

108TH CONGRESS
1ST SESSION

S. 981

To limit the period for which the Federal Government may procure property or services using noncompetitive procedures during emergency and urgent situations.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2003

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To limit the period for which the Federal Government may procure property or services using noncompetitive procedures during emergency and urgent situations.

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 “Business and Taxpayer
5 Procurement Protection Act”.

6 **SEC. 2. LIMITATION ON CONTRACTS AWARDED ON A NON-**

7 **COMPETITIVE BASIS.**

8 (a) IN GENERAL.—Notwithstanding any other provi-
9 sion of law or regulation, including the Federal Property

1 and Administrative Services Act of 1949, section 2304 of
2 title 10, United States Code, and the Federal Acquisition
3 Regulation—

4 (1) any procurement for property or services
5 that is not subject to competitive procedures under
6 a provision of law or regulation set forth in sub-
7 section (b) may not exceed 90 days; and

8 (2) if any property or services procured under
9 the limitations of paragraph (1) are required beyond
10 the 90 days referred to in paragraph (1), such prop-
11 erty or services shall—

12 (A) during the 90-day period, be the sub-
13 ject of a full and open competition in accord-
14 ance with the appropriate law or regulation;
15 and

16 (B) shall not be procured using procedures
17 other than competitive procedures under a pro-
18 vision of law or regulation set forth in sub-
19 section (b).

20 (b) APPLICABILITY.—The provisions of law and regu-
21 lations referred to in subsection (a) are the following:

22 (1) Subsections (c)(2), (c)(3)(A), (c)(7), and
23 (d)(1)(B)(ii) of section 303 of the Federal Property
24 and Administrative Services Act of 1949 (41 U.S.C.
25 253).

8 SEC. 3. EFFECTIVE DATE.

9 This Act shall apply with respect to contracts entered
10 into after the date of the enactment of this Act.

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