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AMENDMENT TO H.R. 3867, AS REPORTED

OFFERED BY MR. WYNN OF MARYLAND

At the end of title VI, add the following new section (and amend the table of contents accordingly):

1 **SEC. 602. PROMPT PAYMENT INFORMATION REQUIREMENT.**

2 The Small Business Act (15 U.S.C. 631 et seq.) is
3 amended by adding at the end the following new section:

4 **"SEC. 39. REQUIREMENT TO PROVIDE PROMPT PAYMENT**
5 **INFORMATION TO CONTRACTORS AND SUB-**
6 **CONTRACTORS.**

7 "(a) REQUIREMENT TO PROVIDE PROMPT PAYMENT
8 POLICY TO CONTRACTORS AND SUBCONTRACTORS.—The
9 Administrator of the Small Business Administration shall
10 set forth in writing the prompt payment policy applicable
11 to subcontractors under Federal contracts. The head of
12 each agency shall—

13 "(1) provide a copy of such policy to each con-
14 tractor awarded a contract by the agency; and

15 "(2) require the contractor to provide a copy of
16 the policy to each of its subcontractors under the
17 contract.

18 "(b) CONTRACT CLAUSE.—The head of each agency
19 shall require each contractor awarded a contract by the

1 agency to include in each subcontract awarded under the
2 contract a clause containing the following information:
3 "(1) The requirements and penalties of chapter
4 39 of title 31, United States Code, relating to the
5 obligations of the Federal Government and prime
6 contractors in making timely progress payments.
7 "(2) The name and phone number of a senior
8 employee of the contractor who has the authority to
9 discuss and resolve progress payment questions.
10 "(3) The obligations, under section 15(k)(5) of
11 the Small Business Act (15 U.S.C. 644(k)(5)), of
12 the Office of Small and Disadvantaged Business
13 Utilization of the agency in assisting small business
14 contractors and subcontractors in receiving prompt
15 progress payments.".