

113TH CONGRESS
1ST SESSION

H. R. 2444

To implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2013

Mr. TONKO (for himself and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, 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 implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation.

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. SHORT TITLE.**

4 This Act may be cited as the “Commonsense Con-
5 tractor Compensation Act of 2013”.

6 **SEC. 2. LIMITATION ON ALLOWABLE GOVERNMENT CON-** 7 **TRACTOR COMPENSATION COSTS.**

8 (a) LIMITATION.—

1 (1) CIVILIAN CONTRACTS.—Section
2 4304(a)(16) of title 41, United States Code, is
3 amended to read as follows:

4 “(16) Costs of compensation of contractor and
5 subcontractor employees for a fiscal year, regardless
6 of the contract funding source, to the extent that
7 such compensation exceeds the rate payable for the
8 Vice President under section 104 of title 3, United
9 States Code, except that the head of an executive
10 agency may establish one or more narrowly targeted
11 exceptions for scientists, engineers, or other special-
12 ists upon a determination that such exceptions are
13 needed to ensure that the executive agency has con-
14 tinued access to needed skills and capabilities.”.

15 (2) DEFENSE CONTRACTS.—Section
16 2324(e)(1)(P) of title 10, United States Code, is
17 amended to read as follows:

18 “(P) Costs of compensation of contractor
19 and subcontractor employees for a fiscal year,
20 regardless of the contract funding source, to the
21 extent that such compensation exceeds the rate
22 payable for the Vice President under section
23 104 of title 3, United States Code, except that
24 the head of an executive agency may establish
25 one or more narrowly targeted exceptions for

1 scientists, engineers, or other specialists upon a
2 determination that such exceptions are needed
3 to ensure that the executive agency has contin-
4 ued access to needed skills and capabilities.”.

5 (b) CONFORMING AMENDMENTS.—

6 (1) REPEAL.—Section 1127 of title 41, United
7 States Code, is hereby repealed.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 11 of title 41,
10 United States Code, is amended by striking the item
11 relating to section 1127.

12 (c) APPLICABILITY.—This section and the amend-
13 ments made by this section shall apply only with respect
14 to costs of compensation incurred under contracts entered
15 into on or after the date that is 180 days after the date
16 of the enactment of this Act.

17 (d) REPORTS.—

18 (1) IN GENERAL.—Not later than 60 days after
19 the end of each fiscal year, the Director of the Office
20 of Management and Budget shall submit a report on
21 contractor compensation to—

22 (A) the Committee on Armed Services of
23 the Senate;

24 (B) the Committee on Armed Services of
25 the House of Representatives;

1 (C) the Committee on Homeland Security
2 and Governmental Affairs of the Senate;

3 (D) the Committee on Homeland Security
4 of the House of Representatives;

5 (E) the Committee on Appropriations of
6 the Senate; and

7 (F) the Committee on Appropriations of
8 the House of Representatives.

9 (2) ELEMENTS.—The report required under
10 paragraph (1) shall include—

11 (A) the total number of contractor employ-
12 ees, by executive agency, in the narrowly tar-
13 geted exception positions described under sub-
14 section (a) during the preceding fiscal year;

15 (B) the taxpayer-funded compensation
16 amounts received by each contractor employee
17 in a narrowly targeted exception position during
18 such fiscal year; and

19 (C) the duties and services performed by
20 contractor employees in the narrowly targeted
21 exception positions during such fiscal year.

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