

105TH CONGRESS
1ST SESSION

H. R. 236

To prohibit Government contractors from being reimbursed by the Federal Government for certain environmental response costs.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mrs. MALONEY of New York introduced the following bill; which was referred to the Committee on National Security, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit Government contractors from being reimbursed by the Federal Government for certain environmental response costs.

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

3 **SECTION 1. PROHIBITION ON REIMBURSEMENT OF GOV-**
4 **ERNMENT CONTRACTORS FOR ENVIRON-**
5 **MENTAL RESPONSE COSTS.**

6 (a) ARMED SERVICES ACQUISITIONS.—

1 (1) PROHIBITION.—Section 2324(e)(1) of title
2 10, United States Code, is amended by adding at
3 the end the following:

4 “(P) Costs of any claim for environmental re-
5 sponse costs at any facility owned or operated by the
6 contractor or at which the contractor is liable in
7 whole or in part for the environmental response ac-
8 tion. For purposes of this subparagraph, the terms
9 ‘facility’ and ‘response’ have the meaning given such
10 terms by paragraphs (9) and (25), respectively, of
11 section 101 of the Comprehensive Environmental
12 Response, Compensation, and Liability Act of 1980
13 (42 U.S.C. 9601 (9) and (25)).”.

14 (2) EFFECTIVE DATE.—Subparagraph (P) of
15 section 2324(e)(1) of title 10, United States Code,
16 as added by paragraph (1), shall apply to contracts
17 in existence on the date of the enactment of this Act
18 and contracts entered into after such date.

19 (b) CIVILIAN AGENCY ACQUISITIONS.—

20 (1) PROHIBITION.—Section 306(e)(1) of the
21 Federal Property and Administrative Services Act of
22 1949 (41 U.S.C. 256(e)(1)) is amended by adding at
23 the end the following:

24 “(P) Costs of any claim for environmental re-
25 sponse costs at any facility owned or operated by the

1 contractor or at which the contractor is liable in
2 whole or in part for the environmental response ac-
3 tion. For purposes of this subparagraph, the terms
4 ‘facility’ and ‘response’ have the meaning given such
5 terms by paragraphs (9) and (25), respectively, of
6 section 101 of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980
8 (42 U.S.C. 9601 (9) and (25)).”.

9 (2) EFFECTIVE DATE.—Subparagraph (P) of
10 section 306(e)(1) of the Federal Property and Ad-
11 ministrative Services Act of 1949 (41 U.S.C.
12 256(e)(1)), as added by paragraph (1), shall apply
13 to contracts in existence on the date of the enact-
14 ment of this Act and contracts entered into after
15 such date.

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