

103^D CONGRESS
1ST SESSION

H. R. 788

To eliminate the exemption for Congress from the application of certain provisions of Federal law and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1993

Mr. NEAL of North Carolina introduced the following bill; which was referred to the Committees on Education and Labor and Government Operations

A BILL

To eliminate the exemption for Congress from the application of certain provisions of Federal law and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. FAIR LABOR STANDARDS; EQUAL PAY.**

4 (a) DEFINITION.—Section 3(e)(2)(A)(iii) of the Fair
5 Labor Standards Act of 1938 (29 U.S.C.
6 203(e)(2)(A)(iii)) is amended to read as follows:

7 “(iii) in any unit of the legislative
8 branch of the Government, or in any unit
9 of the judicial branch of the Government

1 which has positions in the competitive serv-
2 ice.”.

3 (b) **COVERAGE.**—Section 8 of the Fair Labor Stand-
4 ards Amendments of 1989 is repealed.

5 **SEC. 2. EQUAL EMPLOYMENT OPPORTUNITY.**

6 Section 717(a) of the Civil Rights Act of 1964 (42
7 U.S.C. 2000e–16(a)) is amended by striking out “in those
8 units of the legislative and judicial branches of the Federal
9 Government having positions in the competitive service”
10 and inserting in lieu thereof “in all units of the legislative
11 branch of the Federal Government, and in those units of
12 the judicial branch of the Federal Government having po-
13 sitions in the competitive service”.

14 **SEC. 3. FREEDOM OF INFORMATION AND PRIVACY AND**
15 **AGE DISCRIMINATION.**

16 Section 552(f) of title 5, United States Code, is
17 amended by striking out “or” before “any independent”
18 and by inserting before the period a comma and the follow-
19 ing: “or any unit of the legislative branch of the Federal
20 Government”.

21 **SEC. 4. AGE DISCRIMINATION IN EMPLOYMENT ACT OF**
22 **1967.**

23 Section 11(b) of the Age Discrimination in Employ-
24 ment Act of 1967 (29 U.S.C. 630(b)) is amended (1) by
25 striking out “and” before “(2)”, (2) by inserting before

1 “but” the following: “and (3) the United States Govern-
2 ment”, and (3) by striking out “the United States, or”.

3 **SEC. 5. OCCUPATIONAL SAFETY AND HEALTH.**

4 (a) DEFINITION OF EMPLOYER.—Section 3(5) of the
5 Occupational Safety and Health Act of 1970 (29 U.S.C.
6 652(5)) is amended by striking out “but does not include
7 the United States or” and inserting in lieu thereof “and
8 does include the United States (including any unit of the
9 legislative branch of the Federal Government) but does
10 not include”.

11 (b) DEFINITION OF EMPLOYEE.—Section 3(6) of
12 such Act (29 U.S.C. 652(6)) is amended by inserting be-
13 fore the period a comma and the following: “and the em-
14 ployees of the United States (including any unit of the
15 legislative branch of the Federal Government) shall be
16 deemed to be employed in a business affecting commerce
17 for the purpose of this Act”.

18 **SEC. 6. AGE DISCRIMINATION.**

19 Section 309(3) of the Age Discrimination Act of 1975
20 (42 U.S.C. 6107) is amended by inserting before the semi-
21 colon the following: “and the Congress”.

22 **SEC. 7. LABOR-MANAGEMENT RELATIONS.**

23 Section 2(2) of the National Labor Relations Act (29
24 U.S.C. 152(2)) is amended by striking out “but shall not
25 include the United States” and inserting in lieu thereof

1 the following: “and includes the United States, and any
2 unit of the legislative branch of the Federal Government,
3 but shall not include”.

4 **SEC. 8. AMERICANS WITH DISABILITIES ACT OF 1990.**

5 Section 101(5)(B) of the Americans with Disabilities
6 Act of 1990 (42 U.S.C. 12111(5)(B)) is amended by strik-
7 ing out “the United States,”.

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