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:

SEC. 8. EXEMPTION OF CERTAIN CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS FROM CATEGORY MANAGEMENT REQUIREMENTS.

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

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

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

“SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CATEGORY MANAGEMENT REQUIREMENTS.

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

“(1) shall be exempt from the procedural requirements of any Federal rule or guidance on category management or successor strategies for contract consolidation; and
“(2) may not be included when measuring the attainment of any goal or benchmark established under any Federal rule or guidance on category management or successor strategies for contract consolidation, unless the inclusion of such contract aids in the achievement of such a goal or benchmark.

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

“(c) DEFINITIONS.—In this section:

“(1) CATEGORY MANAGEMENT.—The term ‘category management’ has the meaning given by the Director of the Office of Management and Budget.

“(2) TIER 0; TIER 1; TIER 2; TIER 3.—The terms ‘tier 0’, ‘tier 1’, ‘tier 2’, and ‘tier 3’ have the meanings given such terms, respectively, by the Director of the Office of Management and Budget with respect to the Spend Under Management tiered maturity model, or any successor model.”
(b) APPLICATION.—Section 49 of the Small Business Act, as added by subsection (a), shall apply with respect to contracts entered into on or after the date of the enactment of this Act.