

106TH CONGRESS  
1ST SESSION

# H. R. 527

To amend the Davis-Bacon Act to provide that a contractor under that Act who has repeated violations of the Act shall have its contract with the United States canceled and to require the disclosure under freedom of information provisions of Federal law of certain payroll information under contracts subject to the Davis-Bacon Act.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1999

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Government Reform, 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 amend the Davis-Bacon Act to provide that a contractor under that Act who has repeated violations of the Act shall have its contract with the United States canceled and to require the disclosure under freedom of information provisions of Federal law of certain payroll information under contracts subject to the Davis-Bacon Act.

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 “Davis-Bacon Enforce-  
3 ment Act of 1999”.

4 **SEC. 2. REPEATED VIOLATIONS.**

5       Section 3 of the Act of March 3, 1931 (40 U.S.C.  
6 276a–2) (known as the Davis-Bacon Act) is amended by  
7 adding at the end the following:

8       “(c) If the Secretary determines that a contractor  
9 under a contract with the United States has established  
10 a pattern of violations of this Act, the Secretary shall can-  
11 cel such contract and establish that such contractor is in-  
12 eligible to receive a contract with the United States for  
13 a 10 year period designated by the Secretary unless the  
14 contractor is able to show the Secretary that such viola-  
15 tions were not intentional but were the result of simple  
16 and unsystematic error.

17 **SEC. 3. DISCLOSURE OF INFORMATION.**

18       (a) GENERAL RULE.—Section 552(a) of title 5,  
19 United States Code, is amended by adding at the end the  
20 following:

21       “(7) The names and addresses of employees in pay-  
22 roll records established under a contract which is subject  
23 to the Act of March 3, 1931 (40 U.S.C. 276a–2) (known  
24 as the Davis-Bacon Act) shall be made available, notwith-  
25 standing subsection (b)(6), for inspection in connection  
26 with an audit to determine compliance with such Act.”.

1       (b) CONSTRUCTION.—Section 552a of title 5, United  
2 States Code, shall not be construed to prevent or prohibit  
3 the disclosure required by section 552(a)(7) of title 5,  
4 United States Code, as added by the amendment made  
5 by subsection (a).

○