

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 4435  
OFFERED BY MR. TONKO OF NEW YORK**

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

1 **SEC. 805. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF**  
2 **COMPENSATION OF CONTRACTOR EMPLOY-**  
3 **EES.**

4 (a) DEFENSE AGENCY CONTRACTS.—Subparagraph  
5 (P) of section 2324(e)(1) of title 10, United States Code,  
6 is amended to read as follows:

7 “(P) Costs of compensation of any con-  
8 tractor employee for a fiscal year, regardless of  
9 the contract funding source, to the extent that  
10 such compensation exceeds the rate payable for  
11 the Vice President under section 104 of title 3,  
12 United States Code, except that the Secretary  
13 of Defense may establish one or more narrowly  
14 targeted exceptions for scientists, engineers, or  
15 other specialists upon a determination that such  
16 exceptions are needed to ensure that the De-  
17 partment of Defense has continued access to  
18 needed skills and capabilities.”.

1 (b) CIVILIAN AGENCY CONTRACTS.—Paragraph (16)  
2 of section 4304(a) of title 41, United States Code, is  
3 amended to read as follows:

4 “(16) CIVILIAN AGENCY CONTRACTS.—Costs of  
5 compensation of any contractor employee for a fiscal  
6 year, regardless of the contract funding source, to  
7 the extent that such compensation exceeds the rate  
8 payable for the Vice President under section 104 of  
9 title 3, except that the executive agency may estab-  
10 lish one or more narrowly targeted exceptions for  
11 scientists, engineers, or other specialists upon a de-  
12 termination that such exceptions are needed to en-  
13 sure that the executive agency has continued access  
14 to needed skills and capabilities.”.

15 (c) EFFECTIVE DATE.—The amendments made by  
16 subsections (a) and (b) shall take effect on January 1,  
17 2015, and shall apply with respect to costs of compensa-  
18 tion incurred on or after that date.

