

113TH CONGRESS  
1ST SESSION

# S. 664

To require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 22, 2013

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

---

## A BILL

To require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, 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 “Government Con-  
5 tractor Accountability Act of 2013”.

1 **SEC. 2. REPORTS BY FEDERAL ENTITIES ON RESPONSES TO**  
2 **INSPECTOR GENERAL RECOMMENDATIONS**  
3 **ON POTENTIAL COST-SAVING MEASURES OR**  
4 **REIMBURSEMENT FOR POOR CONTRACTOR**  
5 **PERFORMANCE, COST OVERRUNS, OR OTHER**  
6 **REASONS.**

7 (a) REPORTS.—

8 (1) FAILURES TO RESPOND, LOW-RANKIN NON-  
9 CONCURS, AND PARTIAL CONCURS.—Not later than  
10 30 days after the end of the 60-day period for an  
11 audited establishment to respond to a covered final  
12 audit report submitted to the establishment by an  
13 Inspector General under section 5 of the Inspector  
14 General Act of 1978 (5 U.S.C. App.), or by the Spe-  
15 cial Inspector General for Afghanistan Reconstruc-  
16 tion, the Special Inspector General for Iraq Recon-  
17 struction, or any other Inspector General under ap-  
18 plicable law, or 30 days after the establishment re-  
19 sponds to a covered audit report with a non-concur  
20 or partial concur response, the head of the establish-  
21 ment shall submit to Congress a report with an ex-  
22 planation for the failure to respond or the non-con-  
23 cur or partial concur response.

24 (2) FULL CONCURS.—Not later than 180 days  
25 after an establishment responds to a covered audit  
26 report submitted to the establishment by an Inspec-

1       tor General under section 5 of the Inspector General  
2       Act of 1978, or by the Special Inspector General for  
3       Afghanistan Reconstruction, the Special Inspector  
4       General for Iraq Reconstruction, or any other In-  
5       spector General under applicable law, with a full  
6       concur response, the head of the establishment shall  
7       submit to Congress a report with a description of  
8       the status of any open or pending recommendations  
9       from the Inspector General, including any actions  
10      taken to implement the recommendations.

11      (b) DEFINITIONS.—In this section:

12           (1) COVERED FINAL AUDIT REPORT.—The term  
13           “covered final audit report” means a final audit re-  
14           port issued by an Inspector General under the In-  
15           spector General Act of 1978 or other applicable law  
16           that includes a recommendation for an establishment  
17           to implement cost-saving measures or to seek reim-  
18           bursement for failure by a contractor or subcon-  
19           tractor to successfully complete a contract due to  
20           poor contractor performance, cost-overruns, or other  
21           reasons that would, if implemented, result in at least  
22           \$2,000,000 in savings.

23           (2) ESTABLISHMENT.—The term “establis-  
24           ment” has the meaning given that term in section

1 12 of the Inspector General Act of 1978, except that  
2 the term also includes the following:

3 (A) The Office of the Director of National  
4 Intelligence.

5 (B) The Central Intelligence Agency.

6 (C) The Architect of the Capitol.

7 (D) The Government Accountability Office.

8 (E) The Government Printing Office.

9 (F) The Library of Congress.

10 (3) HEAD OF ESTABLISHMENT.—The term  
11 “head of establishment” has the meaning given that  
12 term in section 12 of the Inspector General Act of  
13 1978, except that the term also includes the fol-  
14 lowing:

15 (A) The Director of National Intelligence.

16 (B) The Director of the Central Intel-  
17 ligence Agency.

18 (C) The Architect of the Capitol.

19 (D) The Comptroller General of the United  
20 States.

21 (E) The Public Printer.

22 (F) The Librarian of Congress.