

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 4909  
OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of title VIII, add the following new section:

1 **SEC. 843. AMENDMENT OF PUBLIC LAW 85-804 RELATING**  
2 **TO INDEMNIFICATION.**

3 Section 2 of Public Law 85-804 (50 U.S.C. 1431 et  
4 seq.) is amended—

5 (1) by redesignating paragraphs (a), (b), (c),  
6 (d), and (e) as paragraphs (1), (2), (3), (4), and (5),  
7 respectively;

8 (2) by inserting “(a) IN GENERAL.—” before  
9 “Nothing in this Act”; and

10 (3) by adding at the end the following new sub-  
11 section:

12 “(b) INDEMNIFICATION.—Notwithstanding any other  
13 provision of this Act, a contract entered into, amended,  
14 or modified pursuant to the authority contained in this  
15 Act may not include indemnification of the contractor or  
16 any subcontractors of the contractor for damages caused  
17 by willful misconduct, lack of good faith, or gross neg-

1 ligence on the part of the contractor or any such subcon-  
2 tractor.”.

