

107TH CONGRESS  
1ST SESSION

# H. R. 3367

To amend title 10, United States Code, to require certain contractors with the Department of Defense to perform background investigations, psychological assessments, and behavioral observations, and provide fingerprint cards, with respect to individuals who perform work on military installations or facilities.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2001

Mr. SAXTON (for himself, Ms. HARMAN, Mr. LOBIONDO, and Mr. ANDREWS) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to require certain contractors with the Department of Defense to perform background investigations, psychological assessments, and behavioral observations, and provide fingerprint cards, with respect to individuals who perform work on military installations or facilities.

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

1 **SECTION 1. SECURITY REQUIREMENTS REGARDING CER-**  
2 **TAIN INDIVIDUALS PERFORMING WORK**  
3 **UNDER DOD CONTRACTS.**

4 (a) IN GENERAL.—(1) Chapter 137 of title 10,  
5 United States Code, is amended by inserting after section  
6 2305a the following new section:

7 **“§ 2305b. Contracts to perform work at military facili-**  
8 **ties and installations: security proce-**  
9 **dures required**

10 “(a) IN GENERAL.—No contract, for which the dura-  
11 tion for the time of performance exceeds 3 days, may be  
12 awarded to perform work at a facility or installation of  
13 the Department of Defense unless the potential contractor  
14 implements procedures under which a background inves-  
15 tigation, psychological assessment, and behavioral obser-  
16 vation is conducted, and fingerprint cards are provided,  
17 with respect to any individual who will perform such work.

18 “(b) BACKGROUND INVESTIGATION.—A background  
19 investigation required under this section shall—

20 “(1) be designed to identify past actions that  
21 are indicative of an individual’s future reliability  
22 with respect to performing work at a facility or in-  
23 stallation of the Department of Defense;

24 “(2) verify the individual’s true identity;

1           “(3) develop information concerning the individ-  
2           ual’s employment history, education history, credit  
3           history, criminal history, and military service; and

4           “(4) verify the individual’s character and rep-  
5           utation.

6           “(c) PSYCHOLOGICAL ASSESSMENT.—A psychological  
7           assessment required under this section shall be designed  
8           to evaluate the possible impact of any noted psychological  
9           characteristics that may have a bearing on trustworthiness  
10          and reliability.

11          “(d) BEHAVIORAL OBSERVATION.—A behavioral ob-  
12          servation required under this section shall be conducted  
13          by supervisors and shall be designed to detect individual  
14          behavioral changes that, if left unattended, could lead to  
15          acts detrimental to the public health and safety.”.

16          (2) The table of sections at the beginning of such  
17          chapter is amended by inserting after the item relating  
18          to section 2305a the following new item:

            “2305b. Contracts to perform work at military facilities and installations: secu-  
            rity procedures required.”.

19          (b) APPLICABILITY.—Section 2305b of title 10,  
20          United States Code, as added by subsection (a), shall  
21          apply with respect to contracts under which work is com-  
22          menced on or after the date that is one year after the  
23          date of the enactment of this Act.

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