

103^D CONGRESS
1ST SESSION

H. R. 794

To amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1993

Mr. RAMSTAD introduced the following bill; which was referred to the
Committee on Small Business

A BILL

To amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that Act, 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 “Americans with Dis-
5 abilities Business Development Act of 1993”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Section 2 of the Small Business Act
3 (15 U.S.C. 631) is amended by adding at the end the fol-
4 lowing new subsection:

5 “(i) The Congress finds that—

6 “(1) approximately 43,000,000 Americans have
7 1 or more physical or mental disabilities, and this
8 number is increasing as the population as a whole
9 is growing older;

10 “(2) census data, national polls, and other stud-
11 ies have documented that individuals with disabil-
12 ities, as a group, occupy an inferior status in our so-
13 ciety, and are severely disadvantaged socially, voca-
14 tionally, economically, and educationally;

15 “(3) individuals with disabilities have faced
16 many of the same discriminatory obstacles in devel-
17 oping small businesses as have groups previously
18 recognized as ‘socially and economically disadvan-
19 tagged’ under the Small Business Act;

20 “(4) the Nation’s proper goals regarding indi-
21 viduals with disabilities are to assure equality of op-
22 portunity, full participation, independent living, and
23 economic self-sufficiency for such individuals; and

24 “(5) these goals can be advanced by providing
25 the maximum practicable opportunities for the
26 growth and development of small business concerns

1 owned and controlled by individuals with disabili-
2 ties.”.

3 (b) PURPOSES.—The purposes of this Act are—

4 (1) to assist the legitimate business interests of
5 small business concerns owned and controlled by in-
6 dividuals with disabilities;

7 (2) to permit small business concerns owned
8 and controlled by individuals with disabilities to par-
9 ticipate in business development programs estab-
10 lished by the Small Business Act; and

11 (3) to eliminate, insofar as possible, discrimina-
12 tion against individuals with disabilities in obtaining
13 capital and other production assistance.

14 **SEC. 3. DEFINITIONS.**

15 Section 3(f) of the Small Business Act (15 U.S.C.
16 632(f)) is amended to read as follows:

17 “(f) DISABILITY.—For the purposes of this Act, the
18 term ‘disability’ means a physical or mental impairment
19 that substantially limits 1 or more of the major life activi-
20 ties of an individual, and the terms ‘with disabilities’ and
21 ‘with a disability’ mean having 1 or more disabilities.”.

22 **SEC. 4. AMERICANS WITH DISABILITIES.**

23 (a) POLICY STATEMENT.—Section 2(f)(1)(C) of the
24 Small Business Act (15 U.S.C. 631(f)(1)(C)) is amended

1 by inserting “Americans with disabilities,” after “Asian
2 Pacific Americans,”.

3 (b) SMALL BUSINESS AND CAPITAL OWNERSHIP DE-
4 VELOPMENT PROGRAM.—Section 8(a)(5) of the Small
5 Business Act (15 U.S.C. 637(a)(5)) is amended by adding
6 at the end the following new sentence: “For the purposes
7 of this subsection, individuals with disabilities shall be con-
8 sidered to be socially disadvantaged individuals.”.

9 (c) CONTRACT CLAUSE.—The contract clause con-
10 tained in section 8(d)(3) of the Small Business Act is
11 amended in the last sentence of subparagraph (C) of such
12 clause by inserting “Americans with disabilities,” after
13 “Asian Pacific Americans,”.

14 **SEC. 5. TECHNICAL AMENDMENTS TO SMALL BUSINESS**
15 **ACT.**

16 The Small Business Act (15 U.S.C. 631 et seq.) is
17 amended—

18 (1) in section 3(e)—

19 (A) by striking “the handicapped” and in-
20 serting “individuals with disabilities”; and

21 (B) by striking “handicapped individuals”
22 each place such term appears and inserting “in-
23 dividuals with disabilities”;

24 (2) in section 7(a)(10)—

1 (A) by striking “the handicapped” and in-
2 serting “individuals with disabilities”; and

3 (B) by striking “handicapped individual”
4 and inserting “individual with disabilities”; and
5 (3) in subsection 7(h)—

6 (A) by striking “handicapped individuals”
7 and inserting “individuals with disabilities”;

8 (B) by striking “handicapped individual”
9 and inserting “individual with disabilities”; and

10 (C) by striking paragraph (3).

11 **SEC. 6. EFFECTIVE DATE.**

12 This Act and the amendments made by this Act shall
13 take effect on the date of the enactment of this Act.

○