

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY M. _____**

Page 582, insert after line 25 the following:

1 SEC. 1607. CREDIT FOR CERTAIN SUBCONTRACTORS .

2 (a) IN GENERAL.—Section 8(d) of the Small Busi-
3 ness Act (15 U.S.C. 637(d)) is amended by adding at the
4 end the following:

5 “(16) CREDIT FOR CERTAIN SUBCON-
6 TRACTOR.—For purposes of determining whether or
7 not a prime contractor has attained the percentage
8 goals specified in paragraph (6)—

9 “(A) if the subcontracting goals pertain
10 only to a single contract with the executive
11 agency, the prime contractor shall receive credit
12 for small business concerns performing as first
13 tier subcontractors or subcontractors at any tier
14 pursuant to the subcontracting plans required
15 under paragraph (6)(D) in an amount equal to
16 the dollar value of work awarded to such small
17 business concerns; and

18 “(B) if the subcontracting goals pertain to
19 more than one contract with one or more execu-

1 tive agencies, or to one contract with more than
2 one executive agency, the prime contractor may
3 only count first tier subcontractors that are
4 small business concerns.”.

5 (b) DEFINITIONS PERTAINING TO SUBCON-
6 TRACTING.—Section 3 of the Small Business Act (15
7 U.S.C. 632) is amended by adding at the end the fol-
8 lowing:

9 “(dd) DEFINITIONS PERTAINING TO SUBCON-
10 TRACTING.—In this Act:

11 “(1) SUBCONTRACT.—The term ‘subcontract’
12 means a legally binding agreement between a con-
13 tractor that is already under contract to another
14 party to perform work, and a third party, herein-
15 after referred to as the subcontractor, for the sub-
16 contractor to perform a part, or all, of the work that
17 the contractor has undertaken.

18 “(2) FIRST TIER SUBCONTRACTOR.—The term
19 ‘first tier subcontractor’ means a subcontractor who
20 has a subcontract directly with the prime contractor.

21 “(3) AT ANY TIER.—The term ‘at any tier’
22 means any subcontractor other than a subcontractor
23 who is a first tier subcontractor.”.

1 **SEC. 1608. GAO STUDY ON SUBCONTRACTING REPORTING**
2 **SYSTEMS.**

3 Not later than 365 days after the date of enactment
4 of this Act, the Comptroller General of the United States
5 shall submit to the Committee on Small Business of the
6 House of Representatives and to the Committee on Small
7 Business and Entrepreneurship of the Senate a report
8 studying the feasibility of using Federal subcontracting re-
9 porting systems, including the Federal subaward reporting
10 system required by section 2 of the Federal Funding Ac-
11 countability and Transparency Act of 2006 and any elec-
12 tronic subcontracting reporting award system used by the
13 Small Business Administration, to attribute subcontracte-
14 tors to particular contracts in the case of contractors that
15 have subcontracting plans under section 8(d) of the Small
16 Business Act that pertain to multiple contracts with exec-
17 utive agencies.

