

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MR. JONES OF NEW YORK**

Add at the end of subtitle F of title VIII the following new section:

1 **SEC. 8\_\_\_ . PROHIBITION ON CONTRACTING WITH EMPLOY-**  
2 **ERS THAT VIOLATED THE NATIONAL LABOR**  
3 **RELATIONS ACT.**

4 (a) PROHIBITION.—Except as provided in subsection  
5 (b), the Secretary of Defense may not enter into a contract  
6 with an employer found to have violated section 8(a) of  
7 the National Labor Relations Act (29 U.S.C. 158) during  
8 the three-year period preceding the proposed date of  
9 award of the contract.

10 (b) EXCEPTIONS.—The Secretary of Defense may  
11 enter into a contract with a employer described in sub-  
12 section (a) if—

13 (1) before awarding a contract, such employer  
14 has settled all violations described under subsection  
15 (a) in a manner approved by the National Labor Re-  
16 lations Board and the employer is in compliance  
17 with the requirements of any settlement relating to  
18 any such violation; or

1           (2)(A) each employee of such employer is rep-  
2           resented by a labor organization for the purposes of  
3           collective bargaining; and

4           (B) such labor organization certifies to the Sec-  
5           retary that the employer—

6           (i) is in compliance with any relevant col-  
7           lective bargaining agreement on the date on  
8           which such contract is awarded and will con-  
9           tinue to preserve the rights, privileges, and ben-  
10          efits established under any such collective bar-  
11          gaining agreement; or

12          (ii) before, on, and after the date on which  
13          such contract is awarded, has bargained and  
14          will bargain in good faith to reach a collective  
15          bargaining agreement.

16          (c) DEFINITIONS.—In this section, the terms “em-  
17          ployer”, “employee”, and “labor organization” have the  
18          meanings given such terms, respectively, in section 2 of  
19          the National Labor Relations Act (29 U.S.C. 152).

20          (d) APPLICABILITY.—This section and the require-  
21          ments of this section shall apply to a contract entered into  
22          on or after September 30, 2023.

