

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6515

April 16, 2013

The Honorable Chuck Hagel
Department of Defense
1300 Defense Pentagon
Washington, DC 20301

Dear Secretary Hagel:

As you know, the National Defense Authorization Act of 2013 (NDAA), Public Law 112-239, made significant changes to the organization and duties of each of the Offices of Small and Disadvantaged Business Utilization (OSDBU). These changes are reflected in the revised Section 15(k) of the Small Business Act, a copy of which is attached. Per 10 U.S.C. § 144, within the Department of Defense, the OSDBU is titled the Office of Small Business Programs (OSBP).

As the result of a March 19, 2013, hearing held by the Subcommittee on Contracting and Workforce in conjunction with the Committee on Veterans' Affairs' Subcommittee on Oversight and Investigations, it has come to my attention that some agencies were either unaware of recent changes to Section 15(k) or had not yet implemented the changes. These critical revisions include changes to the prioritization of the OSBPs work; prohibitions on the OSBP holding other positions; improvements to the reporting relationship between small business specialists and the OSBP, and a plethora of other changes that the Committee believed would improve the ability of each agency to ensure that small businesses receive the maximum practicable opportunity to compete for contracts. Furthermore, Section 1611 of the NDAA assigned additional duties and responsibilities to the OSBP.

Consequently, please provide the Committee with information documenting how the Department of Defense intends to achieve compliance with the Small Business Act. Please address each subsection of Section 15(k) independently, and provide the date by which the Department of Defense will be in compliance with the revised statute. This information should be provided no later than May 13, 2013. If you have any questions regarding this request, please contact Emily Murphy or Corey Cooke with the Committee at 202-225-5821.

Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sam Graves', with a long horizontal line extending to the right.

Sam Graves
Chairman

cc: Elizabeth King, Assistant Secretary of Defense for Legislative Affairs,
Department of Defense
Andre J. Gudger, Director of OSDBU, Department of Defense