

113TH CONGRESS  
2D SESSION

# S. 2481

To amend the Small Business Act to provide authority for sole source contracts for certain small business concerns owned and controlled by women, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 17, 2014

Mrs. SHAHEEN (for herself, Ms. CANTWELL, and Mrs. GILLIBRAND) 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 provide authority for sole source contracts for certain small business concerns owned and controlled by women, 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 Small Busi-  
5 ness Procurement Parity Act”.

1 **SEC. 2. SOLE SOURCE CONTRACTS FOR CERTAIN SMALL**  
2 **BUSINESS CONCERNS OWNED AND CON-**  
3 **TROLLED BY WOMEN.**

4 (a) IN GENERAL.—Section 8(m) of the Small Busi-  
5 ness Act (15 U.S.C. 637(m)) is amended—

6 (1) in paragraph (2)(C), by striking “paragraph  
7 (3)” and inserting “paragraph (4)”;

8 (2) in paragraph (5), by striking “(2)(F)” each  
9 place it appears and inserting “(2)(E)”;

10 (3) by adding at the end the following:

11 “(7) AUTHORITY FOR SOLE SOURCE CON-  
12 TRACTS FOR ECONOMICALLY DISADVANTAGED  
13 SMALL BUSINESS CONCERNS OWNED AND CON-  
14 TROLLED BY WOMEN IN UNDERREPRESENTED IN-  
15 DUSTRIES.—A contracting officer may award a sole  
16 source contract under this subsection to a small  
17 business concern owned and controlled by women  
18 that meets the requirements under paragraph (2)(A)  
19 if—

20 “(A) the small business concern owned and  
21 controlled by women is in an industry in which  
22 small business concerns owned and controlled  
23 by women are underrepresented, as determined  
24 by the Administrator;

25 “(B) the contracting officer determines  
26 that the small business concern owned and con-

1 trolled by women is a responsible contractor  
2 with respect to performance of the contract op-  
3 portunity;

4 “(C) the anticipated award price of the  
5 contract, including options, is not more than—

6 “(i) \$6,500,000, in the case of a con-  
7 tract opportunity assigned a North Amer-  
8 ican Industry Classification System code  
9 for manufacturing; or

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

12 “(D) in the estimation of the contracting  
13 officer, the contract award can be made at a  
14 fair and reasonable price.

15 “(8) AUTHORITY FOR SOLE SOURCE CON-  
16 TRACTS FOR SMALL BUSINESS CONCERNS OWNED  
17 AND CONTROLLED BY WOMEN IN SUBSTANTIALLY  
18 UNDERREPRESENTED INDUSTRIES.—A contracting  
19 officer may award a sole source contract under this  
20 subsection to a small business concern owned and  
21 controlled by women that meets the requirements  
22 under paragraph (2)(E) if—

23 “(A) the small business concern owned and  
24 controlled by women is in an industry in which  
25 small business concerns owned and controlled

1 by women are substantially underrepresented,  
2 as determined by the Administrator;

3 “(B) the contracting officer determines  
4 that the small business concern owned and con-  
5 trolled by women is a responsible contractor  
6 with respect to performance of the contract op-  
7 portunity;

8 “(C) the anticipated award price of the  
9 contract, including options, is not more than—

10 “(i) \$6,500,000, in the case of a con-  
11 tract opportunity assigned a North Amer-  
12 ican Industry Classification System code  
13 for manufacturing; or

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

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

19 (b) REPORTING ON GOALS FOR SOLE SOURCE CON-  
20 TRACTS FOR SMALL BUSINESS CONCERNS OWNED AND  
21 CONTROLLED BY WOMEN.—Section 15(h)(2)(E)(viii) of  
22 the Small Business Act (15 U.S.C. 644(h)(2)(E)(viii)) is  
23 amended—

24 (1) in subclause (IV), by striking “and” at the  
25 end;

1           (2) by redesignating subclause (V) as subclause  
2           (VIII); and

3           (3) by inserting after subclause (IV) the fol-  
4           lowing:

5                           “(V) through sole source con-  
6                           tracts awarded under section 8(m)(7);

7                           “(VI) through sole source con-  
8                           tracts awarded under section 8(m)(8);

9                           “(VII) by industry for contracts  
10                          described in subclause (III), (IV), (V),  
11                          or (VI); and”.

12           (c) DEADLINE FOR REPORT ON UNDERREP-  
13           RESENTED INDUSTRIES ACCELERATED.—Section  
14           29(o)(2) of the Small Business Act (15 U.S.C. 656(o)(2))  
15           is amended—

16                          (1) by striking “5 years after the date of enact-  
17                          ment of this subsection” and inserting “January 2,  
18                          2015”; and

19                          (2) by striking “5-year period” and inserting  
20                          “2-year or 5-year period, as applicable,”.

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