

En Bloc Amendments to H.R. 5515**FULL COMMITTEE EN BLOC #2**

Log #	Sponsor	Description
152	Shea-Porter	Amends the contractor inventory statute reporting thresholds to cover \$144 billion of contract services.
215	McSally	Expresses the sense of Congress that aggregates, copper, molybendum, gold, zinc, nickel, lead, silver, and certain fertilizer compounds should be added to the "critical minerals list" ordered by Executive Order 13817.
276	Moulton	Appoints an existing Small Business Administration official to coordinate training and programs to serve as the SBA liaison to the Broadband Opportunity Council.
366	Knight	Requires an establishment of a goal of 15 days for small business to be reimbursed.
368r1	Knight	Requires report on DOD use of previous authority to recycle rare earth element waste.
393	Scott	Would extend the sunset of the program on overseas contracting.

AMENDMENT TO H.R. 5515
OFFERED BY MS. SHEA-PORTER OF NEW
HAMPSHIRE

At the appropriate place in title VIII, insert the following:

1 **SEC. 8____. DATA COLLECTION AND INVENTORY FOR**
2 **SERVICES CONTRACTS.**

3 Section 2330a of title 10, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “\$3,000,000” and inserting
7 “the simplified acquisition threshold”;

8 (B) by striking “in the following service
9 acquisition portfolio groups:” and inserting “in
10 any service acquisition portfolio group.”; and

11 (C) by striking paragraphs (1) through
12 (4);

13 (2) in subsection (c)(1)—

14 (A) by striking “staff augmentation con-
15 tracts” and inserting “services contracts”; and

16 (B) by striking “Under Secretary of De-
17 fense for Acquisition, Technology, and Logis-
18 tics” each place it appears and inserting

1 “Under Secretary of Defense for Acquisition
2 and Sustainment”; and
3 (3) in subsection (h)—
4 (A) by striking paragraph (6); and
5 (B) by redesignating paragraphs (7) and
6 (8) as paragraphs (6) and (7), respectively.



AMENDMENT TO H.R. 5515
OFFERED BY MS. MCSALLY OF ARIZONA

At the appropriate place in title III, insert the following:

1 **SEC. 3 __. SENSE OF CONGRESS REGARDING CRITICAL**
2 **MINERALS.**

3 It is the sense of Congress that the final composition
4 of the critical minerals list, as ordered by Executive Order
5 13817, should include aggregates, copper, molybendum,
6 gold, zinc, nickel, lead, silver, and certain fertilizer com-
7 pounds in addition to the 35 minerals included in the draft
8 list, as published on February 16, 2018, for public com-
9 ment.



AMENDMENT TO H.R. 5515

OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8__ . BROADBAND AND EMERGING INFORMATION**

2 **TECHNOLOGY COORDINATOR.**

3 (a) IN GENERAL.—The Small Business Act (15
4 U.S.C. 631 et seq.) is amended—

5 (1) by redesignating section 47 as section 48;

6 and

7 (2) by inserting after section 46 the following:

8 **“SEC. 47. BROADBAND AND EMERGING INFORMATION**

9 **TECHNOLOGY.**

10 **“(a) DEFINITIONS.—**In this section—

11 **“(1)** the term ‘OII Associate Administrator’
12 means the Associate Administrator for the Office of
13 Investment and Innovation; and

14 **“(2)** the term ‘broadband and emerging infor-
15 mation technology coordinator’ means the employee
16 designated to carry out the broadband and emerging
17 information technology coordination responsibilities
18 of the Administration under subsection (b)(1).

19 **“(b) ASSIGNMENT OF COORDINATOR.—**

1 “(1) ASSIGNMENT OF COORDINATOR.—The OII
2 Associate Administrator shall designate a senior em-
3 ployee of the Office of Investment and Innovation to
4 serve as the broadband and emerging information
5 technology coordinator, who—

6 “(A) shall report to the OII Associate Ad-
7 ministrator;

8 “(B) shall work in coordination with—

9 “(i) the chief information officer, the
10 chief technology officer, and the head of
11 the Office of Technology of the Adminis-
12 tration; and

13 “(ii) any other Associate Adminis-
14 trator of the Administration determined
15 appropriate by the OII Associate Adminis-
16 trator;

17 “(C) has experience developing and imple-
18 menting telecommunications policy in the pri-
19 vate sector or government; and

20 “(D) has demonstrated significant experi-
21 ence in the area of broadband or emerging in-
22 formation technology.

23 “(2) RESPONSIBILITIES OF COORDINATOR.—
24 The broadband and emerging information technology
25 coordinator shall—

1 “(A) coordinate programs of the Adminis-
2 tration that assist small business concerns in
3 adopting, making innovations in, and using
4 broadband and other emerging information
5 technologies;

6 “(B) serve as the primary liaison of the
7 Administration to other Federal agencies in-
8 volved in broadband and emerging information
9 technology policy, including the Department of
10 Commerce, the Department of Agriculture, and
11 the Federal Communications Commission;

12 “(C) identify best practices relating to
13 broadband and emerging information tech-
14 nology that may benefit small business con-
15 cerns; and

16 “(D) identify and catalog tools and train-
17 ing available through the resource partners of
18 the Administration that assist small business
19 concerns in adopting, making innovations in,
20 and using broadband and emerging tech-
21 nologies.

22 “(3) TRAVEL.—Not more than 20 percent of
23 the hours of service by the broadband and emerging
24 information technology coordinator during any fiscal

1 year shall consist of travel outside the United States
2 to perform official duties.

3 “(e) BROADBAND AND EMERGING TECHNOLOGY
4 TRAINING.—

5 “(1) TRAINING.—The OII Associate Adminis-
6 trator shall provide to employees of the Administra-
7 tion training that—

8 “(A) familiarizes employees of the Admin-
9 istration with broadband and other emerging
10 information technologies;

11 “(B) includes—

12 “(i) instruction on counseling small
13 business concerns regarding adopting,
14 making innovations in, and using
15 broadband and other emerging information
16 technologies; and

17 “(ii) information on programs of the
18 Federal Government that provide assist-
19 ance to small business concerns relating to
20 broadband and emerging information tech-
21 nologies; and

22 “(C) to maximum extent practicable, uses
23 the tools and training cataloged and identified
24 under subsection (b)(2)(D).

1 “(2) FUNDING.—The Administrator shall use
2 funds made available to the Office of Investment
3 and Innovation to carry out this subsection.

4 “(d) REPORTS.—

5 “(1) BIENNIAL REPORT ON ACTIVITIES.—Not
6 later than 2 years after the date on which the OII
7 Associate Administrator makes the first designation
8 of an employee under subsection (b), and every 2
9 years thereafter, the broadband and emerging infor-
10 mation technology coordinator shall submit to the
11 Committee on Small Business and Entrepreneurship
12 of the Senate and the Committee on Small Business
13 of the House of Representatives a report regarding
14 the programs and activities of the Administration re-
15 lating to broadband and other emerging information
16 technologies.

17 “(2) IMPACT OF BROADBAND SPEED AND PRICE
18 ON SMALL BUSINESSES.—

19 “(A) IN GENERAL.—Subject to appropria-
20 tions, the Chief Counsel for Advocacy shall con-
21 duct a study evaluating the impact of
22 broadband speed and price on small business
23 concerns.

24 “(B) REPORT.—Not later than 3 years
25 after the date of enactment of the Small Busi-

1 ness Broadband and Emerging Information
2 Technology Enhancement Act of 2017, the
3 Chief Counsel for Advocacy shall submit to the
4 Committee on Commerce, Science, and Trans-
5 portation and the Committee on Small Business
6 and Entrepreneurship of the Senate and the
7 Committee on Energy and Commerce and the
8 Committee on Small Business of the House of
9 Representatives a report on the results of the
10 study under subparagraph (A), including—

11 “(i) a survey of broadband speeds
12 available to small business concerns;

13 “(ii) a survey of the cost of broadband
14 speeds available to small business con-
15 cerns;

16 “(iii) a survey of the type of
17 broadband technology used by small busi-
18 ness concerns; and

19 “(iv) any policy recommendations that
20 may improve the access of small business
21 concerns to comparable broadband services
22 at comparable rates in all regions of the
23 United States.”.

1 (b) ENTREPRENEURIAL DEVELOPMENT.—Section
2 21(c)(3)(B) of the Small Business Act (15 U.S.C.
3 648(c)(3)(B)) is amended—

4 (1) in the matter preceding clause (i), by insert-
5 ing “accessing broadband and other emerging infor-
6 mation technology,” after “technology transfer,”;

7 (2) in clause (ii), by striking “and” at the end;

8 (3) in clause (iii), by adding “and” at the end;

9 and

10 (4) by adding at the end the following:

11 “(iv) increasing the competitiveness and
12 productivity of small business concerns by as-
13 sisting owners of such concerns in accessing
14 broadband and other emerging information
15 technology;”.



Log 366

AMENDMENT TO H.R. 5515

OFFERED BY MR. KNIGHT OF CALIFORNIA

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8 ____ . PROMPT PAYMENTS OF SMALL BUSINESS CON-**
2 **TRACTORS.**

3 Section 2307(a) of title 10, United States Code, is
4 amended—

5 (1) by redesignating paragraphs (1) and (2) as
6 subparagraphs (A) and (B), respectively;

7 (2) by striking “The head of any agency may—
8 ” and inserting “(1) The head of any agency may”;
9 and

10 (3) by adding at the end the following new
11 paragraph:

12 “(2)(A) For a prime contractor (as defined in section
13 8701 of title 41) that is a small business concern (as de-
14 fined in section 3 of the Small Business Act (15 U.S.C.
15 632)), the head of an agency shall, to the fullest extent
16 permitted by law, establish an accelerated payment date
17 with a goal of 15 days after receipt of a proper invoice
18 for the amount due if a specific payment date is not estab-
19 lished by contract.

1 “(B) For a prime contractor that subcontracts with
2 a small business concern, the head of an agency shall, to
3 the fullest extent permitted by law, establish an acceler-
4 ated payment date with a goal of 15 days after receipt
5 of a proper invoice for the amount due if—

6 “(i) a specific payment date is not established
7 by contract; and

8 “(ii) the prime contractor agrees to make pay-
9 ments to the subcontractor in accordance with the
10 accelerated payment date, to the maximum extent
11 practicable, without any further consideration from
12 or fees charged to the subcontractor.”.



Log 368r1

**Amendment to H.R. 5515
National Defense Authorization Act for Fiscal Year 2019**

Offered by: Rep. Knight

In the appropriate place in the report to accompany H.R. 5515, insert the following new Directive Report Language:

Report on REE-Bearing Waste Recycling

The committee continues to be concerned with our dependence on foreign sources for materials critical to our national defense. To help mitigate this supply chain risk, the FY 2017 National Defense Authorization Act strongly encouraged the Department to recycle discarded items, such as spent fluorescent lamps, in order to extract, reclaim and reuse critical materials and rare earth elements contained in such waste. This section also provided the Department broad authority to recover, acquire, recycle and manage the disposal and recyclable strategic and critical materials containing REE from other federal agencies.

The committee is aware of recent advances in domestic recycling technology, providing clean and efficient means for reclaiming rare earth elements from a variety of domestic waste streams. At current recycling levels of fluorescent lamps alone, recoverable quantities of target rare earth elements such as Yttrium, deemed by the Department to be critical to the national defense, can wholly offset the total amount of imported Yttrium originating in China on an annual basis, and sold at or below current market price.

Where feasible, such waste streams should not be destroyed or landfilled, but managed in accordance with our national defense needs. The committee therefore directs the Secretary of Defense to submit a report to the House Committee on Armed Services by February 1, 2019, on the Department's past and planned future use of new authorities granted to them to both recycle the Department's applicable REE-bearing waste, and recover and exploit the REE-bearing waste of other federal agencies.

AMENDMENT TO H.R. 5515
OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8 . EXTENSION OF PROHIBITION ON PROVIDING**
2 **FUNDS TO THE ENEMY.**

3 Section 841(n) of the National Defense Authorization
4 Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat.
5 3455; 10 U.S.C. 2302 note) is amended by striking “De-
6 cember 31, 2019” and inserting “December 31, 2021”.

