



# POLICY MATTERS

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**Senate Confirms EEOC Nominees.** On July 30, the Senate Health, Education, Labor and Pensions Committee approved current EEOC Commissioner Charlotte Burroughs for a second term to a Democrat seat, and Sharon Gustafson as the agency's general counsel. Burroughs was approved 23-0; Gustafson's vote was 13-10. The full Senate confirmed both by unanimous consent earlier today. The remaining Republican nominee to the Commission, Keith Sonderling (who currently serves as the Deputy Administrator of the Wage & Hour Division), is still pending.

**Judiciary Advances Graham Asylum Bill.** In a controversial procedure, the Senate Judiciary Committee today approved the Secure and Protect Act of 2019 ([S. 1494](#)), which is an asylum reform bill introduced by Sen. Graham (R-SC). The Committee passed the bill over objections by Committee Democrats that the Chairman was breaking Committee rules by permitting a vote in the first place. Graham explained prior absences by Committee Democrats blocked action and forced his hand. Perhaps the most important provisions of the bill are that it would (1) require asylum claims to be filed in Mexico or a home country instead of the United States, (2) provide funding for 500 new immigration judges, and (3) allow unaccompanied minors from Central America to be sent back to their home countries. The partisanship here does not bode well for progress on immigration issues (indeed, there are doubts that the bill will pass the full Senate, and Speaker Pelosi is reported to have said that it would not get a vote in the House in any case). Hopefully, this controversy will not add additional reasons for Senators to block consideration of the so-called "per country" bill (the Fairness for High Skilled Immigrants Act, [H.R. 1044](#), [S. 386](#)), an earlier version of which was passed by the House. We remain hopeful that the Senate will pass the bill.

**Another -- Bipartisan -- Paid Leave Proposal.** Sens. Cassidy (R-LA) and Sinema (D-AZ) announced a [new entry](#) into the crowded field of paid leave proposals on the Hill. Their proposal would provide new parents the option of receiving \$5,000 following the birth or adoption of a child, with an annual \$500 reduction of their Child Tax Credits over the following 10 years. The bill only addresses birth or adoption and would not apply to other types of family or medical leave, which may prove to limit the bill's traction.

**White House Reviewing Tip Proposal.** The White House Office of Management and Budget Office of Information and Regulatory Affairs (OIRA) is reviewing the Department of Labor's proposed rule on tipped employees. The specific contents of the proposal remain under wraps, but the general description states that "the Department will align its regulations with the recent statutory changes [and] revise the existing 'dual jobs' regulation to provide greater clarity . . . regarding an employer's ability to take a tip credit to satisfy minimum wage obligations for time spent by a tipped employee performing duties that are related to the employee's tipped occupation." OIRA is one of the last stops for a proposed rule before publication in the Federal Register, so we expect to see the proposal in the next several months.

**See You in September.** With both the House and Senate in recess for the rest of the summer, *Policy Matters* will resume publication on September 5, 2019.

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