

**AMENDMENT TO RULES COMMITTEE PRINT 118-**  
**10**  
**OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK**

Add at the end of subtitle A of title VIII the following:

1 **SEC. \_\_\_\_ . COMPLIANCE PROCEDURES FOR PROHIBITION**  
2 **ON CRIMINAL HISTORY INQUIRIES BY FED-**  
3 **ERAL CONTRACTORS PRIOR TO CONDI-**  
4 **TIONAL OFFER.**

5 (a) CIVILIAN AGENCY CONTRACTS.—Section 4714 of  
6 title 41, United States Code, is amended—

7 (1) by amending subsection (b) to read as fol-  
8 lows:

9 “(b) COMPLIANCE.—

10 “(1) PROCEDURES FOR SUBMISSION OF COM-  
11 PLAINT.—The Secretary of Labor shall establish  
12 procedures under which an applicant for a position  
13 with a Federal contractor may submit to the Sec-  
14 retary a complaint, or any other information, relat-  
15 ing to compliance by the contractor with the require-  
16 ment under subsection (a)(1)(B).

17 “(2) INVESTIGATION OF COMPLIANCE.—In ad-  
18 dition to the authority to investigate compliance by

1 a contractor with the requirement under subsection  
2 (a)(1)(B) pursuant to a complaint submitted under  
3 paragraph (1) of this subsection, the Secretary of  
4 Labor may investigate compliance with subsection  
5 (a)(1)(B) in conducting a compliance evaluation  
6 under section 60–1.20, 60–300.60, or 60–741.60 of  
7 title 41, Code of Federal Regulations (or any suc-  
8 cessor regulation).

9 “(3) PUBLICATION.—The Secretary of Labor  
10 shall make the procedures described in paragraph  
11 (1) available to the public by issuing rules or other  
12 guidance, a determined appropriate by the Sec-  
13 retary.”; and

14 (2) in subsection (c)—

15 (A) in paragraph (1)—

16 (i) by striking “head of an executive  
17 agency” and inserting “Secretary of  
18 Labor”;

19 (ii) by inserting “, based upon the re-  
20 sults of a complaint investigation or com-  
21 pliance evaluation conducted by the Sec-  
22 retary of Labor under section 60–1.20,  
23 60–300.60, or 60–741.60 of title 41, Code  
24 of Federal Regulations (or any successor  
25 regulation)” after “determines”;

1 (iii) by striking “such head” and in-  
2 serting “the Secretary of Labor”; and

3 (iv) in subparagraph (C), by striking  
4 “warning” and inserting “notice”; and  
5 (B) in paragraph (2)—

6 (i) by striking “head of an executive  
7 agency” and inserting “Secretary of  
8 Labor”;

9 (ii) by inserting “, based upon the re-  
10 sults of a complaint investigation or com-  
11 pliance evaluation conducted by the Sec-  
12 retary of Labor under section 60–1.20,  
13 60–300.60, or 60–741.60 of title 41, Code  
14 of Federal Regulations (or any successor  
15 regulation),” after “determines”;

16 (iii) by striking “such head” and in-  
17 serting “the Secretary of Labor”;

18 (iv) by inserting “as may be nec-  
19 essary” after “Federal agencies”; and

20 (v) by striking subparagraph (C) and  
21 inserting the following:

22 “(C) taking any of the actions described  
23 under section 202(7) of Executive Order 11246  
24 (related to equal employment opportunity) and

1 section 60–1.27 of title 41, Code of Federal  
2 Regulations (or any successor regulation).”.

3 (b) DEFENSE CONTRACTS.—Section 4657 of title 10,  
4 United States Code, is amended—

5 (1) by amending subsection (b) to read as fol-  
6 lows:

7 “(b) COMPLIANCE.—

8 “(1) PROCEDURES FOR SUBMISSION OF COM-  
9 PLAINT.—The Secretary of Labor shall establish  
10 procedures under which an applicant for a position  
11 with a Federal contractor may submit to the Sec-  
12 retary of Labor a complaint, or any other informa-  
13 tion, relating to compliance by the contractor with  
14 subsection (a)(1)(B).

15 “(2) INVESTIGATION OF COMPLIANCE.—In ad-  
16 dition to the authority to investigate compliance by  
17 a contractor with subsection (a)(1)(B) pursuant to a  
18 complaint submitted under paragraph (1) of this  
19 subsection, the Secretary of Labor may investigate  
20 compliance with subsection (a)(1)(B) in conducting  
21 a compliance evaluation under section 60–1.20, 60–  
22 300.60, or 60–741.60 of title 41, Code of Federal  
23 Regulations (or any successor regulation).

24 “(3) PUBLICATION.—The Secretary of Labor  
25 shall make the procedures described in paragraph

1 (1) available to the public by issuing rules or other  
2 guidance, a determined appropriate by the Sec-  
3 retary.”; and

4 (2) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) by striking “Defense” and insert-  
7 ing “Labor”;

8 (ii) by inserting “of Labor” before  
9 “shall”;

10 (iii) by inserting “, based upon the re-  
11 sults of a complaint investigation or com-  
12 pliance evaluation conducted by the Sec-  
13 retary of Labor under section 60–1.20,  
14 60–300.60, or 60–741.60 of title 41, Code  
15 of Federal Regulations (or any successor  
16 regulation)” after “determines”; and

17 (iv) in subparagraph (C), by striking  
18 “warning” and inserting “notice”; and

19 (B) in paragraph (2)—

20 (i) by striking “Secretary of Defense”  
21 and inserting “Secretary of Labor”;

22 (ii) by inserting “as may be nec-  
23 essary” after “Federal agencies”; and

24 (iii) by striking subparagraph (C) and  
25 inserting the following:

1                   “(C) taking any of the actions described  
2                   under section 202(7) of Executive Order 11246  
3                   (related to equal employment opportunity) and  
4                   section 60–1.27 of title 41, Code of Federal  
5                   Regulations (or any successor regulation).”.

6           (c) APPLICATION.—This section, and the amend-  
7           ments made by this section, shall apply with respect to  
8           contracts awarded on or after the date that is 16 months  
9           after the date of the enactment of this Act.

