

116TH CONGRESS
2D SESSION

H. R. 8185

To require the Comptroller General of the United States to submit a report on use of time-and-materials and labor contracts and labor category minimums within the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2020

Mr. BROWN of Maryland introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the Comptroller General of the United States to submit a report on use of time-and-materials and labor contracts and labor category minimums within the Department of Defense, and for other purposes.

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 “Congressional Over-
5 sight of Labor Categories in Defense Contracting Act of
6 2020”.

1 **SEC. 2. REPORT ON USE OF TIME-AND-MATERIALS AND**
2 **LABOR CONTRACTS AND LABOR CATEGORY**
3 **MINIMUMS.**

4 (a) REPORT.—Not later than 240 days after the date
5 of the enactment of this Act, the Comptroller General of
6 the United States shall submit to the Committees on
7 Armed Services of the Senate and the House of Represent-
8 atives a report on the use of time-and-materials and labor
9 contracts and labor category minimums within the De-
10 partment of Defense.

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall include the following:

13 (1) An assessment on the trends in Department
14 of Defense time-and-materials and labor hour con-
15 tracts, including—

16 (A) the frequency of use;

17 (B) the aggregate and average value;

18 (C) the proposed and actual value;

19 (D) the use of labor category minimums
20 within such contracts; and

21 (E) the dollar value of such contracts
22 awarded using FAR Part 12 procedures.

23 (2) An assessment of the supply and the de-
24 mand available in the workforce for each labor cat-
25 egory used in Department of Defense contracts.

1 (3) An assessment of the sectors in which tech-
2 nology has altered the suitability of time-and-mate-
3 rials and labor hour contracts, including information
4 technology services, cybersecurity services, audit or
5 audit readiness services, health care services and
6 records, telecommunications devices and services, or
7 other knowledge-based professional services.

8 (4) An assessment on the feasibility of using
9 private sector experience to substitute for edu-
10 cational requirements in Department of Defense
11 contracts.

12 (5) Recommendations on improvements that
13 can be made to the minimum requirements in labor
14 categories.

15 (6) Recommendations on changes to Depart-
16 ment of Defense policy regarding time-and-materials
17 and labor hour contracts, including actions to limit
18 or restrict award of such contracts, especially when
19 utilizing FAR Part 12 procedures.

20 (7) Any other matters determined by the Comp-
21 troller General as appropriate.

22 (c) BRIEFINGS.—Not later than May 1, 2021, the
23 Comptroller General shall provide to the committees re-
24 ferred to in subsection (a) one or more briefings on the
25 status of the study required by subsection (a), including

- 1 any preliminary findings and recommendations of the
- 2 Comptroller General as a result of the study as of the date
- 3 of such briefing.

