

113TH CONGRESS
2D SESSION

H. R. 5211

To amend section 811 of Public Law 111–84 to apply that section to all contractors for all sole-source contracts exceeding \$20,000,000.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2014

Mr. YOUNG of Alaska (for himself and Ms. HANABUSA) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 811 of Public Law 111–84 to apply that section to all contractors for all sole-source contracts exceeding \$20,000,000.

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. AMENDMENTS TO JUSTIFICATION AND AP-**
4 **PROVAL REQUIREMENTS RELATED TO CER-**
5 **TAIN SOLE-SOURCE CONTRACTS.**

6 (a) EXPANSION OF SOLE-SOURCE CONTRACTS COV-
7 ERED.—Paragraph (1) of section 811(c) of the National
8 Defense Authorization Act for Fiscal Year 2010 (Public

1 Law 111–84; 123 Stat. 2405; 41 U.S.C. 3304 note) is
2 amended to read as follows:

3 “(1) COVERED PROCUREMENT.—The term ‘cov-
4 ered procurement’ means either of the following:

5 “(A) A procurement covered by chapter
6 137 of title 10, United States Code.

7 “(B) A procurement covered by division C
8 of subtitle I of title 41, United States Code.”.

9 (b) TREATMENT OF OTHER JUSTIFICATION AND AP-
10 PROVAL ACTIONS.—Section 811 of such Act is further
11 amended by adding at the end the following new sub-
12 section:

13 “(d) TREATMENT OF OTHER JUSTIFICATION AND
14 APPROVAL ACTIONS.—In the case of any contract for
15 which a justification and approval is required under sec-
16 tion 2304(f) of title 10, United States Code, or section
17 3304(e) of title 41, United States Code, a justification and
18 approval meeting the requirements of such section shall
19 be treated as meeting the requirements of this section for
20 purposes of the award of a sole-source contract.”.

21 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
22 Section 811 of such Act is further amended—

23 (1) in subsection (a), by striking “Not later
24 than 180 days after the date of the enactment of

1 this Act, the Federal Acquisition Regulation shall be
 2 revised to provide that the” and inserting “The”;

3 (2) in subsection (a)(3), by striking “sections
 4 303(f)(1)(C) and 303(j) of the Federal Property and
 5 Administrative Services Act of 1949 (41 U.S.C.
 6 253(f)(1)(C) and 253(j))” and inserting “sections
 7 3304(e)(1)(C) and 3304(f) of title 41, United States
 8 Code”;

9 (3) in subsection (c)—

10 (A) in paragraph (2)(B), by striking “sec-
 11 tion 309(a)” and all that follows through the
 12 period at the end and inserting “section 151 of
 13 title 41, United States Code.”; and

14 (B) in paragraph (3)(B), by striking “sec-
 15 tion 303(f)(1)(B)” and all that follows through
 16 the period at the end and inserting “section
 17 3304(e)(1)(B) of title 41, United States Code.”;
 18 and

19 (4) by adding at the end the following new sub-
 20 section:

21 “(e) REGULATIONS.—The Federal Acquisition Regu-
 22 lation shall be revised to implement this section.”.

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