

118TH CONGRESS
1ST SESSION

H. R. 4459

To amend title III of the Public Health Service Act to specify the duration of contracts, grants, cooperative agreements, or other transactions awarded or entered into with the Biomedical Advanced Research and Development Authority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 3, 2023

Mr. GRIFFITH introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title III of the Public Health Service Act to specify the duration of contracts, grants, cooperative agreements, or other transactions awarded or entered into with the Biomedical Advanced Research and Development Authority, 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 “Improving Contract
5 Transparency at BARDA Act”.

1 **SEC. 2. DURATION OF AGREEMENTS WITH BARDA.**

2 Section 319L(c)(5) of the Public Health Service Act
3 (42 U.S.C. 247d–7e(c)(5)) is amended by adding at the
4 end the following:

5 “(I) DURATION.—A contract, grant, coop-
6 erative agreement, or other transaction entered
7 into under this section shall be for a period not
8 to exceed five years, except that, in first award-
9 ing the grant or entering into the contract, co-
10 operative agreement, or other transaction, the
11 Secretary may provide for a longer duration,
12 not exceeding 10 years, if the Secretary deter-
13 mines that complexities or other difficulties in
14 performance under the contract, grant, coopera-
15 tive agreement, or other transaction justify
16 such a period. The contract, grant, cooperative
17 agreement, or other transaction shall be renew-
18 able for additional periods, none of which shall
19 exceed five years. The Secretary shall notify the
20 vendor within 90 days of a determination by the
21 Secretary to modify, renew, extend, or termi-
22 nate such contract, grant, cooperative agree-
23 ment, or other transaction.”.

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