

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require a report on contractor denial of cost or pricing data requests.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 1790**

To authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRASSLEY to  
the amendment (No. 764) proposed by Mr. INHOFE

Viz:

1 At the end of subtitle A of title VIII of the amend-  
2 ment, add the following:

3 **SEC. 811. REPORT ON CONTRACTOR DENIAL OF COST OR**  
4 **PRICING DATA REQUESTS.**

5 (a) IN GENERAL.—Not later than December 31,  
6 2020, and annually thereafter, the Under Secretary of De-  
7 fense for Acquisition and Sustainment shall submit to  
8 Congress a report on contractor denials of requests by  
9 contracting officers for cost or pricing data.

1 (b) ELEMENTS.—The report required under sub-  
2 section (a) shall include a summary of each individual case  
3 in which a contracting officer was denied requested  
4 uncertified cost or pricing data that includes the following  
5 information:

6 (1) The name of the offeror or contractor.

7 (2) The Commercial and Government entity  
8 code.

9 (3) The part number and National Stock Num-  
10 ber (NSN).

11 (4) The number of requests that the con-  
12 tracting officer made to the offeror or contractor for  
13 uncertified cost or pricing data.

14 (5) The number of denials that the contracting  
15 officer received from the offeror or contractor re-  
16 garding its submission of uncertified cost or pricing  
17 data.

18 (6) A description of the reason provided by the  
19 contractor for denial.

20 (7) Documentation in accordance with section  
21 215.404–1(a)(i)(A)(v) of the Defense Federal Acqui-  
22 sition Regulation.