The Clean Contracting Act, which is in title 8 of S.3001, the National Defense Authorization Act for Fiscal Year 2009, will (1) require agencies to enhance competition in contracting, (2) limit the use of abuse-prone contracts, (3) begin to rebuild the federal acquisition workforce, (4) strengthen anti-fraud measures, and (5) increase transparency in federal contracting.

### Enhanced Competition Provisions

**Limitation on the length of noncompetitive contracts.** Section 862 limits the duration of no-bid contracts awarded in emergencies to one year.

**Enhanced competition on multiple award contracts.** Section 863 gives all contractors under a multiple award contract a fair opportunity to bid for work under the contract.

### Curbing Abuse-Prone Contracts.

**Regulations on cost-plus contracts.** Section 864 requires regulations to address the use of cost-reimbursement-type contracts.

**Prohibiting excessive tiering of subcontractors.** Section 866 requires regulations to prevent contractors from billing taxpayers for work that is done by subcontractors and for which the contractor provides no additional value.

**Minimizing abuse of commercial item authority.** Section 868 requires additional cost and pricing information for goods and services “of a type” found in the commercial marketplace.

**Better use of interagency contracts.** Section 865 requires regulations to prevent abuse of interagency contracts.

**Linking award fees to acquisition outcomes.** Section 867 requires award fees to be paid only when a contractor has at least a satisfactory level of performance.

### Acquisition Workforce Improvements

**Study of the acquisition workforce.** Section 869 requires OMB to conduct a comprehensive study of the civilian acquisition workforce to determine appropriate staffing and funding levels.

**Contingency contracting corps.** Section 870 authorizes the establishment of a contingency contracting corps to facilitate rapid contracting in the event of a national emergency.
**Anti-Fraud Provisions**

**GAO access to contractor employees.** Section 871 gives GAO the authority to interview contractor employees.

**Contract Transparency**

**Database for suspension and debarment.** Section 872 creates a database for companies that have been suspended or disbarred.

**Improvements to the Federal Procurement Data System.** Section 873 enhances the transparency of multiple-award and interagency contracts by requiring additional reporting to the existing federal procurement database.