

109TH CONGRESS
2^D SESSION

H. R. 5981

To limit the noncompetitive award of Federal contracts in response to major disasters and emergencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2006

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

A BILL

To limit the noncompetitive award of Federal contracts in response to major disasters and emergencies, and for other purposes.

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 “Competitiveness in
5 Contracting Act”.

6 **SEC. 2. LIMITATION ON NONCOMPETITIVE AWARD OF CON-**
7 **TRACTS DURING MAJOR DISASTERS AND**
8 **EMERGENCIES.**

9 (a) **LIMITATION.**—In awarding a contract to procure
10 property or services in connection with a major disaster

1 or emergency, if the head of an executive agency awards
2 the contract using procedures other than competitive pro-
3 cedures pursuant to the exception provided in section
4 303(c)(2) of the Federal Property and Administrative
5 Services Act of 1949 (41 U.S.C. 253(c)(2)), the contract
6 may be for a period of not greater than 90 days, with
7 an option to extend the contract for 1 additional 90-day
8 period.

9 (b) JUSTIFICATION FOR ADDITIONAL EXTEN-
10 SIONS.—A contract described in subsection (a) may be ex-
11 tended beyond the periods allowed under that subsection
12 if the head of the executive agency concerned submits to
13 Congress in writing a justification explaining the rationale
14 for the extension of the contract.

15 (c) ENCOURAGEMENT OF COMPETITION.—The head
16 of each executive agency should encourage the use of com-
17 petitive procedures in the award of contracts in connection
18 with a major disaster or emergency.

19 (d) MAJOR DISASTER AND EMERGENCY.—In this
20 section, the terms “major disaster” and “emergency” have
21 the meanings provided in section 102 of the Robert T.
22 Stafford Disaster and Emergency Assistance Act (42
23 U.S.C. 5122).

○