

111TH CONGRESS  
1ST SESSION

# H. R. 4125

To amend the Small Business Act to improve services for small business concerns owned and controlled by service-disabled veterans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2009

Mr. NYE (for himself, Mr. ELLSWORTH, Ms. VELÁZQUEZ, Mr. SCHRADER, Mr. ALTMIRE, Ms. CLARKE, Mrs. KIRKPATRICK of Arizona, Ms. BEAN, and Mrs. DAHLKEMPER) introduced the following bill; which was referred to the Committee on Small Business

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## A BILL

To amend the Small Business Act to improve services for small business concerns owned and controlled by service-disabled 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 “Service Disabled Vet-  
5       eran-Owned Small Business Procurement Reform Act of  
6       2009”.

1 **SEC. 2. PROCUREMENT REFORM RELATING TO SMALL**  
2 **BUSINESS CONCERNS OWNED AND CON-**  
3 **TROLLED BY SERVICE-DISABLED VETERANS.**

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

6 (1) by redesignating section 44 as section 45;

7 and

8 (2) by inserting after section 43 the following:

9 **“SEC. 44. PROCUREMENT REFORM RELATING TO SMALL**  
10 **BUSINESS CONCERNS OWNED AND CON-**  
11 **TROLLED BY SERVICE-DISABLED VETERANS.**

12 “(a) PENALTIES FOR MISREPRESENTATION.—Who-  
13 ever misrepresents the status of any concern or person as  
14 a ‘small business concern owned and controlled by service-  
15 disabled veterans’ in order to obtain for oneself or another  
16 any contract under section 36 shall be subject to the pen-  
17 alties specified in section 16(d).

18 “(b) OFFICE OF SERVICE DISABLED VETERAN-  
19 OWNED SMALL BUSINESS PROCUREMENT.—

20 “(1) ESTABLISHMENT.—The Administrator  
21 shall establish within the Administration an Office of  
22 Service Disabled Veteran-Owned Small Business  
23 Procurement (in this subsection referred to as the  
24 ‘office’) to carry out the duties specified in para-  
25 graph (3).

1           “(2) DEPUTY ASSOCIATE ADMINISTRATOR.—  
2           The Administrator shall appoint a Deputy Associate  
3           Administrator to be the head of the office.

4           “(3) DUTIES.—The duties of the office are the  
5           following:

6                   “(A) Provide oversight with respect to the  
7                   procurement program for small business con-  
8                   cerns owned and controlled by service-disabled  
9                   veterans established under section 36.

10                   “(B) Report to the Administrator on the  
11                   performance of such program.

12           “(c) OFFICE OF SERVICE DISABLED VETERAN-  
13 OWNED SMALL BUSINESS DEVELOPMENT.—

14                   “(1) ESTABLISHMENT.—The Administrator  
15                   shall establish within the Administration an Office of  
16                   Service Disabled Veteran-Owned Small Business De-  
17                   velopment (in this subsection referred to as the ‘of-  
18                   fice’) to carry out the duties specified in paragraph  
19                   (3).

20                   “(2) DEPUTY ASSOCIATE ADMINISTRATOR.—  
21                   The Administrator shall appoint a Deputy Associate  
22                   Administrator to be the head of the office. Such  
23                   Deputy Associate Administrator shall report to the  
24                   Associate Administrator for Veterans Business De-  
25                   velopment appointed under section 4(b)(1).

1           “(3) DUTIES.—The duties of the office are the  
2 following:

3           “(A) Promote business opportunities for  
4 small business concerns owned and controlled  
5 by service-disabled veterans.

6           “(B) Establish a database of small busi-  
7 ness concerns owned and controlled by service-  
8 disabled veterans.

9           “(C) Establish eligibility criteria for the in-  
10 clusion of small business concerns in the data-  
11 base under subparagraph (B).

12           “(D) Update at least every 3 months the  
13 database under subparagraph (B).

14           “(d) VETERANS PROCUREMENT SPECIALISTS.—

15           “(1) APPOINTMENT.—The Administrator shall  
16 appoint in each regional office of the Administration  
17 a veterans procurement specialist.

18           “(2) DUTIES.—A veterans procurement spe-  
19 cialist shall—

20           “(A) assist the Deputy Associate Adminis-  
21 trator appointed under subsection (a)(2) to pro-  
22 vide oversight with respect to the procurement  
23 program for small business concerns owned and  
24 controlled by service-disabled veterans estab-  
25 lished under section 36; and

1           “(B) assist the Deputy Associate Adminis-  
2           trator appointed under subsection (b)(2) to pro-  
3           mote business opportunities for small business  
4           concerns owned and controlled by service-dis-  
5           abled veterans.

6           “(e) PROTEST OF CONTRACTS.—A small business  
7           concern owned and controlled by service-disabled veterans  
8           may protest to the Administrator the awarding of any con-  
9           tract pursuant to section 36.”.

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