

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Moran OF Virginia, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 3867, AS REPORTED
OFFERED BY MR. MORAN OF VIRGINIA**

Title VI, add at the end the following (and amend the table of contents accordingly):

1 **SEC. __. STUDY ON FRIVOLOUS PROTESTS.**

2 (a) **STUDY.**—The Administrator of the Small Busi-
3 ness Administration shall conduct a study to determine,
4 with respect to small business contracts, whether incum-
5 bent Federal contractors submit frivolous protests to ex-
6 tend the length of current contracts before protest deci-
7 sions are resolved.

8 (b) **CONTENTS.**—In conducting the study, the Ad-
9 ministrator shall—

10 (1) determine the number of Government Ac-
11 countability Office bid protests and Small Business
12 Administration size protests filed by incumbent Fed-
13 eral contractors with respect to small business con-
14 tracts, the number of incumbent contracts extended
15 because of the protest, the extra costs of extending
16 incumbent contracts during the protest, and the
17 final rulings of these protests;

18 (2) determine the financial impact of protests
19 filed by incumbent Federal contractors on small

1 businesses that were originally awarded the pro-
2 tested small business contracts, including costs asso-
3 ciated with defending the protests and costs incurred
4 by Federal agencies;

5 (3) identify the incumbent Federal contractors
6 that file the most unsuccessful protests on small
7 business contracts; and

8 (4) develop recommendations—

9 (A) to ease any financial burden on small
10 businesses during the protest of small business
11 contracts; and

12 (B) to discourage frivolous protests by in-
13 cumbent Federal contractors on small business
14 contracts.

15 (c) CONSULTATION.—In conducting the study, the
16 Administrator shall consult with the Government Account-
17 ability Office, any necessary Federal agencies, and the Of-
18 fice of Federal Procurement Policy.

19 (d) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Administrator shall sub-
21 mit to Congress a report on the results of the study, to-
22 gether with the recommendations developed under sub-
23 section (b)(4).