

## HR 8161

### Fair Pricing with Cost Transparency Act of 2022

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Jun 21, 2022

**Current Status:** Referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Reform

**Latest Action:** Referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. (Jun 21, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/8161>

### Sponsor

**Name:** Rep. Maloney, Carolyn B. [D-NY-12]

**Party:** Democratic • **State:** NY • **Chamber:** House

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Khanna, Ro [D-CA-17]	D · CA		Jun 21, 2022
Rep. Lynch, Stephen F. [D-MA-8]	D · MA		Jun 21, 2022
Rep. Porter, Katie [D-CA-45]	D · CA		Jun 21, 2022
Rep. Speier, Jackie [D-CA-14]	D · CA		Jun 21, 2022

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Jun 21, 2022
Oversight and Government Reform Committee	House	Referred To	Jun 21, 2022

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

*No related bills are listed.*

## **Fair Pricing with Cost Transparency Act of 2022**

This bill revises requirements for government contractors to submit cost or pricing data and information supporting commercial product determinations.

Specifically, in the event the contracting officer is unable to determine that proposed prices are fair and reasonable by any other means, an offeror who fails to make a good faith effort to comply with a reasonable request to submit data shall be ineligible for award unless the head of the contracting activity determines that it is in the best interest of the government to make the award based on specified factors.

The senior procurement executive must submit an annual report to the Office of Federal Procurement Policy identifying offerors that have denied multiple requests for submission of uncertified cost or pricing data over the preceding three-year period but nevertheless received an award.

The bill requires offerors of products proposed or determined to be commercial to identify the comparable commercial product that is used by the general public or nongovernmental entities and provide related information.

Commercial product determinations must be periodically reviewed, at least every five years, to ensure that the initial decision was appropriate and that market conditions continue to support the designation.

The Government Accountability Office must conduct a review of the prevalence and trends of contractors of executive agencies using distributors or other intermediaries as a means of avoiding legal or regulatory requirements.

### **Actions Timeline**

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- **Jun 21, 2022:** Introduced in House
- **Jun 21, 2022:** Referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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