

117TH CONGRESS  
1ST SESSION

# H. R. 4363

To establish a daily public reporting requirement for covered contract awards of the Department of Homeland Security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2021

Mrs. HARSHBARGER (for herself and Mrs. LURIA) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To establish a daily public reporting requirement for covered contract awards of the Department of Homeland Security, 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 “DHS Contract Report-  
5 ing Act of 2021”.

6 **SEC. 2. DAILY PUBLIC REPORT OF COVERED CONTRACT**  
7 **AWARDS.**

8 (a) DAILY REPORT.—

9 (1) IN GENERAL.—The Secretary shall post,  
10 maintain, and update in accordance with paragraph

(2), on a publicly available website of the Department, a daily report of all covered contract awards. Each reported covered contract award shall include information relating to—

(A) the contract number, modification number, or delivery order number;

(B) the contract type;

(C) the amount obligated for such award;

(D) the total contract value for such award, including all options;

(E) the description of the purpose for such award;

(F) the number of proposals or bids received;

(G) the name and address of the vendor;

(H) the period and each place of performance for such award;

(I) whether such award is multiyear; and

(J) the contracting office and the point of contact for such office.

(2) UPDATE.—Updates referred to in paragraph (1) shall occur not later than the next business day after the date on which the covered contract is authorized or modified.

1           (3) SUBSCRIBING TO ALERTS.—The website re-  
2       ferred to in paragraph (1) shall provide the option  
3       to subscribe to an automatic notification of the pub-  
4       lication of each report required under such para-  
5       graph.

6           (4) EFFECTIVE DATE.—Paragraph (1) shall  
7       take effect on the date that is 180 days after the  
8       date of the enactment of this section.

9           (b) UNDEFINITIZED CONTRACT ACTION OR DEFINI-  
10       TIZED AMOUNT.—If a covered contract award reported  
11       pursuant to subsection (a) includes an undefinitized con-  
12       tract action, the Secretary shall—

13           (1) report the estimated total contract value for  
14       such award and the amount obligated upon award;  
15       and

16           (2) once such award is definitized, update the  
17       total contract value and amount obligated.

18           (c) EXEMPTION.—Each report required under sub-  
19       section (a) shall not include covered contract awards relat-  
20       ing to classified products, programs, or services.

21           (d) DEFINITIONS.—In this section:

22           (1) COVERED CONTRACT AWARD.—The term  
23       “covered contract award”—

24           (A) means a contract action of the Depart-  
25       ment with the total authorized dollar amount of

1           \$4,000,000 or greater, including unexercised  
2           options; and

3           (B) includes—

4                   (i) contract awards governed by the  
5           Federal Acquisition Regulation;

6                   (ii) modifications to a contract award;

7                   (iii) orders placed on a single or mul-  
8           tiple award contract that includes delivery  
9           or quantity terms that are indefinite;

10                  (iv) other transaction authority agree-  
11           ments; and

12                  (v) contract awards made with other  
13           than full and open competition.

14           (2) DEFINITIZED AMOUNT.—The term “defini-  
15           tized amount” means the final amount of a covered  
16           contract award after agreement between the Depart-  
17           ment and the contractor at issue.

18           (3) DEPARTMENT.—The term “Department”  
19           means the Department of Homeland Security.

20           (4) SECRETARY.—The term “Secretary” means  
21           the Secretary of Homeland Security.

22           (5) TOTAL CONTRACT VALUE.—The term “total  
23           contract value” means the total amount of funds ex-  
24           pected to be provided to the contractor at issue

1 under the terms of the contract through the full pe-  
2 riod of performance.

3 (6) UNDEFINITIZED CONTRACT ACTION.—The  
4 term “undefinitized contract action” means any con-  
5 tract action for which the contract terms, specifica-  
6 tions, or price is not established prior to the start  
7 of the performance of a covered contract award.

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