

104TH CONGRESS
1ST SESSION

S. 781

To amend the Occupational Safety and Health Act to require Federal contracts debarment for persons who violate the Act's provisions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9 (legislative day, MAY 1), 1995

Mr. SIMON introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Occupational Safety and Health Act to require Federal contracts debarment for persons who violate the Act's provisions, 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 "Federal Contractor
5 Safety and Health Enforcement Act of 1995".

6 **SEC. 2. DEBARMENT.**

7 The Occupational Safety and Health Act (29 U.S.C.
8 651 et seq.) is amended—

1 (1) by redesignating sections 33 and 34, as sec-
2 tions 34 and 35, respectively;

3 (2) by inserting after section 32 the following
4 new section:

5 “FEDERAL CONTRACTS DEBARMENT

6 “SEC. 33. (a) Any person or entity that, with a clear
7 pattern and practice, violates the provisions of this Act
8 shall be ineligible for all Federal contracts for a period
9 of 3 years.

10 “(b) The Secretary shall promulgate regulations re-
11 garding debarment provisions and procedures. The regula-
12 tions shall require that Federal contracting agencies shall
13 refrain from entering into further contracts, or extensions
14 or modifications of existing contracts, with any person or
15 entity described in subsection (a) during the 3-year period
16 immediately following a determination by the Secretary
17 that the person or entity is in violation (as described in
18 subsection (a)) of this Act.

19 “(c) A debarment may be removed, or the period of
20 debarment may be reduced, by the Secretary upon the
21 submission of an application to the Secretary that is sup-
22 ported by documentary evidence and that sets forth appro-
23 priate reasons for the granting of the debarment removal
24 or reduction, including reasons such as compliance with
25 the final orders that are found to have been willfully vio-

1 lated, a bona fide change of ownership or management,
2 or a fraud or misrepresentation of the charging party.”.

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