

112TH CONGRESS
2D SESSION

H. R. 4403

To suspend subchapter IV of chapter 31 of title 40, United States Code, commonly known as the Davis-Bacon Act, through the end of fiscal year 2023, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2012

Mr. GOSAR introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To suspend subchapter IV of chapter 31 of title 40, United States Code, commonly known as the Davis-Bacon Act, through the end of fiscal year 2023, 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 “Fiscal Responsibility
5 in Federal Contracting Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) According to the Bureau of Labor Statis-
2 tics, the national unemployment rate was 9 percent
3 or higher for all but 3 months from July 2009
4 through September 2011. The unemployment rate
5 remains unacceptably high, with a national unem-
6 ployment rate of 8.2 percent (12.7 million unem-
7 ployed persons) in March 2012.

8 (2) The Congressional Budget Office predicts
9 that unemployment rates may continue to exceed 8.5
10 percent. Investment banking firms estimate future
11 unemployment rates between 9.25 percent and 9.5
12 percent.

13 (3) According to the Bureau of Labor Statis-
14 tics, an average of 15.9 percent of the civilian labor
15 force plus marginally attached workers (individuals
16 not seeking jobs as a result of being discouraged or
17 for another reason) was either unemployed, margin-
18 ally attached, or underemployed in 2011.

19 (4) The Davis-Bacon Act imposes costs on all
20 Federal projects, increasing the costs of those
21 projects by 22 percent compared to the private sec-
22 tor, and costing the taxpayers as much as \$11 bil-
23 lion per year.

24 (5) Leaders of both political parties have sus-
25 pended the Davis-Bacon Act in times of national dis-

1 tress. Presidents Franklin D. Roosevelt, Richard M.
2 Nixon, George H.W. Bush, and George W. Bush all
3 suspended the Davis-Bacon Act.

4 (6) State-level suspensions of similar State
5 wage acts resulted in a decline in project costs and
6 a significant rise in the number of jobs resulting
7 from these projects.

8 (7) Evidence suggests that in times of economic
9 emergency, suspension of the Davis-Bacon Act re-
10 sults in higher employment rates and more jobs as
11 a result of Federal contracts.

12 **SEC. 3. SUSPENSION OF THE DAVIS-BACON ACT.**

13 Beginning on the date of enactment of this Act, sub-
14 chapter IV of chapter 31 of title 40, United States Code,
15 commonly known as the Davis-Bacon Act, shall have no
16 force or effect through the end of fiscal year 2023.

17 **SEC. 4. REPORT.**

18 Not later than 60 days after the end of each fiscal
19 year through fiscal year 2023, the Comptroller General
20 shall submit a report to Congress that shows the savings
21 to the Federal government that resulted from the suspen-
22 sion of subchapter IV of chapter 31 of title 40, United
23 States Code, commonly known as the Davis-Bacon Act,

- 1 since the beginning of such suspension through the end
- 2 of that fiscal year.

