prohib-
18 ited from promulgating rules that affect the substantive

1 rights of any person, employer, employee, or labor organi-
2 zation.”.

3 (c) INVESTIGATORY POWER AND ADJUDICATORY AU-
4 THORITY OVER UNFAIR LABOR PRACTICE ALLEGA-
5 TIONS.—Section 10 of such Act (29 U.S.C. 60) is amend-
6 ed—

7 (1) in subsection (a)—

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

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

12 (2) in subsection (b)—

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

15 (B) by striking “or is engaging in” and in-
16 serting “, is engaging in, or is about to engage
17 in”;

18 (C) by striking “the Board, or any agent”
19 and all that follows through “*Provided*, That no
20 complaint shall be issued” and inserting “the
21 aggrieved party may bring a civil action for
22 such relief (including injunctions) as may be
23 appropriate. Any such action may be brought in
24 the district court of the United States where
25 the violation occurred, or at the option of the

1 parties, in the United States District Court for
2 the District of Columbia. No civil action may be
3 brought”;

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

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

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

14 (4) in subsection (c) (as so redesignated)—

15 (A) by striking “Whenever it is charged”
16 and inserting “Whenever it is alleged”;

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

20 (C) by striking “and that a complaint
21 should issue, he shall” and all that follows
22 through the end of the subsection and inserting
23 “, the officer or regional attorney shall, on be-
24 half of the Board, submit a written summary of

1 the findings to all parties involved in the alleged
2 unfair labor practice.”.

3 **SEC. 6. REGULATIONS.**

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

