

118TH CONGRESS  
2D SESSION

# S. 3971

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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 19, 2024

Mr. COONS (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

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## 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 2024”.

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:

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 and Entre-  
9 preneurship of the Senate and the Committee on  
10 Small Business of the House of Representatives a  
11 report on small business concerns owned and con-  
12 trolled by women, which shall include, for the fiscal  
13 year preceding the date of the report, the following:

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

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

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

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

25 “(B) The number of concerns certified as  
26 small business concerns owned and controlled

1 by women by a national certifying entity ap-  
2 proved by the Administrator.

3 “(C) The amount of fees, if any, charged  
4 by each national certifying entity for the certifi-  
5 cation described in subparagraph (B).

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

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

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

20 “(i) the number of such contracts;

21 “(ii) the Federal agencies that issued  
22 such contracts; and

23 “(iii) any steps taken by Adminis-  
24 trator to train the personnel of each Fed-  
25 eral agency described in clause (ii) on the

1 use of the authority provided under this  
2 subsection.

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

5 “(i) the number of examinations due  
6 because of recertification requirements and  
7 the actual number of examinations con-  
8 ducted; and

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

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

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

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

24 “(K) Any other information the Adminis-  
25 trator determines necessary.”.

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

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

7 Section 31 of the Small Business Act (15 U.S.C.  
8 657a) is amended—

9 (1) by redesignating subsection (f) as sub-  
10 section (g); and

11 (2) by inserting after subsection (e) the fol-  
12 lowing:

13 “(f) REPORT.—Not later than May 1, 2024, and an-  
14 nually thereafter, the Administrator shall submit to the  
15 Committee on Small Business and Entrepreneurship of  
16 the Senate and the Committee on Small Business of the  
17 House of Representatives a report on HUBZone small  
18 business concerns, which shall include, for the fiscal year  
19 preceding the date of the report, the following:

20 “(1) The number of applications for certifi-  
21 cation as a qualified HUBZone small business con-  
22 cern that have sufficient information for the Admin-  
23 istrator to make a certification determination,  
24 disaggregated by—

25 “(A) the number of applications certified;

1           “(B) the number of applications denied;  
2           and

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

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

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

12          “(4) With respect to an examination described  
13          in subsection (d)(5)—

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

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

19          “(5) The number of HUBZone small business  
20          concerns that were found to be ineligible to be  
21          awarded a contract under this subsection as a result  
22          of an examination conducted pursuant to subsection  
23          (d)(5) or a verification conducted pursuant to sub-  
24          section (d)(2).

1           “(6) The number of small business concerns  
2           that were decertified as qualified HUBZone small  
3           business concerns.

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

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

8   **SEC. 4. REPORT ON SMALL BUSINESS CONCERNS OWNED**  
9                           **AND CONTROLLED BY SERVICE-DISABLED**  
10                          **VETERANS.**

11          Section 36 of the Small Business Act (15 U.S.C.  
12   657f) is amended by adding at the end the following:

13          “(j) REPORT.—Not later than May 1, 2024, and an-  
14   nually thereafter, the Administrator shall submit to the  
15   Committee on Small Business and Entrepreneurship of  
16   the Senate and the Committee on Small Business of the  
17   House of Representatives a report on small business con-  
18   cerns owned and controlled by service-disabled veterans,  
19   which shall include, for the fiscal year preceding the date  
20   of the report, the following:

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

24               “(2) The total dollar amount and total percent-  
25               age of prime contracts awarded to small business

1 concerns owned and controlled by service-disabled  
2 veterans pursuant to this section.

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

7 “(4) With respect to an examination described  
8 in subsection (h)(2)—

9 “(A) the number of examinations due be-  
10 cause of recertification requirements and the  
11 actual number of such examinations conducted;  
12 and

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

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

20 “(6) The number of small business concerns de-  
21 certified as small business concerns owned and con-  
22 trolled by service-disabled veterans.

23 “(7) The total number of small business con-  
24 cerns owned and controlled by service-disabled vet-  
25 erans.



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

3 **SEC. 5. COMPLIANCE WITH CUTGO.**

4           No additional amounts are authorized to be appro-  
5           priated to carry out this Act or the amendments made  
6           by this Act.

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