

87TH CONGRESS
1ST SESSION

H. R. 5622

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1961

MR. FOGARTY introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; 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 That section 1 of the Act of March 3, 1931, as amended (46
4 Stat. 1494, as amended; 40 U.S.C. 276a), is hereby
5 amended by designating the language of the present section
6 as subsection (a) and by adding at the end thereof the fol-
7 lowing new subsection (b) :

8 “(b). As used in this Act the terms ‘wages’, ‘scale of
9 wages’, ‘wage rates’, ‘minimum wages’, and ‘prevailing
10 wages’ shall include:

1 “(1) the basic hourly rate of pay;

2 “(2) the rate of payments by a contractor or his

3 subcontractor to a fund established by bona fide collec-

4 tive bargaining agreement between such contractor or

5 subcontractor or his representatives and laborers and/or

6 mechanics or their representatives, jointly administered

7 in the manner provided by section 302 (c) (5) of the

8 Labor Management Relations Act, 1947, as amended,

9 for the purpose of providing, either from principal or

10 income, or both, for medical or hospital care, pensions

11 or retirement or death of laborers and/or mechanics,

12 compensation for injuries or illness resulting from oc-

13 cupational activity or insurance to provide any of the

14 foregoing, or unemployment benefits, or life insurance,

15 disability and sickness insurance or accident insurance,

16 or for defraying costs of apprenticeship or other train-

17 ing programs: *Provided*, That the obligation of the con-

18 tractor or subcontractor to make payment in accordance

19 with the prevailing minimum wage determinations of

20 the Secretary of Labor, insofar as this Act and other

21 Acts incorporating this Act by reference, are concerned,

22 shall be discharged, with respect to the determinations

23 of the Secretary of Labor under this paragraph, by

24 making such payments required by this paragraph to a

25 fund or funds established in the manner and for the

1 purposes set forth in this paragraph or directly to the
2 laborers and/or mechanics employed by the contractor
3 or subcontractor and to whom such determinations are
4 applicable.”

5 SEC. 2. Section 15 (b) of the Federal Airport Act, as
6 amended (60 Stat. 178, as amended; 49 U.S.C. 1114 (b)),
7 is hereby amended by inserting the words “in accordance
8 with the Davis-Bacon Act, as amended (40 U.S.C. 276a—
9 276a-5)” after the words “Secretary of Labor,”.

10 SEC. 3. Section 212 (a) of the National Housing Act, as
11 amended (53 Stat. 208, as amended; 12 U.S.C. 1715 (c)),
12 is hereby amended by inserting the words “in accordance
13 with the Davis-Bacon Act, as amended (40 U.S.C. 276a—
14 276a-5)” after the words “Secretary of Labor,”.

15 SEC. 4. The amendments made by this Act shall take
16 effect on the ninetieth day after the date of enactment of
17 this Act, but shall not affect any contract in existence on
18 such effective date or made thereafter pursuant to invitations
19 for bids outstanding on such effective date and the rate of
20 payments specified by section 1 (b) (2) shall, during a pe-
21 riod of two hundred and seventy days after such effective
22 date, become effective only in those cases and reasonable
23 classes of cases as the Secretary of Labor, acting as rapidly
24 as practicable to make such rates of payments fully effective,
25 shall by rule or regulation provide.

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