

118TH CONGRESS
2D SESSION

H. R. 7105

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

To establish requirements relating to certification of small
business concerns owned and controlled by women for
certain purposes, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “WOSB Certification
3 and Opportunity Expansion Act”.

4 **SEC. 2. EXCLUSION OF SELF-CERTIFIED SMALL BUSINESS**
5 **CONCERNS OWNED AND CONTROLLED BY**
6 **WOMEN FROM GOALS.**

7 (a) EXCLUSION OF SELF-CERTIFIED WOSBs FROM
8 GOVERNMENTWIDE AND AGENCY GOALS.—

9 (1) IN GENERAL.—Section 15(g) of the Small
10 Business Act (15 U.S.C. 644(g)) is amended by add-
11 ing at the end the following new paragraph:

12 “(4) EXCLUSION OF SELF-CERTIFIED WOSBS
13 FROM GOALS.—Only small business concerns owned
14 and controlled by women that have been certified
15 under section 8(m)(2)(E) shall be included in calcu-
16 lating the goals established—

17 “(A) under paragraph (1)(A)(v); and

18 “(B) by the head of a Federal agency for
19 small business concerns owned and controlled
20 by women under paragraph (2).”.

21 (2) EFFECTIVE DATE.—The amendments made
22 by paragraph (1) shall take effect on the first day
23 after the end of the second fiscal year beginning
24 after the Administrator issues the regulations re-
25 quired under subsection (b)(2).

1 (b) REQUIREMENTS RELATING TO SELF-CERTIFIED
2 WOSBs.—

3 (1) INCLUSION OF CERTAIN SELF-CERTIFIED
4 WOSBS IN GOALS.—

5 (A) IN GENERAL.—Notwithstanding any
6 other provision of law, a small business concern
7 described in subparagraph (B) shall be deemed
8 to have been certified by the Administrator or
9 a national certifying entity approved by the Ad-
10 ministrator under section 8(m) of the Small
11 Business Act (15 U.S.C. 637(m)) as a small
12 business concern owned and controlled by
13 women under paragraph (2)(E) of such section
14 (15 U.S.C. 637(m)(2)(E)) for the purposes of
15 calculating the goals described in paragraph (4)
16 of section 15(g) of the such Act (as added by
17 subsection (a) of this Act) until the Adminis-
18 trator or such a national certifying entity make
19 a determination with respect to the certification
20 of such concern.

21 (B) SMALL BUSINESS CONCERNS DE-
22 SCRIBED.—A small business concern described
23 in this subparagraph is a small business con-
24 cern—

1 (i) that is self-certified as a small
2 business concern owned and controlled by
3 women as of the date on which the amend-
4 ments made by subsection (a) take effect;

5 (ii) that files a certification applica-
6 tion with the Administrator or a national
7 certifying entity approved by the Adminis-
8 trator under section 8(m) of the Small
9 Business Act (15 U.S.C. 637(m)) prior to
10 such date; and

11 (iii) for which the Administrator or
12 such a national certifying entity does not
13 make a determination prior to such date
14 regarding certification pursuant to such
15 certification application.

16 (2) RULEMAKING.—Not later than one year
17 after the date of the enactment of this Act, the Ad-
18 ministrator shall issue regulations carrying out this
19 section.

20 (c) QUARTERLY BRIEFINGS REQUIRED.—Not later
21 than 60 days after the date of the enactment of this Act
22 and on a quarterly basis thereafter until the date specified
23 in subsection (b), the Administrator shall provide to the
24 Committee on Small Business of the House of Representa-
25 tives and the Committee Small Business and Entrepre-

1 neurship of the Senate a briefing on the implementation
2 of the requirements of this section. Such briefings shall
3 include—

4 (1) the total number of small business concerns
5 expected to seek certification as a small business
6 concern owned and controlled by women;

7 (2) the number of applications for certification
8 pending with the Administrator or a national certi-
9 fying entity approved by the Administrator under
10 section 8(m) of the Small Business Act during the
11 period covered by the briefing;

12 (3) the total number of applications approved
13 by the Administrator or such a national certifying
14 entity since the date of the enactment of this Act;

15 (4) the timelines associated with processing
16 such applications by the Administrator or such a na-
17 tional certifying entity between submission and ap-
18 proval;

19 (5) the administrative costs to the Administra-
20 tion to make determinations on such applications
21 and the estimated cost to such applicant to seek cer-
22 tification from a national certifying entity;

23 (6) a discussion of the Administrator's current
24 and future outreach efforts to small business con-

1 cerns owned and controlled by women and to Fed-
2 eral agencies on the requirements of this Act; and

3 (7) recommendations for additional legislative
4 authority or resources required to fully implement
5 the requirements of this Act.

6 (d) DEFINITIONS.—In this section:

7 (1) ADMINISTRATION.—The term “Administra-
8 tion” means the Small Business Administration.

9 (2) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the Small Busi-
11 ness Administration.

12 (3) SMALL BUSINESS CONCERN.—The term
13 “small business concern” has the meaning given
14 under section 3 of the Small Business Act (15
15 U.S.C. 632).

16 (4) SMALL BUSINESS CONCERN OWNED AND
17 CONTROLLED BY WOMEN.—The term “small busi-
18 ness concern owned and controlled by women” has
19 the meaning given the term in section 8(m) of the
20 Small Business Act (15 U.S.C. 637(m)).

1 (e) COMPLIANCE WITH CUTGO.—No additional
2 amounts are authorized to be appropriated to carry out
3 this Act or the amendments made by this Act.

Passed the House of Representatives February 28,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.