

108TH CONGRESS  
2D SESSION

S. \_\_\_\_\_

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IN THE SENATE OF THE UNITED STATES

Mr. COLEMAN introduced the following bill; which was read twice and referred  
to the Committee on \_\_\_\_\_

**A BILL**

To amend title 10, United States Code, to require the registration of contractors' taxpayer identification numbers in the Central Contractor Registry database of the Department of Defense, 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 “Central Contractor  
5 Registry Act of 2004”.

6 **SEC. 2. CENTRAL CONTRACTOR REGISTRY DATABASE.**

7 (a) **AUTHORITY.**—Chapter 137 of title 10, United  
8 States Code, is amended by inserting after section 2302d  
9 the following new section:

1 **“§ 2302e. Central contractor registry**

2 “(a) ESTABLISHMENT.—The Secretary of Defense  
3 shall maintain a centralized, electronic database for the  
4 registration of sources of property and services who seek  
5 to participate in contracts and other procurements entered  
6 into by the various procurement officials of the United  
7 States. The database shall be known as the ‘Central Con-  
8 tractor Registry’.

9 “(b) TAXPAYER INFORMATION.—(1) The Central  
10 Contractor Registry shall include the following tax-related  
11 information for each source registered in that registry:

12 “(A) Each of that source’s taxpayer identifica-  
13 tion numbers.

14 “(B) The source’s authorization for the Sec-  
15 retary of Defense to obtain from the Commissioner  
16 of Internal Revenue—

17 “(i) verification of the validity of each of  
18 that source’s taxpayer identification numbers;  
19 and

20 “(ii) in the case of any of such source’s  
21 registered taxpayer identification numbers that  
22 is determined invalid, the correct taxpayer iden-  
23 tification number (if any).

24 “(2)(A) The Secretary of Defense shall require each  
25 source, as a condition for registration in the Central Con-

1 tractor Registry, to provide the Secretary with the infor-  
2 mation and authorization described in paragraph (1).

3 “(B) The Secretary shall—

4 “(i) warn each source seeking to register in the  
5 Central Contractor Registry that the source may be  
6 subject to backup for a failure to submit each such  
7 number to the Secretary; and

8 “(ii) take the actions necessary to initiate the  
9 backup withholding in the case of a registrant who  
10 fails to register each taxpayer identification number  
11 valid for the registrant and is subject to the backup  
12 withholding requirement.

13 “(3) A source registered in the Central Contractor  
14 Registry is not eligible for a contract entered into under  
15 this chapter or title III of the Federal Property and Ad-  
16 ministrative Services Act of 1949 (41 U.S.C. 251 et seq.)  
17 if that source—

18 “(A) has failed to provide the authorization de-  
19 scribed in paragraph (1)(B);

20 “(B) has failed to register in that registry all  
21 valid taxpayer identification numbers for that  
22 source; or

23 “(C) has registered in that registry an invalid  
24 taxpayer identification number and fails to correct  
25 that registration.

1       “(4)(A) The Secretary of Defense shall make ar-  
2 rangements with the Commissioner of Internal Revenue  
3 for each head of an agency within the Department of De-  
4 fense to participate in the taxpayer identification number  
5 matching program of the Internal Revenue Service.

6       “(B) The Commissioner of Internal Revenue shall co-  
7 operate with the Secretary of Defense to determine the  
8 validity of taxpayer identification numbers registered in  
9 the Central Contractor Registry. As part of the coopera-  
10 tion, the Commissioner shall promptly respond to a re-  
11 quest of the Secretary of Defense or the head of an agency  
12 within the Department of Defense for electronic validation  
13 of a taxpayer identification number for a registrant by no-  
14 tifying the Secretary or head of an agency, respectively,  
15 of—

16               “(i) the validity of that number; and

17               “(ii) in the case of an invalid taxpayer identi-  
18 fication number, any correct taxpayer identification  
19 number for such registrant that the Commissioner  
20 can promptly and reasonably determine.

21       “(C) The Secretary shall transmit to a registrant a  
22 notification of each of the registrant’s taxpayer identifica-  
23 tion numbers, if any, that is determined invalid by the  
24 Commissioner of Internal Revenue and shall provide the

1 registrant with an opportunity to substitute a valid tax-  
2 payer identification number.

3 “(5) The Secretary of Defense shall require that, at  
4 the place in the Central Contractor Registry where the  
5 taxpayer identification numbers of a registrant are to be  
6 displayed, the display bear (as applicable)—

7 “(A) for each taxpayer identification number of  
8 that registrant, an indicator of whether such number  
9 has been determined valid, is being reviewed for va-  
10 lidity, or has been determined invalid; or

11 “(B) an indicator that no taxpayer identifica-  
12 tion number is required for the registrant.

13 “(6) This subsection applies to each source who reg-  
14 isters any information regarding that source in the Cen-  
15 tral Contractor Registry after December 31, 2004, except  
16 that paragraphs (1), (2), and (3) do not apply to a source  
17 who establishes to the satisfaction of the Secretary of De-  
18 fense that such source is not required to have a taxpayer  
19 identification number.

20 “(c) CONFIDENTIALITY OF INFORMATION.—The Sec-  
21 retary of Defense shall ensure that taxpayer identification  
22 numbers in the Central Contractor Registry are not made  
23 available to the public. The Secretary shall prescribe a re-  
24 quirement for procurement officials of the United States

1 having access to such numbers in that registry to maintain  
2 the confidentiality of those numbers.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by inserting  
5 after the item relating to section 2302d the following new  
6 item:

“2302e. Central Contractor Registry.”.