

104TH CONGRESS
1ST SESSION

H. R. 782

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 1995

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 18 of the United States Code to allow members of employee associations to represent their views before the United States Government.

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. SHORT TITLE.**

2 This Act may be cited as the “Federal Employee
3 Representation Improvement Act of 1995”.

4 **SEC. 2. REPRESENTATION BY FEDERAL OFFICERS AND EM-**
5 **PLOYEES.**

6 (a) EXTENSION OF EXEMPTION TO PROHIBITION.—
7 Subsection (d) of section 205 of title 18, United States
8 Code, is amended to read as follows:

9 “(d)(1) Nothing in subsection (a) or (b) prevents an
10 officer or employee, if not inconsistent with the faithful
11 performance of that officer’s or employee’s duties, from
12 acting without compensation as agent or attorney for, or
13 otherwise representing—

14 “(A) any person who is the subject of discipli-
15 nary, loyalty, or other personnel administration pro-
16 ceedings in connection with those proceedings; or

17 “(B) except as provided in paragraph (2), any
18 cooperative, voluntary, professional, recreational, or
19 similar organization or group not established or op-
20 erated for profit, if a majority of the organization’s
21 or groups’s members are current officers or employ-
22 ees of the United States or of the District of Colum-
23 bia, or their spouses or dependent children.

24 “(2) Paragraph (1)(B) does not apply with respect
25 to a covered matter that—

1 “(A) is a claim under subsection (a)(1) or
2 (b)(1);

3 “(B) is a judicial or administrative proceeding
4 where the organization or group is a party; or

5 “(C) involves a grant, a contract, or other
6 agreement (including a request for any such grant,
7 contract, or agreement) providing for the disburse-
8 ment of Federal funds to the organization or
9 group.”.

10 (b) APPLICATION TO LABOR-MANAGEMENT RELA-
11 TIONS.—Section 205 of title 18, United States Code, is
12 amended by adding at the end the following:

13 “(i) Nothing in this section prevents an employee
14 from acting pursuant to chapter 71 of title 5 or section
15 1004 or chapter 12 of title 39.”.

 Passed the House of Representatives October 24,
1995.

Attest:

ROBIN H. CARLE,

Clerk.