

**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:

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

6 (a) **REQUIREMENT.**—Subparagraph (A) of section
7 2305(a)(3) of title 10, United States Code, is amended
8 by striking “proposals; and” at the end of clause (ii) and
9 all that follows through the end of the subparagraph and
10 inserting the following: “proposals and that must be as-
11 signed importance at least equal to all evaluation factors
12 other than cost or price when combined.”.

13 (b) **WAIVER.**—Section 2305(a)(3) of such title is fur-
14 ther amended by striking subparagraph (B) and inserting
15 the following:

16 “(B) The requirement of subparagraph
17 (A)(ii) relating to assigning at least equal im-

1 portance to evaluation factors of cost or price
2 may be waived by the head of the agency.”.

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

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

