

115TH CONGRESS
2D SESSION

H. R. 5144

To require the Comptroller General of the United States to report on compliance of contracting agencies with subcontracting plans and subcontracting goals under the Small Business Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2018

Mr. BLUM (for himself and Mr. SCHNEIDER) introduced the following bill;
which was referred to the Committee on Small Business

A BILL

To require the Comptroller General of the United States to report on compliance of contracting agencies with subcontracting plans and subcontracting goals under the Small Business Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Contracting Compli-
5 ance Act”.

1 **SEC. 2. GAO REPORT ON COMPLIANCE OF CONTRACTING**
2 **AGENCIES WITH SUBCONTRACTING PLANS**
3 **AND SUBCONTRACTING GOALS.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of enactment of this Act, the Comptroller General
6 of the United States shall submit to the Committee on
7 Small Business and Entrepreneurship of the Senate and
8 the Committee on Small Business of the House of Rep-
9 resentatives a report on the activities of two or more con-
10 tracting agencies selected by the Comptroller General to
11 comply with the requirements of section 8(d)(7) of the
12 Small Business Act (15 U.S.C. 637(d)(7)). Such report
13 shall include—

14 (1) an analysis of the activities of at least one
15 military department (as defined in section 101(8) of
16 title 10, United States Code);

17 (2) an analysis of contracting agency oversight
18 activities and protocols, including actions taken by
19 the contracting agency to ensure contractor compli-
20 ance with the requirements of section 8(d) of the
21 Small Business Act (15 U.S.C. 637(d));

22 (3) an evaluation of the extent to which the Ad-
23 ministrator of the Small Business Administration is
24 encouraging contracting agencies to conduct over-
25 sight activities and any actions taken by contracting
26 agencies in response to such encouragement;

1 (4) an assessment of the effectiveness of con-
2 tracting agency actions or processes taken against
3 noncompliant prime contractors;

4 (5) a description of how contracting agencies
5 define a material breach under section 8(d)(9) of the
6 Small Business Act (15 U.S.C. 637(d)(9)); and

7 (6) any recommendations to strengthen over-
8 sight of the compliance of prime contractors with the
9 requirements of subcontracting plans and subcon-
10 tracting goals established within such subcontracting
11 plan.

12 (b) DEFINITIONS.—In this Act:

13 (1) PRIME CONTRACTOR.—The term “prime
14 contractor” has the meaning given in section
15 8701(5) of title 41, United States Code.

16 (2) SUBCONTRACTING GOALS.—The term “sub-
17 contracting goals” means the goals established
18 under section 8(d)(6)(A) of the Small Business Act
19 (15 U.S.C. 637(d)(6)(A)) relating to utilization as
20 subcontractors of certain small business concerns.

21 (3) SUBCONTRACTING PLAN.—The term “sub-
22 contracting plan” means a plan required under para-
23 graph (4) or (5) of section 8(d) of the Small Busi-
24 ness Act (15 U.S.C. 637(d)).

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