

Union Calendar No. 498

113TH CONGRESS
2^D SESSION

H. R. 2452

[Report No. 113-661]

To amend the Small Business Act with respect to the procurement program for women-owned small business concerns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2013

Ms. VELÁZQUEZ (for herself, Mr. PAYNE, Mr. BARBER, Ms. CHU, Ms. CLARKE, and Ms. MENG) introduced the following bill; which was referred to the Committee on Small Business

DECEMBER 11, 2014

Additional sponsors: Mr. CONNOLLY, Mr. MORAN, Mr. SEAN PATRICK MALONEY of New York, Mr. MURPHY of Florida, Mr. PETERS of California, Ms. HAHN, Ms. LORETTA SANCHEZ of California, Ms. EDWARDS, Mr. VARGAS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mrs. CAPPS, Mr. HONDA, Ms. ESTY, Ms. KAPTUR, and Mr. MCGOVERN

DECEMBER 11, 2014

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Small Business Act with respect to the procurement program for women-owned small business concerns, 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 “Women’s Procurement
5 Program Equalization Act of 2013”.

6 **SEC. 2. WOMEN’S PROCUREMENT PROGRAM EQUALI-**
7 **ZATION.**

8 Section 8(m) of the Small Business Act (15 U.S.C.
9 637(m)) is amended—

10 (1) in paragraph (2), so that subparagraph (E)
11 reads as follows:

12 “(E) each of the concerns—

13 “(i) is certified by a Federal agency,
14 a State government, or a national certi-
15 fying entity approved by the Adminis-
16 trator, as a small business concern owned
17 and controlled by women; or

18 “(ii) is certified by the Administrator
19 as a small business concern owned and
20 controlled by women.”; and

21 (2) by adding at the end the following:

22 “(7) SOLE SOURCE CONTRACTS FOR ECONOMI-
23 CALLY DISADVANTAGED WOMEN-OWNED SMALL
24 BUSINESSES.—In accordance with this section, a
25 contracting officer may award a sole source contract

1 to any small business concern meeting the require-
2 ments of section 8(m)(2)(A) of this Act if—

3 “(A) such concern is determined to be a
4 responsible contract with respect to perform-
5 ance of such contract opportunity and the con-
6 tracting officer does not have a reasonable ex-
7 pectation that 2 or more businesses meeting the
8 requirements of section 8(m)(2)(A) will submit
9 offers;

10 “(B) the anticipated award price of the
11 contract (including options) will not exceed—

12 “(i) \$6,500,000 in the case of a con-
13 tract opportunity assigned a standard in-
14 dustrial code for manufacturing; or

15 “(ii) \$4,000,000 in the case of any
16 other contract opportunity; and

17 “(C) in the estimation of the contracting
18 officer, the contract award can be made at a
19 fair and reasonable price.

20 “(8) SOLE SOURCE CONTRACTS FOR WOMEN
21 OWNED SMALL BUSINESSES IN SUBSTANTIALLY
22 UNDERREPRESENTED INDUSTRIES.—In accordance
23 with this section, a contracting officer may award a
24 sole source contract to any small business concerns

1 meeting the requirements of section 8(m)(3) of this
2 Act if—

3 “(A) such concern is determined to be a
4 responsible contract with respect to perform-
5 ance of such contract opportunity and the con-
6 tracting officer does not have a reasonable ex-
7 pectation that 2 or more businesses meeting the
8 requirements of section 8(m)(3) will submit of-
9 fers;

10 “(B) the anticipated award price of the
11 contract (including options) will not exceed—

12 “(i) \$6,500,000 in the case of a con-
13 tract opportunity assigned a standard in-
14 dustrial code for manufacturing; or

15 “(ii) \$4,000,000 in the case of any
16 other contract opportunity; and

17 “(C) in the estimation of the contracting
18 officer, the contract award can be made at a
19 fair and reasonable price.”.

20 **SEC. 3. REPORTING ON GOALS FOR PROCUREMENT CON-**
21 **TRACTS AWARDED TO SMALL BUSINESS CON-**
22 **CERNS.**

23 Section 15(h)(2)(E)(viii) of the Small Business Act
24 (15 U.S.C. 644) is amended to read as follows:

1 “(viii) small business concerns owned
2 and controlled by women—

3 “(I) in the aggregate;

4 “(II) through competitions re-
5 stricted to small business concerns;

6 “(III) through competitions re-
7 stricted using the authority under sec-
8 tion 8(m)(2);

9 “(IV) through competitions re-
10 stricted using the authority under sec-
11 tion 8(m)(2) and in which the waiver
12 authority under section 8(m)(3) was
13 used;

14 “(V) through sole source con-
15 tracts awarded using the authority
16 under section 8(m)(7);

17 “(VI) through sole source con-
18 tracts awarded using the authority
19 under section 8(m)(8) and in which
20 the waiver authority under section
21 8(m)(3) was used;

22 “(VII) by industry in which the
23 contracts described in subclauses (III)
24 through (VI) were awarded; and

1 “(VIII) through unrestricted
2 competition; and”.

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