

118TH CONGRESS
1ST SESSION

S. 1469

To require certification of small business concerns as small business concerns owned and controlled by service-disabled veterans in order to be counted toward goals for contract awards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 4, 2023

Ms. ERNST (for herself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To require certification of small business concerns as small business concerns owned and controlled by service-disabled veterans in order to be counted toward goals for contract awards, 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 “Stop Stolen Valor for
5 Service-Disabled Veteran-Owned Small Business Contrac-
6 tors”.

1 **SEC. 2. ELIMINATING SELF-CERTIFICATION FOR SERVICE-**
2 **DISABLED VETERAN-OWNED SMALL BUSI-**
3 **NESSES.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Small Busi-
7 ness Administration.

8 (2) SMALL BUSINESS CONCERN; SMALL BUSI-
9 NESS CONCERNS OWNED AND CONTROLLED BY
10 SERVICE-DISABLED VETERANS.—The terms “small
11 business concern” and “small business concerns
12 owned and controlled by service-disabled veterans”
13 have the meanings given those terms in section 3 of
14 the Small Business Act (15 U.S.C. 632).

15 (b) ELIMINATING SELF-CERTIFICATION IN PRIME
16 CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

17 (1) IN GENERAL.—Each prime contract award
18 and subcontract award that is counted for the pur-
19 pose of meeting the goals for participation by small
20 business concerns owned and controlled by service-
21 disabled veterans in procurement contracts for Fed-
22 eral agencies, as established in section 15(g)(2) of
23 the Small Business Act (15 U.S.C. 644(g)(2)), shall
24 be entered into with small business concerns cer-
25 tified by the Administrator as small business con-
26 cerns owned and controlled by service-disabled vet-

1 erans under section 36 of such Act (15 U.S.C.
2 657f).

3 (2) EFFECTIVE DATE.—Paragraph (1) shall
4 take effect on October 1 of the fiscal year beginning
5 after the Administrator promulgates the regulations
6 required under subsection (d).

7 (c) PHASED APPROACH TO ELIMINATING SELF-CER-
8 TIFICATION FOR SDVOSBS.—Notwithstanding any other
9 provision of law, any small business concern that self-cer-
10 tified as a small business concern owned and controlled
11 by service-disabled veterans may—

12 (1) if the small business concern files a certifi-
13 cation application with the Administrator before the
14 end of the 1-year period beginning on the date of en-
15 actment of this Act, maintain such self-certification
16 until the Administrator makes a determination with
17 respect to such certification; and

18 (2) if the small business concern does not file
19 a certification application before the end of the 1-
20 year period beginning on the date of enactment of
21 this Act, lose, at the end of such 1-year period, any
22 self-certification of the small business concern as a
23 small business concern owned and controlled by serv-
24 ice-disabled veterans.

1 (d) RULEMAKING.—Not later than 180 days after the
2 date of enactment of this Act, the Administrator shall pro-
3 mulgate regulations to carry out this Act.

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