

109TH CONGRESS
2D SESSION

H. R. 5181

To amend the Federal Property and Administrative Services Act of 1949 to limit the number of, and require reporting relating to, all subcontracts under contracts with the Federal Government.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2006

Mr. JINDAL introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend the Federal Property and Administrative Services Act of 1949 to limit the number of, and require reporting relating to, all subcontracts under contracts with the Federal Government.

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 “Federal Contract
5 Transparency Act”.

1 **SEC. 2. LIMITATIONS AND REPORTING RELATING TO SUB-**
2 **CONTRACTS UNDER FEDERAL CONTRACTS.**

3 (a) REQUIREMENTS.—The Federal Property and Ad-
4 ministrative Services Act of 1949 (41 U.S.C. 251 et seq.)
5 is amended by adding at the end the following new section:

6 **“SEC. 318. LIMITATIONS AND REPORTING RELATED TO**
7 **SUBCONTRACTS.**

8 “(a) LIMITATIONS ON SUBCONTRACTING TIERS.—
9 Any contract awarded by an executive agency shall pro-
10 hibit the contractor from having more than three tiers of
11 subcontracts under the contract.

12 “(b) WAIVER OF LIMITATION.—The head of an exec-
13 utive agency may waive the limitation in subsection (a)
14 with respect to a contract if the contractor requests the
15 waiver and—

16 “(1) the head of the agency determines it is
17 necessary to facilitate emergency response by the
18 Federal Government during a major disaster or
19 emergency declared to exist by the President under
20 the Robert T. Stafford Disaster Relief and Emer-
21 gency Assistance Act (42 U.S.C. 5121 et seq.); or

22 “(2) the contractor justifies the waiver in writ-
23 ing and the head of the agency determines the jus-
24 tification is adequate and makes the justification
25 and the agency’s determination available upon re-
26 quest to Congress.

1 “(c) REPORT RELATING TO SUBCONTRACTS.—Any
2 contract awarded by an executive agency shall require the
3 contractor to track and report to the agency all sub-
4 contracts, at any tier, awarded by the contractor. The in-
5 formation in the reports shall be available upon request
6 to Congress.”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall apply with respect to contracts entered
9 into by executive agencies after the expiration of the 30-
10 day period beginning on the date of the enactment of this
11 Act.

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