

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the Secretary of Defense to submit to Congress an annual report regarding the SBIR program of the Department.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. _____

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BENNET

Viz:

1 At the appropriate place in title VIII, add the fol-
2 lowing:

3 **SEC. ____ . ANNUAL REPORTS REGARDING THE SBIR PRO-**
4 **GRAM OF THE DEPARTMENT OF DEFENSE.**

5 (a) DEFINITIONS.—In this section—

6 (1) the term “SBIR” has the meaning given
7 the term in section 9(e)(4) of the Small Business
8 Act (15 U.S.C. 638(e)(4)); and

1 (2) the term “Secretary” means the Secretary
2 of Defense.

3 (b) REPORTS REQUIRED.—Not later than 90 days
4 after the date of enactment of this Act, and not later than
5 120 days after the end of each fiscal year that begins after
6 that date of enactment, the Secretary, after consultation
7 with the Secretary of each branch of the Armed Forces,
8 shall submit, through the Under Secretary of Defense for
9 Research and Engineering, to Congress a report that ad-
10 dresses—

11 (1) the ways in which the Secretary, as of the
12 date on which the report is submitted, is using in-
13 centives to Department of Defense program man-
14 agers under section 9(y)(6)(B) of the Small Busi-
15 ness Act (15 U.S.C. 638(y)(6)(B)) to increase the
16 number of Phase II SBIR contracts awarded by the
17 Secretary that lead to technology transition into pro-
18 grams of record or fielded systems, which shall in-
19 clude the judgment of the Secretary regarding the
20 potential effect of providing monetary incentives to
21 those officers for that purpose;

22 (2) the extent to which the Department of De-
23 fense has developed simplified and standardized pro-
24 cedures and model contracts throughout the agency
25 for Phase I, Phase II, and Phase III SBIR awards,

1 as required under section 9(hh)(2)(A)(i) of the
2 Small Business Act (15 U.S.C. 638(hh)(2)(A)(i));

3 (3) with respect to each report submitted under
4 this section after the submission of the first such re-
5 port, the extent to which any incentives described in
6 this section and implemented by the Secretary have
7 resulted in an increased number of Phase II con-
8 tracts under the SBIR program of the Department
9 of Defense leading to technology transition into pro-
10 grams of record or fielded systems;

11 (4) the extent to which Phase I, Phase II, and
12 Phase III projects under the SBIR program of the
13 Department of Defense align with the modernization
14 priorities of the Department, including with respect
15 to artificial intelligence, biotechnology, autonomy,
16 cybersecurity, directed energy, fully networked com-
17 mand, control, and communication systems, micro-
18 electronics, quantum science, hypersonics, and space;
19 and

20 (5) any other action taken, and proposed to be
21 taken, to increase the number of Department of De-
22 fense Phase II SBIR contracts leading to technology
23 transition into programs of record or fielded sys-
24 tems.