

115TH CONGRESS  
1ST SESSION

# S. 651

To require the posting online of certain government contracts.

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2017

Mrs. MCCASKILL (for herself and Mr. TESTER) introduced the following bill;  
which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require the posting online of certain government  
contracts.

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 “Contractor Account-  
5 ability and Transparency Act of 2017”.

6 **SEC. 2. REQUIREMENT TO POST GOVERNMENT CONTRACTS**

7 **ONLINE.**

8 (a) IN GENERAL.—Section 2 of the Federal Funding  
9 Accountability and Transparency Act of 2006 (Public Law  
10 109–282; 31 U.S.C. 6101) is amended—

1           (1) by redesignating subsections (f) and (g) as  
2 subsections (g) and (h), respectively; and

3           (2) by inserting after subsection (e) the fol-  
4 lowing new subsection:

5           “(f) POSTING OF CONTRACTS.—

6           “(1) COVERED CONTRACT DEFINED.—In this  
7 subsection, the term ‘covered contract’ means any  
8 contract, subcontract, purchase order, task order, or  
9 delivery order for the procurement of property or  
10 services with a value greater than the simplified ac-  
11 quisition threshold (as defined in section 134 of title  
12 41, United States Code).

13           “(2) POSTING REQUIREMENT.—The website es-  
14 tablished under this section shall include a machine  
15 readable, searchable copy of each covered contract  
16 entered into by a Federal agency after the date of  
17 the enactment of this subsection. The copy shall be  
18 posted not later than 30 days after the agency en-  
19 ters into the contract.

20           “(3) EXCLUSION OF CERTAIN INFORMATION.—

21           “(A) IN GENERAL.—Subject to subpara-  
22 graphs (B) and (C), the contractor providing  
23 property or services under a covered contract  
24 posted pursuant to this subsection may request  
25 to redact from such contract any national secu-

1 rity sensitive or classified information or trade  
2 secrets or other proprietary information.

3 “(B) FINAL DETERMINATION BY CON-  
4 TRACTING OFFICIAL.—The contracting official  
5 of the Federal agency awarding the covered  
6 contract shall determine the extent to which re-  
7 daction of material under subparagraph (A) is  
8 appropriate and permissible in accordance with  
9 guidance issued by the Director of the Office of  
10 Management and Budget.

11 “(C) FOIA REQUIREMENTS.—An agency  
12 may not redact from a contract posted pursuant  
13 to this subsection any information that would  
14 be required to be made available to the public  
15 under section 552 of title 5, United States  
16 Code.”.

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