

118TH CONGRESS
1ST SESSION

H. R. 4670

To amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2023

Ms. HOULAHAN (for herself, Mr. STAUBER, and Ms. SCHOLTEN) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans, 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 “Small Business Con-
5 tracting Transparency Act of 2023”.

1 **SEC. 2. REPORT ON SMALL BUSINESS CONCERNS OWNED**
2 **AND CONTROLLED BY WOMEN.**

3 (a) IN GENERAL.—Section 8(m) of the Small Busi-
4 ness Act (15 U.S.C. 637(m)) is amended by adding at the
5 end the following new paragraph:

6 “(9) REPORT.—Not later than May 1, 2024,
7 and annually thereafter, the Administrator shall sub-
8 mit to the Committee on Small Business of the
9 House of Representatives and the Committee on
10 Small Business and Entrepreneurship of the Senate
11 a report on small business concerns owned and con-
12 trolled by women. Such report shall include, for the
13 fiscal year preceding the date of the report, the fol-
14 lowing:

15 “(A) The number of applications for cer-
16 tification as a small business concern owned
17 and controlled by women that have sufficient
18 information for the Administrator to make a
19 certification determination, disaggregated by—

20 “(i) the number of applications cer-
21 tified;

22 “(ii) the number of applications de-
23 nied; and

24 “(iii) the number of applications for
25 which a determination has not been made.

1 “(B) The number of concerns certified as
2 small business concerns owned and controlled
3 by women by a national certifying entity ap-
4 proved by the Administrator.

5 “(C) The amount of fees, if any, charged
6 by each national certifying entity for such cer-
7 tification.

8 “(D) The total dollar amount and total
9 percentage of prime contracts awarded to small
10 business concerns owned and controlled by
11 women pursuant to paragraph (2) or pursuant
12 to a waiver granted under paragraph (3).

13 “(E) The total dollar amount and total
14 percentage of prime contracts awarded to small
15 business concerns owned and controlled by
16 women pursuant to paragraphs (7) and (8).

17 “(F) With respect to a contract incorrectly
18 awarded pursuant to this subsection because it
19 was awarded based on an industry in which
20 small business concerns owned and controlled
21 by women are not underrepresented—

22 “(i) the number of such contracts;

23 “(ii) the Federal agencies that issued
24 such contracts; and

1 “(iii) any steps taken by Adminis-
2 trator to train the personnel of such Fed-
3 eral agency on the use of the authority
4 provided under this subsection.

5 “(G) With respect to an examination de-
6 scribed in paragraph (5)(B)—

7 “(i) the number of examinations due
8 because of recertification requirements and
9 the actual number of such examinations
10 conducted; and

11 “(ii) the number of examinations con-
12 ducted for any other reason.

13 “(H) The number of small business con-
14 cerns owned and controlled by women that were
15 found to be ineligible to be awarded a contract
16 under this subsection as a result of an examina-
17 tion conducted pursuant to paragraph (5)(B) or
18 failure to request an examination pursuant to
19 section 127.400 of title 13, Code of Federal
20 Regulations (or a successor rule).

21 “(I) The number of small business con-
22 cerns owned and controlled by women that were
23 decertified.

24 “(J) The total number of small business
25 concerns owned and controlled by women.

1 “(K) Any other information the Adminis-
2 trator determines necessary.”.

3 (b) **TECHNICAL AMENDMENT.**—Section 8(m)(2)(C)
4 of the Small Business Act is amended by striking “para-
5 graph (3)” and inserting “paragraph (4)”.

6 **SEC. 3. REPORT ON SMALL BUSINESS CONCERNS OWNED**
7 **AND CONTROLLED BY QUALIFIED HUBZONE**
8 **SMALL BUSINESS CONCERNS.**

9 Section 31 of the Small Business Act (15 U.S.C.
10 657a) is amended—

11 (1) by redesignating subsection (f) as sub-
12 section (g); and

13 (2) by adding at the end the following new sub-
14 section:

15 “(e) **REPORT.**—Not later than May 1, 2024, and an-
16 nually thereafter, the Administrator shall submit to the
17 Committee on Small Business of the House of Representa-
18 tives and the Committee on Small Business and Entrepre-
19 neurship of the Senate a report on HUBZone small busi-
20 ness concerns. Such report shall include, for the fiscal year
21 preceding the date of the report, the following:

22 “(1) The number of applications for certifi-
23 cation as a qualified HUBZone small business con-
24 cern that have sufficient information for the Admin-

1 istrator to make a certification determination,
2 disaggregated by—

3 “(A) the number of applications certified;

4 “(B) the number of applications denied;

5 and

6 “(C) the number of applications for which
7 a determination has not been made.

8 “(2) The total dollar amount and total percent-
9 age of prime contracts awarded to qualified
10 HUBZone small business concerns pursuant to this
11 section.

12 “(3) The total dollar amount and percent of
13 sole source contracts awarded to qualified HUBZone
14 small business concerns under subsection (c)(2)(A).

15 “(4) With respect to an examination described
16 in subsection (d)(5)—

17 “(A) the number of examinations due be-
18 cause of recertification requirements and the
19 actual number of such examinations conducted;
20 and

21 “(B) the number of examinations con-
22 ducted for any other reason.

23 “(5) The number of HUBZone small business
24 concerns that were found to be ineligible to be
25 awarded a contract under this subsection as a result

1 of an examination conducted pursuant to subsection
2 (d)(5) or a verification conducted pursuant to sub-
3 section (d)(2).

4 “(6) The number of small business concerns
5 that were decertified as qualified HUBZone small
6 business concerns.

7 “(7) The number of qualified HUBZone small
8 business concerns.

9 “(8) Any other information the Administrator
10 determines necessary.”

11 **SEC. 4. REPORT ON SMALL BUSINESS CONCERNS OWNED**
12 **AND CONTROLLED BY SERVICE-DISABLED**
13 **VETERANS.**

14 Section 36 of the Small Business Act (15 U.S.C.
15 657f) is amended by adding at the end the following new
16 subsection:

17 “(j) REPORT.—Not later than May 1, 2024, and an-
18 nually thereafter, the Administrator shall submit to the
19 Committee on Small Business of the House of Representa-
20 tives and the Committee on Small Business and Entrepre-
21 neurship of the Senate a report on small business concerns
22 owned and controlled by service-disabled veterans. Such
23 report shall include, for the fiscal year preceding the date
24 of the report, the following:

1 “(1) The total number of small business con-
2 cerns certified as small business concerns owned and
3 controlled by service-disabled veterans.

4 “(2) The total dollar amount and total percent-
5 age of prime contracts awarded to small business
6 concerns owned and controlled by service-disabled
7 veterans pursuant to this section.

8 “(3) The total dollar amount and percent of
9 sole source contracts awarded to owned and con-
10 trolled by service-disabled veterans pursuant to sub-
11 section (c).

12 “(4) With respect to an examination described
13 in subsection (h)(2)—

14 “(A) the number of examinations due be-
15 cause of recertification requirements and the
16 actual number of such examinations conducted;
17 and

18 “(B) the number of examinations con-
19 ducted for any other reason.

20 “(5) The number of small business concerns
21 owned and controlled by service-disabled veterans
22 that were found to be ineligible to be awarded a con-
23 tract under this subsection as a result of an exam-
24 ination conducted pursuant to subsection (h)(2).

1 “(6) The number of small business concerns de-
2 certified as small business concerns owned and con-
3 trolled by service-disabled veterans.

4 “(7) The total number of small business con-
5 cerns owned and controlled by service-disabled vet-
6 erans.

7 “(8) Any other information the Administrator
8 determines necessary.”.

9 **SEC. 5. COMPLIANCE WITH CUTGO.**

10 No additional amounts are authorized to be appro-
11 priated to carry out this Act or the amendments made
12 by this Act. Such Act and amendments shall be carried
13 out using amounts otherwise appropriated to the Adminis-
14 trator of the Small Business Administration.

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