

117TH CONGRESS  
2D SESSION

# H. R. 8953

To allow the Administrator of the Small Business Administration to extend the participation period for covered small business concerns in the 8(a) small business program, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2022

Mr. CARTER of Louisiana (for himself and Mr. EVANS) introduced the following bill; which was referred to the Committee on Small Business

---

## A BILL

To allow the Administrator of the Small Business Administration to extend the participation period for covered small business concerns in the 8(a) small business program, 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 Set  
5 Aside Extension Act of 2022”.

6 **SEC. 2. EXTENSION OF PARTICIPATION IN 8(a) PROGRAM.**

7 (a) IN GENERAL.—A covered small business concern  
8 may, subject to the regulations issued by the Adminis-

1 trator of the Small Business Administration under sub-  
2 section (b), elect to extend the period in which such cov-  
3 ered small business concern participates in the program  
4 established under section 8(a) of such Act (15 U.S.C.  
5 637(a)) by one year.

6 (b) EMERGENCY RULEMAKING AUTHORITY.—Not  
7 later than 45 days after the date of enactment of this Act,  
8 the Administrator of the Small Business Administration  
9 shall issue regulations to carry out this section without  
10 regard to the notice requirements under section 553(b) of  
11 title 5, United States Code.

12 (c) COVERED SMALL BUSINESS CONCERN DE-  
13 FINED.—

14 (1) IN GENERAL.—In this section, the term  
15 “covered small business concern” means a small  
16 business concern (as defined under section 3 of the  
17 Small Business Act (15 U.S.C. 632)) that—

18 (A) participated in the program established  
19 under section 8(a) of the Small Business Act  
20 (15 U.S.C. 637(a)) at any point during the pe-  
21 riod beginning on September 10, 2020, and  
22 ending on the date of the enactment of this Act,  
23 including a small business concern that grad-  
24 uated during such period;

1           (B) was not terminated or early graduated  
2           from such program during such period; and

3           (C) did not voluntarily elect to cease par-  
4           ticipating in such program during such period  
5           as an alternative to termination or early grad-  
6           uation from such program, as determined by  
7           the Administrator of the Small Business Ad-  
8           ministration.

○