

AMENDMENT TO H.R. 1327
OFFERED BY MR. PAULSEN OF MINNESOTA

Redesignate sections 6 and 7 as sections 7 and 8,
and insert after section 5 the following new section 6:

1 **SEC. 6. PROHIBITION ON UNITED STATES GOVERNMENT**
2 **CONTRACTS.**

3 (a) **CERTIFICATION REQUIREMENT.**—The head of
4 each executive agency shall ensure that each contract en-
5 tered into by such executive agency for the procurement
6 of goods or services includes a clause that requires the
7 contractor to certify to the contracting officer that the
8 contractor does not engage in investment activities in Iran
9 described in section 3(c).

10 (b) **REMEDIES.**—

11 (1) **IN GENERAL.**—The head of an executive
12 agency may impose remedies as provided in this sub-
13 section if the head of the executive agency deter-
14 mines that the contractor has submitted a false cer-
15 tification under subsection (a) after the date the
16 Federal Acquisition Regulation is amended under
17 subsection (d) to implement the requirements of this
18 section.

1 (2) TERMINATION.—The head of an executive
2 agency may terminate a covered contract upon the
3 determination of a false certification under para-
4 graph (1).

5 (3) SUSPENSION AND DEBARMENT.—The head
6 of an executive agency may debar or suspend a con-
7 tractor from eligibility for Federal contracts upon
8 the determination of a false certification under para-
9 graph (1). The debarment period may not exceed 3
10 years.

11 (4) INCLUSION ON LIST OF PARTIES EXCLUDED
12 FROM FEDERAL PROCUREMENT AND NONPROCURE-
13 MENT PROGRAMS.—The Administrator of General
14 Services shall include on the List of Parties Ex-
15 cluded from Federal Procurement and Nonprocure-
16 ment Programs maintained by the Administrator
17 under part 9 of the Federal Acquisition Regulation
18 issued under section 25 of the Office of Federal Pro-
19 curement Policy Act (41 U.S.C. 421) each con-
20 tractor that is debarred, suspended, proposed for de-
21 barment or suspension, or declared ineligible by the
22 head of an executive agency on the basis of a deter-
23 mination of a false certification under paragraph
24 (1).

1 (5) RULE OF CONSTRUCTION.—This section
2 shall not be construed to limit the use of other rem-
3 edies available to the head of an executive agency or
4 any other official of the Federal Government on the
5 basis of a determination of a false certification
6 under paragraph (1).

7 (c) WAIVER.—

8 (1) IN GENERAL.—The President may waive
9 the requirement of subsection (a) on a case-by-case
10 basis if the President determines and certifies in
11 writing to the appropriate congressional committees
12 that it is in the national interest to do so.

13 (2) REPORTING REQUIREMENT.—Not later than
14 six months after the date of the enactment enact-
15 ment of this Act and semi-annually thereafter, the
16 Administrator for Federal Procurement Policy shall
17 submit to the appropriate congressional committees
18 a report on waivers granted under paragraph (1).

19 (d) IMPLEMENTATION THROUGH THE FEDERAL AC-
20 QUISSION REGULATION.—Not later than 120 days after
21 the date of the enactment of this Act, the Federal Acquisi-
22 tion Regulatory Council shall amend the Federal Acquisi-
23 tion Regulation issued pursuant to section 25 of the Office
24 of Federal Procurement Policy Act (41 U.S.C. 421) to

1 provide for the implementation of the requirements of this
2 section.

3 (e) REPORT.—Not later than one year after the date
4 the Federal Acquisition Regulation is amended under sub-
5 section (d) to implement the requirements of this section,
6 the Administrator of General Services, with the assistance
7 of other executive agencies, shall submit to the Office of
8 Management and Budget and the appropriate congress-
9 sional committees a report on the actions taken under this
10 section.

