

113TH CONGRESS
1ST SESSION

S. 1192

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

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2013

Mrs. BOXER (for herself, Mr. GRASSLEY, and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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 annual amount pay-
8 able under the aggregate limitation on pay as estab-
9 lished by the Office of Management and Budget
10 (currently \$230,700), except that the head of an ex-
11 ecutive agency may establish one or more narrowly
12 targeted exceptions for scientists, engineers, or other
13 specialists upon a determination that such excep-
14 tions are needed to ensure that the executive agency
15 has continued access to needed skills and capabili-
16 ties.”.

17 (2) DEFENSE CONTRACTS.—Section
18 2324(e)(1)(P) of title 10, United States Code, is
19 amended to read as follows:

20 “(P) Costs of compensation of contractor
21 and subcontractor employees for a fiscal year,
22 regardless of the contract funding source, to the
23 extent that such compensation exceeds the an-
24 nual amount payable under the aggregate limi-
25 tation on pay as established by the Office of

1 Management and Budget (currently \$230,700),
2 except that the head of an executive agency
3 may establish one or more narrowly targeted
4 exceptions for scientists, engineers, or other
5 specialists upon a determination that such ex-
6 ceptions are needed to ensure that the executive
7 agency has continued access to needed skills
8 and capabilities.”.

9 (b) CONFORMING AMENDMENTS.—

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11 States Code, is hereby repealed.

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

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

21 (d) REPORTS.—

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

1 (A) the Committee on Armed Services of
2 the Senate;

3 (B) the Committee on Armed Services of
4 the House of Representatives;

5 (C) the Committee on Homeland Security
6 and Governmental Affairs of the Senate;

7 (D) the Committee on Homeland Security
8 of the House of Representatives;

9 (E) the Committee on Appropriations of
10 the Senate; and

11 (F) the Committee on Appropriations of
12 the House of Representatives.

13 (2) ELEMENTS.—The report required under
14 paragraph (1) shall include—

15 (A) the total number of contractor employ-
16 ees, by executive agency, in the narrowly tar-
17 geted exception positions described under sub-
18 section (a) during the preceding fiscal year;

19 (B) the taxpayer-funded compensation
20 amounts received by each contractor employee
21 in a narrowly targeted exception position during
22 such fiscal year; and

1 (C) the duties and services performed by
2 contractor employees in the narrowly targeted
3 exception positions during such fiscal year.

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