

Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaull  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Mitchell  
Moolenaar

Mooney (WV)  
Mullin  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Rice (SC)  
Robby  
Roe (TN)  
Rogers (AL)  
Rohrabacher  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus

Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOES—181

Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Ciحline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Espallat

Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McEachin

McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)

Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey

Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—20

Adams  
Carson (IN)  
Clyburn  
Cummings  
Gutiérrez  
Jenkins (WV)  
Johnson, E. B.

Jones  
Kuster (NH)  
Labrador  
Lipinski  
Lujan Grisham,  
M.  
McCollum

Messer  
Pittenger  
Poe (TX)  
Renacci  
Rogers (KY)  
Rokita  
Schradler

□ 1338

So the resolution was agreed to.  
The result of the vote was announced  
as above recorded.  
A motion to reconsider was laid on  
the table.

RESIGNATION FROM THE HOUSE  
OF REPRESENTATIVES

The SPEAKER pro tempore laid be-  
fore the House the following resigna-  
tion from the House of Representa-  
tives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 8, 2018.

HON. PAUL RYAN,  
*Speaker of the House, House of Representatives,  
Washington, DC.*

DEAR SPEAKER RYAN: I write to inform you  
that I will resign from the office of United  
States Representative effective 11:59 PM  
EST, Saturday, May 12, 2018. It has been a  
privilege to serve with you throughout my  
time in Congress and I thank you for your  
leadership and friendship throughout those  
years.

I wish you, and all of our colleagues in  
Congress, the best as you make the difficult  
decisions necessary to guide the nation for-  
ward and work to improve the lives of all  
Americans.

Sincerely,

HON. CHARLES W. DENT.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 8, 2018.

HON. TOM WOLF,  
*Governor, Commonwealth of Pennsylvania,  
Harrisburg, PA.*

DEAR GOVERNOR WOLF: I am writing to in-  
form you that I will resign from my seat ef-  
fective at 11:59 PM EST, Saturday, May 12,  
2018.

After my family, serving the people of the  
15th Congressional District in the United  
States Congress has been the greatest re-  
sponsibility and honor of my life. I would  
like to thank the people of the 15th District  
and the entire Commonwealth of Pennsyl-  
vania for putting their trust and faith in me  
to serve as their Representative. I am for-  
ever grateful.

Sincerely,

HON. CHARLES W. DENT.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr.  
EMMER). Pursuant to clause 8 of rule  
XX, the Chair will postpone further  
proceedings today on motions to sus-  
pend the rules on which a recorded vote  
or the yeas and nays are ordered, or  
votes objected to under clause 6 of rule  
XX.

The House will resume proceedings  
on postponed questions at a later time.

SMALL BUSINESS DEVELOPMENT  
CENTER CYBER TRAINING ACT  
OF 2017

Mr. CHABOT. Mr. Speaker, I move to  
suspend the rules and pass the bill  
(H.R. 3170) to amend the Small Busi-  
ness Act to require cyber certification  
for small business development center  
counselors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3170

*Be it enacted by the Senate and House of Rep-  
resentatives of the United States of America in  
Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Busi-  
ness Development Center Cyber Training Act  
of 2017”.

SEC. 2. DUTIES OF SMALL BUSINESS DEVELOPMENT  
CENTER COUNSELORS.

Section 21 of the Small Business Act (15  
U.S.C. 648) is amended by adding at the end  
the following:

“(o) CYBER STRATEGY TRAINING FOR SMALL  
BUSINESS DEVELOPMENT CENTERS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘cyber strategy’ means re-  
sources and tactics to assist in planning for  
cybersecurity and defending against cyber  
risks and cyber attacks; and

“(B) the term ‘lead small business develop-  
ment center’ means a small business devel-  
opment center that has received a grant  
from the Administration.

“(2) CERTIFICATION PROGRAM.—The Admin-  
istrator shall establish a cyber counseling  
certification program, or approve a similar  
existing program, to certify the employees of  
lead small business development centers to  
provide cyber planning assistance to small  
business concerns.

“(3) NUMBER OF CERTIFIED EMPLOYEES.—  
The Administrator shall ensure that the  
number of employees of each lead small busi-  
ness development center who are certified in  
providing cyber planning assistance under  
this subsection is not fewer than the lesser of—

“(A) 5; or

“(B) 10 percent of the total number of em-  
ployees of the lead small business develop-  
ment center.

“(4) CONSIDERATION OF SMALL BUSINESS DE-  
VELOPMENT CENTER CYBER STRATEGY.—In car-  
rying out this subsection, the Administrator,  
to the extent practicable, shall consider any  
cyber strategy methods included in the  
Small Business Development Center Cyber  
Strategy developed under section 1841(a) of  
the National Defense Authorization Act for  
Fiscal Year 2017 (Public Law 114-328; 130  
Stat. 2662).

“(5) REIMBURSEMENT FOR CERTIFICATION.—

“(A) IN GENERAL.—Subject to the avail-  
ability of appropriations and subparagraph  
(B), the Administrator shall reimburse a lead  
small business development center for costs  
relating to the certification of an employee  
of the lead small business development center  
under the program established under  
paragraph (2).

“(B) LIMITATION.—The total amount reim-  
bursed by the Administrator under subpara-  
graph (A) may not exceed \$350,000 in any fis-  
cal year.”.

The SPEAKER pro tempore. Pursu-  
ant to the rule, the gentleman from  
Ohio (Mr. CHABOT) and the gentle-  
woman from New York (Ms.  
VELÁZQUEZ) each will control 20 min-  
utes.

The Chair recognizes the gentleman  
from Ohio.

## GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before we get into the business at hand, I would like to thank our ranking member, Ms. VELÁZQUEZ, all of our minority and majority members on the committee, and their staffs for working in a bipartisan manner to produce this strong package of small business bills.

Our committee strives to be bipartisan and an example, really, for our fellow Members. That can't be done without equal effort on both sides.

Again, I want to thank Ms. VELÁZQUEZ for always working with us—usually working with us—in a bipartisan manner, and I want to thank all the members in the committee for doing that as well.

Mr. Speaker, last week was National Small Business Week all across America. I like to call small businesses our biggest asset as a Nation. And because of the actions of this Congress and our President, small businesses are the most optimistic they have been in more than three decades.

It is vital to our Nation's economy that these small businesses succeed. As technology evolves, so must our small businesses. Just as important as the ice cream shop on Main Street is the online startup company.

We have an obligation to do everything we can to create an economy where all small businesses flourish, because a community that has successful small businesses thrives, and this is good for all of us all across the country.

This leads us to the first piece of legislation before us today.

Advances in information technology, or IT, have helped small businesses to rapidly increase their productivity, enter new markets, and offer consumers new and innovative services and products.

However, IT has advanced so quickly that it has been difficult to keep pace with the ever-growing cyber threats. Unfortunately, small businesses are becoming increasingly targeted by cyber criminals.

While larger companies have more resources to detect and combat cyber attacks, small businesses often do not learn they have been hacked until it is too late. As chairman of the House Committee on Small Business, I have heard too many firsthand accounts of this occurring.

□ 1345

One story that stands out to me is the story of a small-business owner

who owned an indoor go-karting facility in Maine and had a number of employees and their families who depended on it. He told our committee that he was struck by a phishing scam. He logged on to his business account, and, to his utter disbelief, his bank account was zero. This happened on a payday, no less. So all these people, who are depending on him to pay them, his bank account is zero because some hacker got into it.

Stories like these are why Congressman EVANS and I have introduced H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. This bipartisan and bicameral legislation would establish a cyber counseling certification program in lead small business development centers, or SBDCs, to assist small businesses with planning and implementing cybersecurity measures to defend against cyber attacks. The cyber assistance offered by trained staff at SBDCs would be provided at no cost, or low cost, to small businesses.

Cyber planning assistance will encourage small businesses to take a more proactive approach to defending themselves from cyber attacks by leveraging the expertise from SBDCs and their partner agencies and institutions, rather than being forced to react after an attack.

When provided with the right resources, small businesses can be assured that they have an effective cyber plan in place. I would like to thank Mr. EVANS for his collaboration on this bill, and I would urge my colleagues to support this bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Let me take this opportunity to thank the chairman, Mr. CHABOT; his staff; and all the members of the Small Business Committee for working in a bipartisan manner.

Mr. Speaker, we continue to hear about cyber breaches and unauthorized data collection. Cybersecurity must be our Nation's top priority, especially as it pertains to the health of our small business community.

The Small Business Committee has taken steps to leverage the Small Business Administration's network of resource partners to assist in education and development of cyber infrastructure. Clearly, we must do more to combat rogue nation-states and cybercriminals.

The key lies in a properly trained workforce at our small business development centers who are tasked in educating, developing, and implementing cybersecurity measures for small companies of all kinds.

H.R. 3170, the Small Business Development Center Cyber Training Act does this by creating a certification program at SBDCs to develop staff who are prepared to combat cyber attacks. Therefore, I urge my colleagues to vote for this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. NORMAN).

Mr. NORMAN. Mr. Speaker, I rise in support of H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. In today's increasingly cyber world, information technology is vital for small businesses. It equips them with the necessary tools and allows them to remain competitive in the global economy.

However, the same tools that allow small businesses to stay on the cutting edge of technology have also caused them to be increasingly targeted by cybercriminals. And, unfortunately, a simple cyber attack can destroy a small business.

According to the National Small Business Association, the average cost of a cyber attack on a small business is \$32,000. Many small businesses fear such an attack but lack the resources or the technical knowledge to prevent one. That is where H.R. 3170 comes into play.

This legislation would equip lead small business development centers with a cyber counseling certification program to educate small businesses and help them to implement a cybersecurity plan to protect their business. Due to the high cost of hiring cyber experts, many small businesses could not otherwise afford to take such precautions.

H.R. 3170 would offer cyber assistance at no or low cost to small businesses. This bipartisan bill would help America's nearly 30 million small businesses stay ahead of cyber attacks so that they are not forced to react once it is too late. I urge my colleagues to support this legislation.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. EVANS), who is the ranking member on the Subcommittee on Economic Growth, Tax and Capital Access.

Mr. EVANS. Mr. Speaker, I thank the ranking member for yielding to me. I rise in strong support of H.R. 3170, the Small Business Development Center Cyber Training Act. As a member of the House Small Business Committee, we look to find solutions to problems and address gaps in policy relating to small businesses.

H.R. 3170, which was introduced last year, is yet another example of a tool in the toolbox for small businesses and illustrates the important role that government can play in areas of cybersecurity, which continues to develop and is ripe for direction and collaboration.

This is an extremely important bicameral bill. Our small-business owners and entrepreneurs are the engines that drive people to live, grow, and succeed in our neighborhoods. We know that our small business community faces increasing cyber threats in our ever-changing global economy.

As seen by the glaring number of cyber attacks on American businesses in the past few years, it is critical that we work with the private sector to ensure that these businesses are not stifled. Many large companies have the resources to fight these attacks by cybercriminals, but a lot of small businesses just do not have the time, money, or expertise.

Every day we hear about issues relating to national security and cyber attacks. They are threats to us all. We are all a part of cyberspace, and we have to ensure that proper safety precautions are in place.

We know that small businesses are especially at risk as it relates to cyber attacks; therefore, we must ensure that all small businesses have the ability to invest in the protection needed, but we must ensure proper coordination. I look forward to working with the chairperson and the ranking member.

Mr. CHABOT. Mr. Speaker, I yield as much time as he may consume to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I thank the chairman for his leadership in continuing to fight for small business.

Mr. Speaker, I rise today in support of H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. Cybersecurity has become an increasing issue for small businesses, as many small firms have less time than larger firms to develop cybersecurity defense strategies, fewer staff to monitor systems, and less access to capital to purchase computer security hardware and software.

As more businesses embrace online tools, such as social media, mobile services, and cloud data storage, the need for stronger information security and cybersecurity systems has grown. Small business development centers provide important resources and business assistance programs for entrepreneurs and small-business owners.

In Kansas, small business development centers have aided hundreds of businesses across the State, many of which I visited across the district. H.R. 3170 acknowledges the importance of cybersecurity, as well as the broad reach of SBDCs, and instructs the small-business administrator to establish a cybersecurity program for SBDC employees.

Adding this training to the SBDC toolkit will allow SBDC employees to assist businessowners with cyber planning and strategy and is critical in ensuring that small businesses and entrepreneurs are able to securely compete in today's digital marketplace. I encourage my colleagues to support this legislation.

Ms. VELÁZQUEZ. Mr. Speaker, does the chairman have any further speakers?

Mr. CHABOT. Mr. Speaker, I do not have any further speakers on this bill.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, expanding access to a skilled cyber workforce focused on small businesses has been a top priority for both sides of the aisle. We cannot let our Nation's job creators go without the assistance they need to develop, implement, and monitor their online presence.

H.R. 3170 will help boost SBDC's ability to engage and protect their small-business clients, and, therefore, also protect the interests of American workers and consumers.

This legislation ensures that our national efforts combating cyber attacks can be utilized by our Nation's most vulnerable businesses. I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close, and I will be brief.

Mr. Speaker, America's small business development centers must have the best possible cybersecurity training so that they can better assist small businesses to detect and combat cyber attacks.

In our committee's efforts to spotlight these serious and growing threats, it has become clear that we need to think outside the box as we work to thwart cyber attacks, and the bipartisan bill before us today is a step in that direction.

I would urge my colleagues to support this legislation, and I want to again thank the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, for her leadership on this.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I speak in support of H.R. 3170, the Small Business Development Center Cyber Security Training Act of 2017.

H.R. 3170 amends the Small Business Act to require the Small Business Administration to establish a program for certifying employees of small business development centers to provide cybersecurity planning assistance to small businesses.

Cybersecurity threats faced by small businesses are as serious as those faced by large businesses and government agencies.

According to the Better Business Bureau's 2017 report "State of Cybersecurity Among Small Businesses in North America" found that small business owners are becoming more and more aware of cyber threats, continue to be concerned about cyber risks, and are taking some proactive security steps in spite of their unique challenges in regard to cybersecurity.

Global spending on cybersecurity is expected to reach \$170 billion by 2020 as businesses and governments work to security networks and the data they contain.

Cyberattacks in the form of ransomware, phishing, point-of sale malware, keyloggers, tech support phone scam, remote access Trojan or rat are some of the threats faced by small businesses.

According to the trade journal Small Business Trends:

43 percent of cyberattacks target small businesses;

14 percent of small businesses rate their ability to mitigate cyber risks, vulnerabilities, and attacks as highly effective;

60 percent of small companies go out of business within six months of a cyberattack;

48 percent of data security breaches are caused by acts of malicious intent, human error, or system failure; and

Small businesses are most concerned about the security of customer data.

Cyber criminals are not only interested in what may be of value on a small business computer or computing device.

Criminals can also see value in taking control of a small business' computers or computing devices to launch an attack on a third party.

These types of attacks can shield the attacker from being identified and cause problems for the small business as networks label their computing devices or web addresses as the source of an attack.

The overall impact of a cybersecurity incident according to the National Institute for Standards and Technology could include:

damage to information or information systems;

regulatory fines and penalties/legal fees;

decreased productivity;

loss of information critical to running your business;

damage to reputation or loss of consumer confidence;

damage to credit and loan worthiness; or

loss of business income.

There is a growing shortage of cybersecurity professionals with over a quarter-million positions remaining unfilled in the U.S. alone and a predicted shortfall of 1.5 million cybersecurity professionals by 2019.

Solutions like the ones contained in the bill before us would increase the number of cybersecurity professionals in the Small Business Administration to serve the cybersecurity needs of small businesses.

The bill would require the SBA to have staff at their Small Business Development Centers (SBDCs) receive training in cybersecurity so that they will be prepared to assist businesses with cybersecurity planning.

Small Business Development Centers provide an array of technical assistance to small businesses and aspiring entrepreneurs.

By supporting business growth, sustainability and enhancing the creation of new businesses entities, SBDCs foster local and regional economic development through job creation and retention.

As a result of the no-cost, extensive, one-on-one, long-term professional business advising, low-cost training and other specialized services SBDC clients receive, the program remains one of the nation's largest small business assistance programs in the federal government.

The SBDCs are comprised of a unique collaboration of SBA federal funds, state and local governments, and private sector resources.

SBDCs provide services through professional business advisors such as:

development of business plans; manufacturing assistance;

financial packaging and lending assistance; exporting and importing support;

disaster recovery assistance; procurement and contracting aid; market research services;

aid to 8(a) firms in all stages; and

healthcare information.

H.R. 3170, would add to this list cybersecurity planning assistance.

I ask my colleagues to join me in supporting this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 3170.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

### CHANGE ORDER TRANSPARENCY FOR FEDERAL CONTRACTORS ACT

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4754) to amend the Small Business Act to provide prospective construction contractors with information about an agency's policies on the administration of change orders to allow such contractors to make informed business decisions regarding the pricing of bids or proposals, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4754

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Change Order Transparency for Federal Contractors Act".

#### SEC. 2. CONSTRUCTION CONTRACT ADMINISTRATION.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

"(W) SOLICITATION NOTICE REGARDING ADMINISTRATION OF CHANGE ORDERS FOR CONSTRUCTION.—

"(1) IN GENERAL.—With respect to any solicitation for the award of a contract for construction anticipated to be awarded to a small business concern, the agency administering such contract shall provide a notice along with the solicitation to prospective bidders and offerors that includes—

"(A) information about the agency's policies or practices in complying with the requirements of the Federal Acquisition Regulation relating to the timely definitization of requests for an equitable adjustment; and

"(B) information about the agency's past performance in definitizing requests for equitable adjustments in accordance with paragraph (2).

"(2) REQUIREMENTS FOR AGENCIES.—An agency shall provide the past performance information described under paragraph (1)(B) as follows:

"(A) For the 3-year period preceding the issuance of the notice, to the extent such information is available.

"(B) With respect to an agency that, on the date of the enactment of this subsection, has not compiled the information described under paragraph (1)(B)—

"(i) beginning 1 year after the date of the enactment of this subsection, for the 1-year period preceding the issuance of the notice;

"(ii) beginning 2 years after the date of the enactment of this subsection, for the 2-year period preceding the issuance of the notice; and

"(iii) beginning 3 years after the date of the enactment of this subsection and each year thereafter, for the 3-year period preceding the issuance of the notice.

"(3) FORMAT OF PAST PERFORMANCE INFORMATION.—In the notice required under paragraph (1), the agency shall ensure that the past performance information described under paragraph (1)(B) is set forth separately for each definitization action that was completed during the following periods:

"(A) Not more than 30 days after receipt of a request for an equitable adjustment.

"(B) Not more than 60 days after receipt of a request for an equitable adjustment.

"(C) Not more than 90 days after receipt of a request for an equitable adjustment.

"(D) Not more than 180 days after receipt of a request for an equitable adjustment.

"(E) More than 365 days after receipt of a request for an equitable adjustment.

"(F) After the completion of the performance of the contract through a contract modification addressing all undefinitized requests for an equitable adjustment received during the term of the contract."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

I thank Mr. BACON for introducing this good government legislation. It is a protransparency bill, and it addresses an often overlooked problem facing small Federal construction contractors. He has been a leader on this issue, and we appreciate that very much because it is an important bill.

Our Federal Government spends billions of dollars on construction annually, an industry that is critical to rebuilding our Nation's aging infrastructure. Small businesses are the lifeblood of construction, performing in various roles across the entire supply chain.

Unfortunately, no construction project is immune to change. Contract modifications or change orders are prevalent in construction contracts—in fact, in virtually all construction contracts. The issue arises when the Federal agency delays executing a change order or issuing payment for the work completed. This leaves the small contractor responsible for financing the work out-of-pocket while also paying for overhead costs.

Extended delays in payment can result in severe financial consequences, sometimes including bankruptcy for small contractors. Agencies currently do not publish information regarding their contract modification processes

or payment records, leaving contractors basically in the dark.

Without this information, small prime contractors and subcontractors take an enormous risk every time they submit an offer with an agency that may be acting in less than good faith. Furthermore, small contractors are often unable to develop accurate bid prices if they choose to risk working with the agency.

To offset the risk of delayed or non-payment, contractors may inflate the cost of their bids, passing on these costs to the taxpayer. Due to the lack of transparency promoting a high-risk, high-stakes environment, working with the Federal Government becomes less appealing. Small contractors are leaving the marketplace in favor of private sector projects, which reduces competition.

This bill, Mr. BACON's bill, takes a critical step forward by requiring the contracting agency to disclose, in their solicitations, the details of their change order procedures, as well as a historical record showing whether change orders are resolved in a timely manner.

□ 1400

Contractors can use this information to decide, first and foremost, if they want to bid; and if so, they can formulate more realistic cost estimates and better prepare for delays in payment.

This bill, Mr. BACON's bill, should also encourage agencies to improve their own internal change order processes, making the Federal construction marketplace attractive again. Ultimately, this legislation will result in expanding the industrial base, improving transparency and government accountability, and ensuring that high-quality structures are built at a reasonable cost.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4754, the Change Order Transparency for Federal Contractors Act.

As this body seeks ways to foster small business growth and expansion, we must always carefully consider what is being done to maximize entrepreneurs' participation in the Federal marketplace.

As we all know, when small companies are awarded Federal contracts, the result is a win-win. Small businesses provide quality goods and services at affordable prices, meaning a better deal for the government and the taxpayer. At the same time, it can mean significant growth opportunity for small businesses and even the need for new employees.

Yet one longstanding barrier remains to small business participation in the Federal marketplace. The practice of contract modifications drastically delays the payment to contractors