AMENDMENT TO THE RULES COMMITTEE PRINT

117–54

OFFERED BY MS. SALAZAR OF FLORIDA

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

SEC. 8. MODIFICATIONS TO THE NONMANUFACTURER RULE.

(a) IN GENERAL.—Section 8(a)(17) of the Small Business Act (15 U.S.C. 637(a)(17)) is amended by adding at the end the following new subparagraphs:

“(D) DENIALS.—Upon denial of a waiver under subparagraph (B)(iv)(I), the Administrator shall provide a justification of such denial, and if appropriate, make recommendations (including examples) for resubmitting a request for a waiver.

“(E) INFORMATION REQUIRED FOR GRANTED WAIVERS.—A waiver granted under subparagraph (B)(iv)(I) shall include the following information:

“(i) The date on which the waiver terminates.

“(ii) A statement specifying that the contract to supply any product for which the waiv-
er was granted must be awarded prior to the termination date in clause (i).

“(iii) The total dollar value of the products that are subject to the waiver.

“(iv) An exclusive list of specific products identified by the Administrator that are subject to the waiver, regardless of the determination of the contracting officer submitted under such subparagraph.

“(v) A list of actions taken by the contracting Federal agency for which a new such determination shall be required, including—

“(I) modifications to the scope of the contract for which the waiver was granted; and

“(II) modifications to the contract type of such contract.

“(F) MODIFICATIONS.—If a Federal agency modifies a contract for which a waiver was granted under subparagraph (B)(iv)(I) in a manner described in subparagraph (E)(v), the head of such Federal agency shall notify the Administrator and seek a new waiver under subparagraph (B)(iv)(I).”.

(b) CONGRESSIONAL NOTIFICATION AND PUBLICATION.—Not later than 15 days after the date of the enact-
ment of this Act, the Administrator of the Small Business Administration shall publish on a website of the Administration and submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate any program guidance or standard operating procedures of the Administration relating to the process by which the Administrator grants waivers under section 8(a)(17)(B)(iv)(I) of the Small Business Act (15 U.S.C. 637(a)(17)(B)(iv)(I)).