

AMENDMENT TO RULES COMMITTEE PRINT 118-
10
OFFERED BY MR. BACON OF NEBRASKA

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

1 **SEC. 8 __ . CONSIDERATION OF PAST PERFORMANCE OF**
2 **AFFILIATES OF SMALL BUSINESS CONCERNS.**

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

7 (1) require that when evaluating a bid from a
8 small business concern (as defined under section 3
9 of the Small Business Act (15 U.S.C. 632)) for a
10 Department of Defense contract, the contracting of-
11 ficer for such contract shall consider the past per-
12 formance information of affiliates of such concern as
13 the past performance of such concern; and

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

