AMENDMENT TO RULES COMMITTEE PRINT 116–57

OFFERED BY MR. TURNER OF OHIO

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

SEC. 3. COMMERCIAL PRODUCT DETERMINATION APPLIES TO COMPONENTS AND SUPPORT SERVICES.

Section 2306a(b)(4) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “subsequent procurements of such product or service” and inserting: “subsequent procurements of—

“(i) the commercial product;

“(ii) a component of the commercial product;

“(iii) a service for maintenance or repair of the commercial product; or

“(iv) the commercial service.”; and

(2) in subparagraph (B)—

(A) by striking “request a review” and inserting the following: “provide a detailed explanation for not making the presumption de-
scribed in subsection (A) along with a request for a review”; and

(B) by adding at the end the following: “When conducting such review, the head of the contracting activity may consider evidence of the commercial nature of the product or service under review that is provided by an offeror.”