

116TH CONGRESS
2D SESSION

H. R. 7342

To require a report on accelerated payments to certain small business concerns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2020

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

A BILL

To require a report on accelerated payments to certain 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 “Federal Small Busi-
5 nesses Contractor Prompt Payment Reporting Act”.

6 **SEC. 2. REPORT ON ACCELERATED PAYMENTS TO CERTAIN**
7 **SMALL BUSINESS CONCERNS.**

8 (a) REPORT.—Not later than 3 months after the date
9 of the enactment of this Act, the head of each Federal
10 agency shall submit to Congress a report on the timeliness

1 of payments made to a covered prime contractor. Such re-
2 port shall include—

3 (1) the date on which the Federal agency began
4 providing accelerated payments in accordance with
5 section 2307(a)(2) of title 10, United States Code,
6 or paragraphs (10) and (11) of section 3903(a) of
7 title 31, United States Code, as applicable, to a cov-
8 ered prime contractor;

9 (2) of contracts to which such sections apply,
10 the amount and percentage of covered contracts with
11 accelerated payment terms in accordance with such
12 sections; and

13 (3) whether and on what date the agency dis-
14 continued implementation of the Office of Manage-
15 ment and Budget Circular M-11-32 titled “Accel-
16 erating Payments to Small Businesses for Goods
17 and Services” (issued September 14, 2011).

18 (b) DEFINITIONS.—In this Act:

19 (1) COVERED PRIME CONTRACTOR.—The term
20 “covered prime contractor” means—

21 (A) a prime contractor (as defined in sec-
22 tion 8701 of title 41) that is a small business
23 concern (as defined in section 3 of the Small
24 Business Act (15 U.S.C. 632)); and

1 (B) a prime contractor that subcontracts
2 with a small business concern.

3 (2) COVERED CONTRACT.—The term “covered
4 contract” means a contract entered into by a cov-
5 ered prime contractor—

6 (A) on or after August 13, 2018, with re-
7 spect to a contract entered into the head of an
8 agency (as defined in section 2302 of title 10,
9 United States Code); or

10 (B) on or after December 20, 2019, with
11 respect to a contract entered into with the head
12 of an agency (as defined in section 3901 of title
13 31, United States Code).

14 (3) FEDERAL AGENCY.—The term “Federal
15 agency” has the meaning given “agency” in section
16 551(a) of title 5, United States Code.

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