

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MR. FITZGERALD OF WISCONSIN**

Add at the end of subtitle E of title VIII the following new section:

1 **SEC. 8\_\_ . EXEMPTION OF CERTAIN CONTRACTS AWARDED**  
2 **TO SMALL BUSINESS CONCERNS FROM CAT-**  
3 **EGORY MANAGEMENT REQUIREMENTS.**

4 (a) IN GENERAL.—The Small Business Act is  
5 amended—

6 (1) by redesignating section 49 as section 50;

7 and

8 (2) by inserting after section 48 the following  
9 new section:

10 **“SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CAT-**  
11 **EGORY MANAGEMENT REQUIREMENTS.**

12 “(a) IN GENERAL.—A contract awarded under sec-  
13 tion 8(a), 8(m), 31, or 36 that is classified as tier 0—

14 “(1) shall be exempt from the procedural re-  
15 quirements of any Federal rule or guidance on cat-  
16 egory management or successor strategies for con-  
17 tract consolidation; and

1           “(2) may not be included when measuring the  
2           attainment of any goal or benchmark established  
3           under any Federal rule or guidance on category  
4           management or successor strategies for contract  
5           consolidation, unless the inclusion of such contract  
6           aids in the achievement of such a goal or bench-  
7           mark.

8           “(b) PROHIBITION.—With respect to a requirement  
9           that was previously satisfied through a contract awarded  
10          under section 8(a), the head of a Federal agency shall not  
11          remove such requirement from a contract eligible for  
12          award under section 8(a) and include such requirement  
13          in a contract that is classified as tier 1, tier 2, or tier  
14          3 without the Administrator’s approval.

15          “(c) DEFINITIONS.—In this section:

16                 “(1) CATEGORY MANAGEMENT.—The term ‘cat-  
17                 egory management’ has the meaning given by the  
18                 Director of the Office of Management and Budget.

19                 “(2) TIER 0; TIER 1; TIER 2; TIER 3.—The  
20                 terms ‘tier 0’, ‘tier 1’, ‘tier 2’, and ‘tier 3’ have the  
21                 meanings given such terms, respectively, by the Di-  
22                 rector of the Office of Management and Budget with  
23                 respect to the Spend Under Management tiered ma-  
24                 turity model, or any successor model.”.

1           (b) APPLICATION.—Section 49 of the Small Business  
2 Act, as added by subsection (a), shall apply with respect  
3 to contracts entered into on or after the date of the enact-  
4 ment of this Act.

