AMENDMENT TO RULES COMMITTEE PRINT 116-19
OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA

At the end of subtitle B of title VIII, add the following:

SEC. 8. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) In general.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§2339b. Preference for offerors employing veterans

“(a) Preference.—In awarding a contract for the procurement of goods or services for the Department of Defense, the head of an agency may establish a preference for offerors that employ veterans on a full-time basis. The Secretary of Defense shall determine the criteria for use of such preference.

“(b) Rule of Construction.—Nothing in this section shall be construed to supersede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans.
(as defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q))).

“(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

“(1) a plan for implementing such preference, including—

“(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employees of the offeror in a bid submitted under subsection (a); and

“(B) reporting on use of such preference; and

“(2) the process for assessing and verifying offeror compliance with regulations relating to equal opportunity for veterans requirements.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2339a the following new item:

“2339b. Preference for offerors employing veterans.”.