

117TH CONGRESS
1ST SESSION

S. 2963

To establish a socioeconomic labor threshold and use that threshold for purposes of chapter 67 of title 41, United States Code.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 2021

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

A BILL

To establish a socioeconomic labor threshold and use that threshold for purposes of chapter 67 of title 41, United States Code.

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 “Service Contract Mod-
5 ernization Act”.

6 **SEC. 2. SOCIOECONOMIC LABOR THRESHOLD.**

7 (a) IN GENERAL.—For purposes of this Act, the so-
8 cioeconomic labor threshold is—

9 (1) for the period beginning on the date of en-
10 actment of this Act and ending on October 1 fol-

lowing such date of enactment, the amount determined by the Secretary of Labor under subsection (b)(1); and

(2) for each 1-year period beginning on October 1 following such date of enactment, the amount determined by the Secretary of Labor under subsection (b)(2).

(b) INFLATION ADJUSTMENTS.—

(1) INITIAL PERIOD.—The amount determined under this paragraph for the period described in subsection (a)(1) shall be \$2,500 as—

(A) increased by the percentage increase in the Consumer Price Index for All Urban Consumers (all items; United States city average), as published by the Bureau of Labor Statistics, comparing—

(i) such Consumer Price Index for October of 1965; and

(ii) such Consumer Price Index for the most recent month as of the date of enactment of this Act for which such Consumer Price Index is available; and

(B) (if applicable), rounded to the nearest multiple of \$100.

(2) SUBSEQUENT PERIODS.—

1 (A) IN GENERAL.—The amount deter-
2 mined under this paragraph for the applicable
3 period described in subsection (a)(2) shall be
4 the amount in effect on the date of such deter-
5 mination as—

6 (i) increased (if applicable) from such
7 amount by the annual percentage increase,
8 if any, in the Consumer Price Index for All
9 Urban Consumers (all items; United States
10 city average), as published by the Bureau
11 of Labor Statistics, from the preceding
12 year as calculated in accordance with sub-
13 paragraph (B); and

14 (ii) (if applicable) rounded to the
15 nearest multiple of \$100.

16 (B) CONSUMER PRICE INDEX.—In making
17 the determination under subparagraph (A) and
18 calculating the percentage increase in the Con-
19 sumer Price Index for All Urban Consumers
20 under subparagraph (A)(i), the Secretary of
21 Labor shall compare the Consumer Price Index
22 for All Urban Consumers (all items; United
23 States city average), as determined by the Bu-
24 reau of Labor Statistics, for June of the cal-
25 endar year in which such determination is made

with the Consumer Price Index for All Urban Consumers (all items; United States city average), as determined by the Bureau of Labor Statistics, for June of the preceding calendar year.

(C) RULE OF CONSTRUCTION.—With respect to a determination under subparagraph (A) of the amount in effect under this paragraph for an applicable period under subsection (a)(2), if there is not an annual percentage increase in the Consumer Price Index for All Urban Consumers (all items; United States city average) from the preceding year as described in subparagraph (A)(i), the amount in effect under this subsection for such applicable period shall be the amount in effect under subsection (a) on the date of such determination.

SEC. 3. AMENDMENTS TO THE MCNAMARA-O'HARA SERVICE

CONTRACT ACT.

(a) DEFINITION.—Section 6701 of title 41, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

1 “(4) SOCIOECONOMIC LABOR THRESHOLD.—

2 The term ‘socioeconomic labor threshold’ means the
3 socioeconomic labor threshold established under sec-
4 tion 2 of the Service Contract Modernization Act.”.

5 (b) APPLICABILITY THRESHOLD.—Section
6 6702(a)(2) of title 41, United States Code, is amended
7 to read as follows:

8 “(2) involves an amount exceeding—

9 “(A) for contracts and bid specifications
10 made prior to the date of enactment of the
11 Service Contract Modernization Act, \$2,500;
12 and

13 “(B) for contracts and bid specifications
14 made on or after such date of enactment, the
15 socioeconomic labor threshold.”.

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