117TH CONGRESS
2D SESSION

H. R. ______

To prohibit Federal procurement from companies operating in the Russian Federation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on _______________________

A BILL

To prohibit Federal procurement from companies operating in the Russian Federation, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Federal Contracting for Peace and Security Act”.

4 SEC. 2. PURPOSE.

5 It is the policy of the Federal Government not to conduct business with companies that undermine United States national security interests and international law by
continuing to operate in the Russian Federation during its ongoing war of aggression against Ukraine and the peaceful citizens of Ukraine and the resulting global humanitarian and refugee crisis.

SEC. 3. PROHIBITION ON PROCUREMENT.

(a) PROHIBITION.—The head of an executive agency may not enter into, continue, extend, or renew a covered contract to procure any product or service from a company conducting business operations in territory internationally recognized as the Russian Federation during the covered period of aggression.

(b) EXISTING COVERED CONTRACTS.—The head of an executive agency shall terminate any covered contract and initiate termination proceedings on or before the day that is 30 days after the date of the enactment of this Act.

(c) EXEMPTION.—The prohibition under subsection (a) and the requirement under subsection (b) shall not apply to the procurement of products or services for—

(1) the benefit, either directly or through the efforts of regional allies, of the country of Ukraine; or

(2) humanitarian purposes to meet basic human needs.

(d) NATIONAL INTEREST WAIVER.—
(1) IN GENERAL.—The head of an executive agency is authorized to waive the prohibition under subsection (a) and the requirement under subsection (b) with respect to a covered contract if the head of the agency certifies in writing to the President that such waiver is in the national interest of the United States, and includes in such certification a justification for the waiver and description of the product or service to which the waiver applies. The authority in this paragraph may not be delegated.

(2) CONGRESSIONAL NOTIFICATION.—The head of an executive agency shall, not later than 7 days before issuing a waiver described in paragraph (1), submit to the appropriate congressional committees the certification described in such paragraph.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(2) BUSINESS OPERATIONS.—The term “business operations” means engaging in commerce in any form, including acquiring, developing, selling,
leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) Covered Contract.—The term “covered contract” means a prime contract or a prime contract that includes a subcontract at any tier to procure any product or service from a company (including any parent, subsidiary, successor entity, or beneficial owner of such company) conducting business operations in territory internationally recognized as the Russian Federation during the covered period of aggression.

(4) Covered Period of Aggression.—The term “covered period of aggression” means the period of time beginning February 21, 2022, and ending on a date that is determined jointly by the Secretary of State and the Secretary of the Treasury based on steps taken by the Russian Federation to restore the safety, sovereignty, and condition of the country of Ukraine.

(5) Executive Agency.—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.