

U.S. Department of Labor
WAGE AND HOUR DIVISION
230 N. First Ave Suite 402
Phoenix, AZ 85003



Transmitted via email

September 9, 2015

U.S. Department of Homeland Security
Immigration and Customs Enforcement
Attn: (b)(6); [redacted] Contracting Officer

RE: Service Contract Act Clauses and Stipulations
Contract No.: DROIGSA-06-0002

Dear Madame,

As you are aware, it has come to the attention of the Department of Labor (DOL) that the DHS ICE has issued a contract with CCA Tennessee in order to provide all housing, transportation, medical, guard services and food to federal inmates. The DOL has learned that the DHS ICE failed to include the Service Contract Act (SCA) or the Contract Work Hours and Safety Standards Act (CWHSSA) clauses and stipulations.

The Service Contract Act requires that all contracts over \$2,500 that are principally for the furnishing of services through the use of Service Employees to the United States, must include SCA provisions and the appropriate wage determination. Additionally, any contract over \$100,000 must incorporate the CWHSSA stipulations as well.

The Department of Labor is requesting pursuant to 29 CFR 4.5(c) that the contract be modified retroactively to the start date of the contract to include CFR Part 4.6 and CFR Part 4.181 in its entirety.

Please advise Wage and Hour Investigator (b)(6); (b)(7)(C) of your agency's actions with regard to the above-referenced matter within by Friday, October 9, 2015. You may contact (b)(6); (b)(7)(C) at 602-407-(b)(6); (b)(7)(C) if you need further assistance.

Sincerely,

(b)(6); (b)(7)(C)

Phoenix District Director