



United States Government Accountability Office
Washington, DC 20548

Revised

September 28, 2007

Labor Relations Advisor
Office of the Deputy Assistant Secretary of the Navy
1000 Navy Pentagon, Room BF-992
Washington, DC 20350-1000

Dear

The Government Accountability Office (GAO) administers a deposit fund known as the Davis Bacon Fund. The purpose of the Davis Bacon Fund is to pay claims relating to violations of (1) subchapter IV of chapter 31 of Title 40 of the United States Code, commonly known as the Davis Bacon Act, and (2) chapter 37 of Title 40 of the United States Code, commonly known as the Contract Work Hours and Safety Standards Act. Under these acts and implementing regulations, the Department of Labor (DOL), or contracting agencies investigates violation allegations. If DOL determines that a federal contractor owes additional wages to covered employees, it provides GAO with a list of the amounts owed to each employee. The contracting federal agency is required to withhold this amount from the contractor's payment and remit the funds to GAO where they are deposited in the Davis Bacon Fund. The contracting federal agency submits payment to the Comptroller General at GAO along with the Standard Form 1093¹ and additional data required under Federal Acquisition Regulation (FAR) 22.406-9(c) or by the Secretary of Labor. GAO then notifies the underpaid employees that they have the right to receive payment. Once an employee has filed a claim for the funds, GAO authorizes the Treasury Department to process the payment net of federal withholding, Social Security, and Medicare taxes.

On October 1, 2007, GAO will be implementing a new financial management system, Delphi Oracle, and entering into a cross servicing arrangement with the Department of Transportation (DOT)/Enterprise Service Center (ESC) to perform certain accounting transactions affecting cash deposits, accounts payables and accounts receivables, which will include the Davis Bacon Fund.

If you are receiving this letter, we have determined that your agency deals with GAO under the Davis Bacon Act or the Contract Work Hours and Safety Standards Act and

¹ Standard Form 1093 is attached for your convenience.

request your assistance in having a smooth transition with our cross servicing agency, DOT/ESC. Accordingly,

Effective October 1, 2007, please send payments for the disposition of contract payments withheld or suspended under the Davis Bacon Act or the Contract Work Hours and Safety Standards Act and implementing regulation FAR 22.406-9(c) and the Standard Form 1093 to the address below.

**DOT/ FAA/MMAC, AMZ-310
PO BOX 25770
OKLAHOMA CITY, OK 73125**

Please continue to send a copy of the Standard Form 1093, along with the additional data required under FAR 22.406-9(c) and any investigative reports required by the Secretary of Labor to GAO, Davis Bacon Group-OGC.

Additionally, if your agency deals with another entity (governmental or non-governmental) who would also have responsibilities to submit payments for the disposition of contract payments withheld or suspended under the Davis Bacon Act or the Contract Work Hours and Safety Standards Act and implementing regulations to GAO, we respectfully request that you forward this notification on to that entity. Thank you for your prompt assistance in this matter. If you have any questions or concerns please feel free to contact LaBrenda Jones at (202)512-8134 or JonesL@GAO.GOV.

Sincerely yours,



Deirdre Hardiman
Deputy Director, Office of Financial Management

Attachment

SCHEDULE OF WITHHOLDING UNDER THE DAVIS-BACON ACT (40 U.S.C. §§ 3141 et seq.)
AND/OR
THE CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. §§ 3701 et seq.)

TO THE: U.S. GOVERNMENT ACCOUNTABILITY OFFICE
 OFFICE OF GENERAL COUNSEL
 DAVIS-BACON GROUP
 441 G STREET, NW
 WASHINGTON, DC 20548

Contractor or subcontractor charged
 With violations

Prime contractor _____

Contract No(s) _____ Date _____

Report concerning irregularities transmitted to:

_____ Date _____
 Name of agency/facility

Deducted from amounts otherwise due the contractor, for deposit to the account "05X6022," covering wages due the employee(s) whose name(s), social security number(s), and current address(es) are listed on the attached schedule, are withholdings pursuant to the following laws:

Davis-Bacon Act \$ _____

Contract Work Hours and Safety Standards Act \$ _____

Total \$ _____

Forwarded herewith is check No. _____ dated _____

For \$ _____

 (Disbursing officer or other administrative official)