

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MR. GARAMENDI OF CALIFORNIA

Insert at the appropriate place in title VIII the following:

1 **SEC. 8___ . STRENGTHENING TRUTHFUL COST OR PRICING**
2 **DATA REQUIREMENTS.**

3 (a) **REQUIRED COST OR PRICING DATA AND CER-**
4 **TIFICATION.**—Section 3702(a)(1) of title 10, United
5 States Code, is amended by striking “only expected to re-
6 ceive one bid shall be required” and inserting “only ex-
7 pected to have one offeror, or for which award of a cost-
8 reimbursement contract is contemplated regardless of the
9 number of offers received, shall be required”.

10 (b) **EXCEPTIONS.**—Section 3703(a) of title 10,
11 United States Code, is amended—

12 (1) in paragraph (1)(A), by striking “adequate
13 competition” and all that follows through “bids” and
14 inserting “adequate price competition, except for the
15 award of a cost-reimbursement contract, that results
16 in at least two responsive and viable competing
17 offerors”; and

1 (2) in paragraph (2), by inserting “, based on
2 adequate price competition that results in at least
3 two responsive and responsible offers” after “com-
4 mercial service”.

5 (c) CONFORMING AMENDMENT RELATED TO CIVIL-
6 IAN CONTRACTS.—Section 3503(a)(2) of title 41, United
7 States Code, is amended by inserting “based on adequate
8 price competition that results in at least two responsive
9 and responsible offers” after “commercial service”.

