

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**19**

**OFFERED BY MR. SMITH OF NEW JERSEY**

At the end of subtitle G of title VIII, add the following new section:

**1 SEC. 898. GAO REPORT ON CONTRACTING PRACTICES OF**  
**2 THE CORPS OF ENGINEERS.**

**3 (a) STUDY REQUIRED.**—The Comptroller General of  
**4 the United States shall conduct a study on the contracting**  
**5 practices of the Corps of Engineers, with a specific focus**  
**6 on how the Corps of Engineers complies with and enforces**  
**7 the requirement to pay prevailing wages on federally fi-**  
**8 nanced construction jobs, as required by subchapter IV**  
**9 of chapter 31 of title 40, United States Code (commonly**  
**10 referred to as the Davis-Bacon Act). The study shall con-**  
**11 sider the following:**

**12 (1) Any programs or protocols the Corps of En-**  
**13 gineers has in place for the purpose of carrying out**  
**14 its Davis-Bacon Act enforcement obligations as set**  
**15 forth in the Federal Acquisition Regulation.**

**16 (2) Any programs or protocols the Corps of En-**  
**17 gineers has in place for the purpose of identifying**  
**18 and addressing independent contractor**

1 misclassification on projects subject to the Davis-  
2 Bacon Act.

3 (3) The frequency with which the Corps of En-  
4 gineers conducts site visits on each covered project  
5 to monitor Davis-Bacon Act compliance.

6 (4) The frequency with which the Corps of En-  
7 gineers monitors certified payroll reports submitted  
8 by contractors and subcontractors on each covered  
9 project.

10 (5) Whether the Corps of Engineers accepts  
11 and investigates complaints of Davis-Bacon Act vio-  
12 lations submitted by third parties, such as contrac-  
13 tors and workers' rights organizations.

14 (6) Whether the Corps of Engineers maintains  
15 a database listing all contractors and subcontractors  
16 who have, in one way or another, violated the Davis-  
17 Bacon Act and whether the Corps consults this  
18 database as part of its contract award process.

19 (7) The frequency, over the last five years, with  
20 which the Corps of Engineers penalized, disqualified,  
21 terminated, or moved for debarment of a contractor  
22 for Davis-Bacon violations.

23 (8) How the Corps of Engineers verifies that  
24 the contractors it hires for its projects are properly  
25 licensed.

1 (b) REPORT TO CONGRESS.—Not later than 1 year  
2 after the date of enactment of this Act, the Comptroller  
3 General of the United States shall submit to the Com-  
4 mittee on Education and Labor, the Committee on Armed  
5 Services, and the Committee on Transportation and Infra-  
6 structure of the House of Representatives and the Com-  
7 mittee on Health, Education, Labor, and Pensions, the  
8 Committee on Armed Services, and the Committee on  
9 Commerce, Science, and Transportation of the Senate a  
10 report that summarizes the results of the study required  
11 under subsection (a), together with any recommendations  
12 for legislative or regulatory action that would improve the  
13 efforts of enforcing the requirement to pay prevailing  
14 wages on federally financed construction jobs.

