

118TH CONGRESS
1ST SESSION

H. R. 6845

To require officials of the Department of Defense to provide a briefing on the implementation of category management memorandum, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2023

Mr. THANEDAR introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require officials of the Department of Defense to provide a briefing on the implementation of category management memorandum, 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 “Equitable Contracting
5 and Small Business Advancement Act”.

6 **SEC. 2. BRIEFING ON THE IMPLEMENTATION OF CAT-**
7 **EGORY MANAGEMENT MEMORANDUM.**

8 (a) BRIEFING REQUIRED.—Not later than 120 days
9 after the date of the enactment of this Act, and annually

1 thereafter, the Under Secretary of Defense for Acquisition
2 and Sustainment and the Director of the Office of Small
3 Business Programs of the Department of Defense shall
4 jointly provide to the appropriate congressional commit-
5 tees a briefing on the implementation of the memorandum
6 by the Under Secretary of Defense for Acquisition and
7 Sustainment entitled “Achieving Small Business Goals
8 through Category Management Practices” and dated Jan-
9 uary 27, 2023.

10 (b) CONTENTS.—Each briefing required under sub-
11 section (a) shall include the following:

12 (1) The effects of the implementation of the
13 memorandum described in subsection (a) on con-
14 tracting opportunities for small businesses.

15 (2) The tools and data analysis that are being
16 used to support small business concerns in procure-
17 ment decisions to increase small business opportuni-
18 ties.

19 (3) The strategic efforts that have been taken
20 to achieve the small business participation goals of
21 the Department of Defense through the use of exist-
22 ing and open market contracts to reach a mix of
23 new entrants, seasoned 8(a) companies, and other
24 small disadvantaged businesses.

1 (4) The opportunities that have been identified
2 to transition from bundled or consolidated contracts
3 without small business participation to contracts
4 with small business participation or to use small
5 business set-aside competition.

6 (5) The metrics the Department of Defense has
7 established to measure the effects of the implemen-
8 tation of the memorandum described in subsection
9 (a) on opportunities for small businesses to contract
10 with the Department.

11 (6) The success stories of small business par-
12 ticipation with the Department of Defense that the
13 Department has identified and is sharing in industry
14 engagements.

15 (7) The sufficiency of the educational resources
16 identified in the memorandum described in sub-
17 section (a).

18 (8) Any recommendations on additional steps
19 the Department of Defense can take to maximize
20 small business participation with the Department
21 through category management practices.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term “appropriate congres-
24 sional committees” means—

- 1 (1) the Committees on Armed Services and
- 2 Small Business of the House of Representatives; and
- 3 (2) the Committees on Armed Services and on
- 4 Small Business and Entrepreneurship of the Senate.

○