

116TH CONGRESS
1ST SESSION

H. R. 1212

To amend section 1126 of title 41, United States Code, to provide for an exception for failure to deliver goods or complete work due to a lapse in appropriations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Mr. THOMPSON of California introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend section 1126 of title 41, United States Code, to provide for an exception for failure to deliver goods or complete work due to a lapse in appropriations, 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 “Federal Contract
5 Deadline Fairness Act”.

1 **SEC. 2. EXCEPTION FOR FAILURE TO DELIVER GOODS OR**
2 **COMPLETE WORK DUE TO LAPSE IN APPRO-**
3 **PRIATIONS.**

4 (a) IN GENERAL.—Section 1126 of title 41, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “(c) EXCEPTION FOR FAILURE TO DELIVER GOODS
8 OR COMPLETE WORK DUE TO LAPSE IN APPROPRIA-
9 TIONS.—If the head of an executive agency determines
10 that a contractor failed by reason of a lapse in appropria-
11 tions in the Federal Government to deliver goods or com-
12 plete work under a contract with the agency by the date
13 or within the time period imposed by the contract any in-
14 formation relating to such failure may not be—

15 “(1) included in any past performance database
16 used by executive agencies for making source selec-
17 tion decisions; or

18 “(2) evaluated unfavorably on the factor of past
19 contract performance.”.

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