

Union Calendar No. 322

118TH CONGRESS
2D SESSION

H. R. 7105

[Report No. 118–393]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2024

Ms. VELÁZQUEZ (for herself and Mr. LALOTA) introduced the following bill;
which was referred to the Committee on Small Business

FEBRUARY 20, 2024

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “WOSB Certification
 5 and Opportunity Expansion Act”.

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

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

11 (1) IN GENERAL.—Section 15(g) of such Act
 12 (15 U.S.C. 644(g)) is amended by adding at the end
 13 the following new paragraph:

14 “(4) EXCLUSION OF SELF-CERTIFIED WOSBs FROM
 15 GOALS.—Only small business concerns owned and con-
 16 trolled by women that have been certified under section
 17 8(m)(2)(E) shall be included in calculating the goals es-
 18 tablished—

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

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

23 (2) EFFECTIVE DATE.—The amendments made
 24 by paragraph (1) shall take effect on the first day
 25 after the end of the second fiscal year beginning

1 after the Administrator issues the regulations re-
2 quired under subsection (b)(2).

3 (b) REQUIREMENTS RELATING TO SELF-CERTIFIED
4 WOSBs.—

5 (1) INCLUSION OF CERTAIN SELF-CERTIFIED
6 WOSBS IN GOALS.—

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

23 (B) SMALL BUSINESS CONCERNS DE-
24 SCRIBED.—A small business concern described

1 in this subparagraph is a small business con-
2 cern—

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

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

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

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

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

1 Committee on Small Business of the House of Representa-
2 tives and the Committee Small Business and Entrepre-
3 neurship of the Senate a briefing on the implementation
4 of the requirements of this section. Such briefings shall
5 include—

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

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

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

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

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

1 (6) a discussion of the Administrator’s current
2 and future outreach efforts to small business con-
3 cerns owned and controlled by women and to Fed-
4 eral agencies on the requirements of this Act; and

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

8 (d) DEFINITIONS.—In this section:

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

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

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

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

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

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