

.....
(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To amend title 10 and title 41, United States Code, to require the submission of uncertified cost information to contracting officers to the extent necessary to determine the reasonableness of the price of a Federal contract, subcontract, or modification of a Federal contract or subcontract, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 10 and title 41, United States Code, to require the submission of uncertified cost information to contracting officers to the extent necessary to determine the reasonableness of the price of a Federal contract, subcontract, or modification of a Federal contract or subcontract, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fair Pricing with Cost
3 Transparency Act of 2022”.

4 **SEC. 2. SUBMISSION OF UNCERTIFIED COST INFORMATION**
5 **TO CONTRACTING OFFICERS.**

6 (a) SUBMISSION OF UNCERTIFIED COST INFORMA-
7 TION TO CIVILIAN AGENCIES.—Section 3505(a) of title
8 41, United States Code, is amended by inserting after
9 “the reasonableness of the price for the procurement.” the
10 following: “If the contracting officer determines that the
11 information on the prices submitted by the offeror or con-
12 tractor is not adequate for evaluating the reasonableness
13 of the price of the contract, subcontract, or modification
14 of the contract or subcontract, the offeror, contractor, or
15 subcontractor shall be required to submit to the con-
16 tracting officer uncertified cost information to the extent
17 necessary to determine the reasonableness of such price.”.

18 (b) SUBMISSION OF UNCERTIFIED COST INFORMA-
19 TION TO CONTRACTING OFFICERS.—Section 3705(a) of
20 title 10, United States Code, is amended—

21 (1) by inserting “or contractor” after “the of-
22 feror” both places it appears;

23 (2) by striking “other information” and insert-
24 ing “other price information”; and

25 (3) by inserting after “a fair and reasonable
26 price.” the following: “If the contracting officer de-

1 termines that the price information submitted by the
2 offeror or contractor under the preceding sentence is
3 not adequate for evaluating the reasonableness of
4 the price of the contract, subcontract, or modifica-
5 tion of the contract or subcontract, the offeror or
6 contractor shall be required to submit to the con-
7 tracting officer uncertified cost information to the
8 extent necessary to determine the reasonableness of
9 such price.”.

10 (c) APPLICATION.—The amendments made by sub-
11 sections (a) and (b) shall apply with respect to contracts
12 awarded on or after the date that is one year after the
13 date of the enactment of this Act.

14 (d) REPORT.—

15 (1) IN GENERAL.—Not later than 18 months
16 after the date of the enactment of this Act, the head
17 of each executive agency shall submit to applicable
18 congressional committees a report on compliance
19 with the requirement to submit uncertified cost in-
20 formation under section 3505(a) of title 41, United
21 States Code (as amended by subsection (a)) or sec-
22 tion 3705(a) of title 10, United States Code (as
23 amended by subsection (b)), including each instance
24 in which any uncertified cost information required to
25 be submitted was not submitted.

1 (2) APPROPRIATE CONGRESSIONAL COMMITTEE
2 DEFINED.—In this subsection, the term “appro-
3 priate congressional committee” means—

4 (A) the Committee on Oversight and Re-
5 form of the House of Representatives;

6 (B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate;

8 (C) the Committee on Armed Services of
9 the House of Representatives; and

10 (D) the Committee on Armed Services of
11 the Senate.