

## S 526

Lieutenant Colonel Dominic "Rocky" Baragona Justice for American Heroes Harmed by Contractors Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Mar 4, 2009

**Current Status:** Committee on Homeland Security and Governmental Affairs Subcommittee on Contracting Oversight. Hearings held. (Nov 18, 2009)

**Latest Action:** Committee on Homeland Security and Governmental Affairs Subcommittee on Contracting Oversight. Hearings held. (Nov 18, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/526>

### Sponsor

**Name:** Sen. McCaskill, Claire [D-MO]

**Party:** Democratic • **State:** MO • **Chamber:** Senate

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Martinez, Mel [R-FL]	R · FL		Mar 26, 2009
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Apr 1, 2009
Sen. Nelson, Bill [D-FL]	D · FL		May 5, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		Oct 7, 2009

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Hearings By (subcommittee)	Nov 18, 2009

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

Bill	Relationship	Last Action
111 S 2782	Related bill	Dec 9, 2010: Placed on Senate Legislative Calendar under General Orders. Calendar No. 682.
111 HR 2349	Identical bill	Jun 26, 2009: Referred to the Subcommittee on Government Management, Organization, and Procurement.

Lieutenant Colonel Dominic "Rocky" Baragona Justice for American Heroes Harmed by Contractors Act - Requires the Director of the Office of Management and Budget (OMB) to amend the Federal Acquisition Regulation (FAR) to include, with respect to any contract for work to be performed outside the United States that is approved and financed by the U.S. government, requirements that: (1) the contractor consent to in personam jurisdiction over the contractor by the federal courts with respect to any suit alleging serious bodily injury of a member of the Armed Forces, civilian government employee, or U.S. citizen employee of a company performing work for the government, or any civil or criminal suit brought by the government alleging wrongdoing associated with the performance of the contract; and (2) a contractor awarded a contract with a value of \$5 million or more that does not maintain a U.S. office designate an agent in the United States for service of process in such a suit.

Requires a contractor to consent to federal court jurisdiction in any civil or criminal action commenced between September 11, 2001, and the date of enactment of this Act as a condition of entering into any contract with the U.S. government, or receiving payment for performing any activity under such a contract, on or after the date of enactment of this Act.

Requires the Director to amend FAR to provide that a U.S. government contractor may be debarred or suspended from contracting for: (1) evading service of process in such a suit; or (2) refusing or failing to appear before a federal court in a matter brought against the contractor by the U.S. government or a U.S. citizen or national in connection with contract performance.

## **Actions Timeline**

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- **Nov 18, 2009:** Committee on Homeland Security and Governmental Affairs Subcommittee on Contracting Oversight. Hearings held.
- **Mar 4, 2009:** Introduced in Senate
- **Mar 4, 2009:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.