

115TH CONGRESS  
1ST SESSION

# H. R. 1641

To amend the Small Business Act to clarify the responsibilities of Business Opportunity Specialists, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2017

Ms. MAXINE WATERS of California (for herself and Ms. VELÁZQUEZ) 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 clarify the responsibilities of Business Opportunity Specialists, 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. RESPONSIBILITIES OF BUSINESS OPPOR-**  
4 **TUNITY SPECIALISTS.**

5 Section 4(g) of the Small Business Act (15 U.S.C.  
6 633(g)) is amended—

7 (1) in the subsection heading, by striking “CER-

8 TIFICATION REQUIREMENTS FOR”;

9 (2) in paragraph (2)—

1 (A) by redesignating subparagraphs (A)  
2 and (B) as clauses (i) and (ii), respectively (and  
3 conforming the margins accordingly);

4 (B) by amending clause (ii) (as so redesign-  
5 nated) to read as follows:

6 “(ii) APPLICATION.—The require-  
7 ments of clause (i) shall be included in any  
8 initial job posting for the position of a  
9 Business Opportunity Specialist and shall  
10 apply to any person appointed as a Busi-  
11 ness Opportunity Specialist after January  
12 3, 2013.”; and

13 (C) in clause (i) (as so redesignated), by  
14 striking “paragraph (1)” and inserting “sub-  
15 paragraph (A)”;

16 (3) by redesignating paragraphs (1) and (2) as  
17 subparagraphs (A) and (B), respectively (and con-  
18 forming the margins accordingly);

19 (4) in subparagraph (A) (as so redesignated),  
20 by striking “paragraph (2)” and inserting “subpara-  
21 graph (B)”;

22 (5) by inserting before subparagraph (A) (as so  
23 redesignated) the following:

24 “(1) DUTIES.—The exclusive duties of a Busi-  
25 ness Opportunity Specialist employed by the Admin-

1       istrator and reporting to the senior official appointed  
2       by the Administrator with responsibilities under sec-  
3       tions 8, 15, 31, and 36 (or the designee of such offi-  
4       cial) shall be to implement sections 7, 8, and 45 and  
5       to complete other duties related to contracting pro-  
6       grams under this Act. Such duties shall include—

7               “(A) with respect to small business con-  
8               cerns eligible to receive contracts and sub-  
9               contracts pursuant to section 8(a)—

10                   “(i) providing guidance, counseling,  
11                   and referrals for assistance with technical,  
12                   management, financial, or other matters  
13                   that will improve the competitive viability  
14                   of such concerns;

15                   “(ii) identifying causes of success or  
16                   failure of such concerns;

17                   “(iii) providing comprehensive assess-  
18                   ments of such concerns, including identi-  
19                   fying the strengths and weaknesses of such  
20                   concerns;

21                   “(iv) monitoring and documenting  
22                   compliance with the requirements of sec-  
23                   tions 7 and 8 and any regulations imple-  
24                   menting those sections;

1 “(v) explaining the requirements of  
2 sections 7, 8, 15, 31, 36, and 45; and

3 “(vi) advising on compliance with con-  
4 tracting regulations (including the Federal  
5 Acquisition Regulation) after award of  
6 such a contract or subcontract;

7 “(B) reviewing and monitoring compliance  
8 with mentor-protége agreements under section  
9 45;

10 “(C) representing the interests of the Ad-  
11 ministrator and small business concerns in the  
12 award, modification, and administration of con-  
13 tracts and subcontracts awarded pursuant to  
14 section 8(a); and

15 “(D) reporting fraud or abuse under sec-  
16 tion 7, 8, 15, 31, 36, or 45 or any regulations  
17 implementing such sections.

18 “(2) CERTIFICATION REQUIREMENTS.—”.

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