

1 cy's success in achieving each of the small business prime  
2 contracting and subcontracting goals and percentages”.

3 **SEC. 872. REPORTING RELATED TO FAILURE OF CONTRAC-**  
4 **TORS TO MEET GOALS UNDER NEGOTIATED**  
5 **COMPREHENSIVE SMALL BUSINESS SUBCON-**  
6 **TRACTING PLANS.**

7 Paragraph (2) of section 834(d) of the National De-  
8 fense Authorization Act for Fiscal Years 1990 and 1991  
9 (15 U.S.C. 637 note), as added by section 821(d)(2) of  
10 the Carl Levin and Howard P. “Buck” McKeon National  
11 Defense Authorization Act for Fiscal Year 2015 (Public  
12 Law 113–291; 128 Stat. 3434), is amended by striking  
13 “may not negotiate” and all that follows through the pe-  
14 riod at the end and inserting “shall report to Congress  
15 on any negotiated comprehensive subcontracting plan that  
16 the Secretary determines did not meet the subcontracting  
17 goals negotiated in the plan for the prior fiscal year.”.

18 **SEC. 873. PILOT PROGRAM FOR STREAMLINING AWARDS**

19 **FOR INNOVATIVE TECHNOLOGY PROJECTS.**

20 (a) EXCEPTION FROM CERTIFIED COST AND PRIC-  
21 ING DATA REQUIREMENTS.—The requirements under sec-  
22 tion 2306a(a) of title 10, United States Code, shall not  
23 apply to a contract, subcontract, or modification of a con-  
24 tract or subcontract valued at less than \$7,500,000

1 awarded to a small business or nontraditional defense con-  
2 tractor pursuant to—

3 (1) a technical, merit-based selection procedure,  
4 such as a broad agency announcement, or

5 (2) the Small Business Innovation Research  
6 Program,

7 unless the head of the agency determines that submission  
8 of cost and pricing data should be required based on past  
9 performance of the specific small business or nontradi-  
10 tional defense contractor, or based on analysis of other  
11 information specific to the award.

12 (b) EXCEPTION FROM RECORDS EXAMINATION RE-  
13 QUIREMENT.—The requirements under subsection (b) of  
14 section 2313 of title 10, United States Code, shall not  
15 apply to a contract valued at less than \$7,500,000 award-  
16 ed to a small business or nontraditional defense contractor  
17 pursuant to—

18 (1) a technical, merit-based selection procedure,  
19 such as a broad agency announcement, or

20 (2) the Small Business Innovation Research  
21 Program,

22 unless the head of the agency determines that auditing  
23 of records should be required based on past performance  
24 of the specific small business or nontraditional defense

1 contractor, or based on analysis of other information spe-  
2 cific to the award.

3 (c) SUNSET.—The exceptions under subsections (a)  
4 and (b) shall terminate on October 1, 2020.

5 (d) DEFINITIONS.—In this section:

6 (1) SMALL BUSINESS.—The term “small busi-  
7 ness” has the meaning given the term “small busi-  
8 ness concern” under section 3 of the Small Business  
9 Act (15 U.S.C. 632).

10 (2) NONTRADITIONAL DEFENSE CON-  
11 TRACTOR.—The term “nontraditional defense con-  
12 tractor” has the meaning given that term in section  
13 2302(9) of title 10, United States Code.

14 (e) SMALL BUSINESS INNOVATION RESEARCH PRO-  
15 GRAM ADMINISTRATIVE FEE EXTENSION.—Section  
16 9(mm)(1) of the Small Business Act (15 U.S.C.  
17 638(mm)(1)) is amended by striking “, for the 3 fiscal  
18 years beginning after the date of enactment of this sub-  
19 section,” and inserting “and until September 30, 2017,”.

20 **SEC. 874. SURETY BOND REQUIREMENTS AND AMOUNT OF**  
21 **GUARANTEE.**

22 (a) SURETY BOND REQUIREMENTS.—Chapter 93 of  
23 subtitle VI of title 31, United States Code, is amended—

24 (1) by adding at the end the following:

for Fiscal Year 2013 (Public Law 112-239) to include consideration of success in attainment of small business subcontracting goals as part of agency responsibilities.

The Senate amendment contained no similar provision.  
The Senate recesses.

*Reporting related to failure of contractors to meet goals under negotiated comprehensive small business subcontracting plans (sec. 872)*

The Senate amendment contained a provision (sec. 828) that would amend section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189) to require the Secretary of Defense to report to Congress on any negotiated comprehensive subcontracting plan that the Secretary determines did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.

The House bill contained no similar provision.  
The House recesses.

*Pilot program for streamlining awards for innovative technology projects (sec. 873)*

The Senate amendment contained a provision (sec. 831) that would establish a pilot program to provide an exception from the requirements under sections 2306a(1) and 2313 of title 10, United States Code, for contracts or subcontracts valued at less than \$7.5 million that are awarded based on a technical merit based selection procedure.

The House bill contained no similar provision.  
The House recesses with a technical amendment.

*Surety bond requirements and amount of guarantee (sec. 874)*

The House bill contained a provision (sec. 839) that would: (1) amend section 411 of the Small Business Investment Act of 1958 (15 U.S.C. § 694b(c)(1)) to increase the guarantee rate for surety bonds issued pursuant to the Small Business Administration's (SBA) Preferred Program to 90 percent; (2) amend chapter 93 of title 31, United States Code, to require that individual sureties have sufficient assets to redeem the bonds; and (3) provide for a study by the Comptroller General of the effects of these changes on small and disadvantaged business enterprises.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would retain the provision addressing the SBA program and the provision governing