

AMENDMENT TO H.R. 3838
OFFERED BY MR. NORCROSS OF NEW JERSEY

At the appropriate place in title XXVIII, insert the following:

1 **SEC. ____.** **ACCESS TO MILITARY INSTALLATIONS FOR**
2 **LABOR ORGANIZATION REPRESENTATIVES.**

3 (a) IN GENERAL.—Not later than one year after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall establish policies under which covered individuals
6 may be authorized to access military installations.

7 (b) ELEMENTS.—The policies established under sub-
8 section (a)—

9 (1) shall include the terms and conditions under
10 which a covered individual may be authorized to ac-
11 cess a military installation;

12 (2) may require a covered individual to enter
13 into a written agreement with the Department of
14 Defense before obtaining authorization to access a
15 military installation;

16 (3) shall be consistent across military installa-
17 tions, to the extent practicable;

1 (4) shall be designed to promote the expeditious
2 entry of covered individuals onto military installa-
3 tions for purposes of—

4 (A) seeking access to an individual per-
5 forming work at the installation who is included
6 in a bargaining unit for which the labor organi-
7 zation has been accorded exclusive recogni-
8 tion—

9 (i) in connection with a specific mili-
10 tary construction project, military family
11 housing project, or facilities sustainment,
12 restoration, and modernization project;

13 (ii) pursuant to a concessions contract
14 or services contract subject to the require-
15 ments of chapter 67 of title 41, United
16 States Code; or

17 (iii) concerning a workplace matter;

18 (B) seeking access to an individual per-
19 forming work at the installation for the pur-
20 poses of soliciting such individual to join the
21 labor organization of which the covered indi-
22 vidual is a member; or

23 (C) conducting a vocational training, job
24 fair, or similar workforce development event for

1 members of the Armed Forces or veterans at
2 the military installation;

3 (5) shall place appropriate restrictions on entry
4 of covered individuals to sensitive areas of military
5 installations in accordance with the requirements of
6 subsection (c);

7 (6) shall be designed, to the extent practicable,
8 to give covered individuals access to the locations
9 where the performance of work described in para-
10 graph (4) is being conducted and to any locations on
11 a military installation where the individuals per-
12 forming the work described in paragraph (4) have
13 access; and

14 (7) shall take into account force protection re-
15 quirements and ensure the protection and safety of
16 members of the Armed Forces, civilian employees of
17 the Department of Defense, and the families of such
18 members and employees.

19 (c) REQUIREMENTS.—The policy required in sub-
20 section (b)(5) shall ensure that a covered individual's re-
21 quest to access a military installation is not unreasonably
22 delayed or denied. Covered individuals that possess cur-
23 rent Department of Defense credentials shall be afforded
24 access to public areas of military installations in the same

1 manner that other individuals that possess current De-
2 partment of Defense credentials.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “covered individual” means, with
5 respect to a military installation in the United
6 States, a representative of—

7 (A) any labor organization, including a
8 member of any labor management committee
9 described in section 205A of the Labor Manage-
10 ment Relations Act, 1947 (29 U.S.C. 175a); or

11 (B) a program registered under the Act of
12 August 16, 1937 (commonly known as the Na-
13 tional Apprenticeship Act; 29 U.S.C. 50 et
14 seq.).

15 (2) The term “labor organization” has the
16 meaning given the term in section 2(5) of the Na-
17 tional Labor Relations Act (29 U.S.C. 152(2)(5)),
18 except that such term shall also include—

19 (A) any organization composed of labor or-
20 ganizations, such as a labor union federation or
21 a state or municipal labor body; and

22 (B) any organization which would be in-
23 cluded in the definition for such term under
24 section 2(5) but for the fact that the organiza-
25 tion represents—

- 1 (i) individuals employed by the United
2 States, any wholly owned Government cor-
3 poration, any Federal Reserve Bank, or
4 any State or political subdivision thereof;
- 5 (ii) individuals employed by persons
6 subject to the Railway Labor Act (45
7 U.S.C. 141 et seq.); or
- 8 (iii) individuals employed as agricul-
9 tural laborers.

