

107TH CONGRESS
1ST SESSION

H. R. 2681

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

JULY 31, 2001

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 2001”.

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

5 Section 3 of the Act of March 3, 1931 (Chapter 411;
6 46 Stat. 1494; 40 U.S.C. 276a et seq.; commonly known
7 as the Davis-Bacon Act) is amended by adding at the end
8 the following:

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

18 **SEC. 3. DISCLOSURE OF INFORMATION.**

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

22 “(7) The names and addresses of employees in pay-
23 roll records established under a contract which is subject
24 to the Act of March 3, 1931 (Chapter 411; 46 Stat. 1494;
25 40 U.S.C. 276a et seq.; commonly known as the Davis-
26 Bacon Act) shall be made available, notwithstanding sub-

1 section (b)(6), for inspection in connection with an audit
2 to determine compliance with such Act.”.

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

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