

114TH CONGRESS
2D SESSION

H. R. 4330

To amend the Small Business Act to add reporting requirements for certain small business concerns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2016

Ms. CLARKE of New York (for herself and Mr. CURBELO of Florida) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to add reporting requirements for certain 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 “Improving Contract
5 Procurement for Small Businesses through More Accurate
6 Reporting Act of 2016”.

1 **SEC. 2. REPORTING REQUIREMENTS FOR CERTAIN SMALL**
2 **BUSINESS CONCERNS.**

3 Section 15(h)(2)(E) of the Small Business Act (15
4 U.S.C. 644(h)(2)(E)) is amended—

5 (1) in clause (i)—

6 (A) in subclause (III), by striking “and” at
7 the end; and

8 (B) by adding at the end the following new
9 subclauses:

10 “(V) that were purchased by an-
11 other entity after the initial contract
12 was awarded and as a result of the
13 purchase, would no longer be deemed
14 to be small business concerns for pur-
15 poses of the initial contract; and

16 “(VI) that were awarded using a
17 procurement method that restricted
18 competition to small business concerns
19 owned and controlled by service-dis-
20 abled veterans, qualified HUBZone
21 small business concerns, small busi-
22 ness concerns owned and controlled by
23 socially and economically disadvan-
24 taged individuals, small business con-
25 cerns owned and controlled by women,
26 or a subset of any such concerns;”;

1 (2) in clause (ii)—

2 (A) in subclause (IV), by striking “and” at
3 the end; and

4 (B) by adding at the end the following new
5 subclauses:

6 “(VI) that were purchased by an-
7 other entity after the initial contract
8 was awarded and as a result of the
9 purchase, would no longer be deemed
10 to be small business concerns owned
11 and controlled by service-disabled vet-
12 erans for purposes of the initial con-
13 tract; and

14 “(VII) that were awarded using a
15 procurement method that restricted
16 competition to qualified HUBZone
17 small business concerns, small busi-
18 ness concerns owned and controlled by
19 socially and economically disadvan-
20 taged individuals, small business con-
21 cerns owned and controlled by women,
22 or a subset of any such concerns;”;

23 (3) in clause (iii)—

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

1 (B) by adding at the end the following new
2 subclauses:

3 “(VII) that were purchased by
4 another entity after the initial con-
5 tract was awarded and as a result of
6 the purchase, would no longer be
7 deemed to be qualified HUBZone
8 small business concerns for purposes
9 of the initial contract; and

10 “(VIII) that were awarded using
11 a procurement method that restricted
12 competition to small business concerns
13 owned and controlled by service-dis-
14 abled veterans, small business con-
15 cerns owned and controlled by socially
16 and economically disadvantaged indi-
17 viduals, small business concerns
18 owned and controlled by women, or a
19 subset of any such concerns;”;

20 (4) in clause (iv)—

21 (A) in subclause (V), by striking “and” at
22 the end; and

23 (B) by adding at the end the following new
24 subclauses:

1 “(VII) that were purchased by
2 another entity after the initial con-
3 tract was awarded and as a result of
4 the purchase, would no longer be
5 deemed to be small business concerns
6 owned and controlled by socially and
7 economically disadvantaged individ-
8 uals for purposes of the initial con-
9 tract; and

10 “(VIII) that were awarded using
11 a procurement method that restricted
12 competition to small business concerns
13 owned and controlled by service-dis-
14 abled veterans, qualified HUBZone
15 small business concerns, small busi-
16 ness concerns owned and controlled by
17 women, or a subset of any such con-
18 cerns;”;

19 (5) in clause (v)—

20 (A) in subclause (IV), by striking “and” at
21 the end;

22 (B) in subclause (V), by inserting “and” at
23 the end; and

24 (C) by adding at the end the following new
25 subclause:

1 “(VI) that were purchased by an-
2 other entity after the initial contract
3 was awarded and as a result of the
4 purchase, would no longer be deemed
5 to be small business concerns owned
6 by an Indian tribe other than an Alas-
7 ka Native Corporation for purposes of
8 the initial contract;”;

9 (6) in clause (vi)—

10 (A) in subclause (IV), by striking “and” at
11 the end;

12 (B) in subclause (V), by inserting “and” at
13 the end; and

14 (C) by adding at the end the following new
15 subclause:

16 “(VI) that were purchased by an-
17 other entity after the initial contract
18 was awarded and as a result of the
19 purchase, would no longer be deemed
20 to be small business concerns owned
21 by a Native Hawaiian Organization
22 for purposes of the initial contract;”;

23 (7) in clause (vii)—

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

1 (B) in subclause (V), by striking “and” at
2 the end; and

3 (C) by adding at the end the following new
4 subclause:

5 “(VI) that were purchased by an-
6 other entity after the initial contract
7 was awarded and as a result of the
8 purchase, would no longer be deemed
9 to be small business concerns owned
10 by an Alaska Native Corporation for
11 purposes of the initial contract; and”;
12 and

13 (8) in clause (viii)—

14 (A) in subclause (VII), by striking “and”
15 at the end;

16 (B) in subclause (VIII), by striking “and”
17 at the end; and

18 (C) by adding at the end the following new
19 subclauses:

20 “(IX) that were purchased by an-
21 other entity after the initial contract
22 was awarded and as a result of the
23 purchase, would no longer be deemed
24 to be small business concerns owned

1 and controlled by women for purposes
2 of the initial contract; and
3 “(X) that were awarded using a
4 procurement method that restricted
5 competition to small business concerns
6 owned and controlled by service-dis-
7 abled veterans, qualified HUBZone
8 small business concerns, small busi-
9 ness concerns owned and controlled by
10 socially and economically disadvan-
11 taged individuals, or a subset of any
12 such concerns; and”.

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