

118TH CONGRESS  
1ST SESSION

# H. R. 6740

To require the Secretary of Defense to amend the Department of Defense Supplement to the Federal Acquisition Regulation to include consideration of past performance of affiliates of small business concerns, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2023

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

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## A BILL

To require the Secretary of Defense to amend the Department of Defense Supplement to the Federal Acquisition Regulation to include consideration of past performance of affiliates of small business concerns, 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 “Defense Small Busi-  
5 ness Affiliate Consideration Act of 2023”.

1 **SEC. 2. CONSIDERATION OF PAST PERFORMANCE OF AF-**  
2 **FILIATES OF SMALL BUSINESS CONCERNS.**

3 Not later than July 1, 2024, the Secretary of Defense  
4 shall amend section 215.305 of the Defense Federal Ac-  
5 quisition Supplement (or any successor regulation) to re-  
6 quire that when small business concerns bid on Depart-  
7 ment of Defense contracts, the past performance evalua-  
8 tion and source selection processes shall consider, if rel-  
9 evant, the past performance information of affiliate com-  
10 panies of the small business concerns.

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