

116TH CONGRESS
1ST SESSION

H. R. 824

To provide back pay to Federal contractors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2019

Mr. NORCROSS (for himself and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on Oversight and 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 provide back pay to Federal contractors, 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 “Fairness for Federal
5 Contractors Act of 2019”.

6 **SEC. 2. APPROPRIATION.**

7 There is hereby appropriated, out of any money in
8 the Treasury not otherwise appropriated, for the fiscal
9 year ending September 30, 2019, such sums as may be

1 necessary for each Federal agency subject to the lapse in
2 appropriations that began on or about December 22,
3 2018, for adjustments in the price of contracts of such
4 agency under section 3.

5 **SEC. 3. BACK COMPENSATION FOR FEDERAL CONTRAC-**
6 **TORS IN CONNECTION WITH THE LAPSE IN**
7 **APPROPRIATIONS.**

8 (a) IN GENERAL.—Each Federal agency subject to
9 the lapse in appropriations that began on or about Decem-
10 ber 22, 2018, shall adjust the price of any contract of such
11 agency for which the contractor was ordered to suspend,
12 delay, or interrupt all or part of the work of such contract,
13 or stop all or any part of the work called for in such con-
14 tract, as a result of the lapse in appropriations to com-
15 pensate the contractor for reasonable costs incurred—

16 (1) to provide compensation, at an employee's
17 standard rate of compensation, to any employee who
18 was furloughed or laid off, or who was not working,
19 who experienced a reduction of hours, or who experi-
20 enced a reduction in compensation, as a result of the
21 lapse in appropriations (for the period of the lapse);
22 or

23 (2) to restore paid leave taken by any employee
24 during the lapse in appropriations, if the contractor

1 required employees to use paid leave as a result of
2 the lapse in appropriations.

3 (b) LIMITATION ON AMOUNT OF WEEKLY COM-
4 PENSATION COVERED BY ADJUSTMENT.—The maximum
5 amount of weekly compensation of an employee for which
6 an adjustment may be made under subsection (a) may not
7 exceed the lesser of—

8 (1) the employee’s actual weekly compensation;

9 or

10 (2) \$1,400.

11 (c) TIMING OF ADJUSTMENTS.—The adjustments re-
12 quired by subsection (a) shall be made as soon as prac-
13 ticable after the end of the lapse in appropriations de-
14 scribed in that subsection.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “compensation” has the meaning
17 given that term in section 6701 of title 41, United
18 States Code.

19 (2) The term “employee” means the following:

20 (A) A “service employee” as that term is
21 defined in section 6701(3) of title 41, United
22 States Code, except that the term also includes
23 service employees described in subparagraph
24 (C) of that section notwithstanding that sub-
25 paragraph.

1 (B) A “laborer or mechanic” covered by
2 section 3142 of title 40, United States Code.

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