AMENDMENT TO RULES COMM. PRINT 117–13
OFFERED BY MR. KIM OF NEW JERSEY

At the end of subtitle A of title XXVIII, add the following new section:

1 SEC. 28. IMPROVED CONGRESSIONAL OVERSIGHT AND PUBLIC TRANSPARENCY OF MILITARY CONSTRUCTION CONTRACT AWARDS.

(a) Supervision of Military Construction Projects.—Section 2851 of title 10, United States Code, as amended by section 2803, is further amended—

(1) in subsection (c)(1), by inserting “or appropriated” after “funds authorized” each place such term appears;

(2) in subsection (c)(2)—

(A) by inserting “, deadline for bid submissions,” after “solicitation date”;

(B) by inserting “(including the address of such recipient)” after “contract recipient”; and

(C) by adding at the end the following new subparagraphs:

“(H) Any subcontracting plan required under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for the project sub-
mitted by the contract recipient to the Secretary of Defense.

“(I) A detailed written statement describing and justifying any exception applied or waiver granted under—

“(i) chapter 83 of title 41;
“(ii) section 2533a of this title; or
“(iii) section 2533b of this title.”; and

(3) by adding at the end the following new paragraph:

“(4) The information required to be published on the Internet website under subsection (c) shall constitute a record for the purposes of chapters 21, 29, 31, and 33 of title 44.”.

(b) FEDERAL PROCUREMENT DATA SYSTEM.—The Secretary of Defense shall ensure that there is a clear and unique indication of any covered contract with subcontracting work of an estimated value of $250,000 or more in the Federal Procurement Data System established pursuant to section 1122(a)(4) of title 41, United States Code (or any successor system).

(c) LOCAL HIRE REQUIREMENTS.—

(1) IN GENERAL.—To the extent practicable, in awarding a covered contract, the Secretary of the military department concerned shall give preference
to those firms and individuals who certify that at least 51 percent of the total number of employees hired to perform the contract (including any employees hired by a subcontractor at any tier) shall reside in the same covered State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the contract.

(2) JUSTIFICATION REQUIRED.—The Secretary of the military department concerned shall prepare a written justification, and make such justification available on the Internet site required under section 2851(c) of title 10, United States Code, as amended by this section and section 2803, for the award of any covered contract to a firm or individual that is not described under paragraph (1).

(d) LICENSING.—A contractor and any subcontractors performing a covered contract shall be licensed to perform the work under such contract in the covered State in which the work will be performed.

(e) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection—

“(y) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—
“(1) CREDIT FOR MEETING SUBCONTRACTING
GOALS.—During the 4-year period beginning on the
date of the enactment of this subsection, if a prime
contractor awards a subcontract (at any tier) to a
small business concern that has its principal office
located in the same State as, or within a 60-mile ra-
dius of, the location of the work to be performed
pursuant to the contract of the prime contractor, the
value of the subcontract shall be doubled for pur-
poses of determining compliance with the goals for
procurement contracts under subsection (g)(1)(A)
during such period.

“(2) REPORT.—Along with the report required
under subsection (h)(1), the head of each Federal
agency shall submit to the Administrator, and make
publicly available on the scorecard described in sec-
tion 868(b) of the National Defense Authorization
Act for Fiscal Year 2016 (Public Law 114–92; 129
number and dollar amount of subcontracts awarded
pursuant to paragraph (1) for each fiscal year of the
period described in such paragraph.”.

(f) COVERED CONTRACT DEFINED.—In this section,
the term “covered contract” means a contract for a mili-
tary construction project, military family housing project,
or other project described in subsection (c)(1) of section 2851 of title 10, United States Code, as amended by this section and section 2803.