AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle F of title VIII the following:

SEC. 8. CONSIDERATION OF PAST PERFORMANCE OF AFFILIATES OF SMALL BUSINESS CONCERNS.

Not later than July 1, 2024, the Secretary of Defense shall amend section 215.305 of the Department of Defense Supplement to the Federal Acquisition Regulation (or any successor regulation) to—

(1) require that when evaluating a bid from a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) for a Department of Defense contract, the contracting officer for such contract shall consider the past performance information of affiliates of such concern as the past performance of such concern; and

(2) ensure that only past performance information of such affiliates during the nine-year period preceding the date on which such concern submitted a bid described in paragraph (1) is considered as past performance of such concern.