AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAYSON OF FLORIDA

At the end of title VIII, add the following new section:

SEC. 827. REQUIREMENT THAT COST OR PRICE TO THE FEDERAL GOVERNMENT BE GIVEN AT LEAST EQUAL IMPORTANCE AS TECHNICAL OR OTHER CRITERIA IN EVALUATING COMPETITIVE PROPOSALS FOR DEFENSE CONTRACTS.

(a) REQUIREMENT.—Subparagraph (A) of section 2305(a)(3) of title 10, United States Code, is amended by striking “proposals; and” at the end of clause (ii) and all that follows through the end of the subparagraph and inserting the following: “proposals and that must be assigned importance at least equal to all evaluation factors other than cost or price when combined.”.

(b) WAIVER.—Section 2305(a)(3) of such title is further amended by striking subparagraph (B) and inserting the following:

“(B) The requirement of subparagraph (A)(ii) relating to assigning at least equal im-
portance to evaluation factors of cost or price
may be waived by the head of the agency.”.

(c) REPORT.—Section 2305(a)(3) of such title is fur-
ther amended by adding at the end the following new sub-
paragraph:

“(C) Not later than 180 days after the end
of each fiscal year, the Secretary of Defense
shall submit to Congress, and post on a publicly
available website of the Department of Defense,
a report containing a list of each waiver issued
by the head of an agency under subparagraph
(B) during the preceding fiscal year.”.