

113TH CONGRESS
1ST SESSION

H. R. 2452

To amend the Small Business Act with respect to the procurement program for women-owned small business concerns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2013

Ms. VELÁZQUEZ (for herself, Mr. PAYNE, Mr. BARBER, Ms. CHU, Ms. CLARKE, and Ms. MENG) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act with respect to the procurement program for women-owned 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 “Women’s Procurement
5 Program Equalization Act of 2013”.

6 **SEC. 2. WOMEN’S PROCUREMENT PROGRAM EQUALI-**
7 **ZATION.**

8 Section 8(m) of the Small Business Act (15 U.S.C.
9 637(m)) is amended—

1 (1) in paragraph (2), so that subparagraph (E)
2 reads as follows:

3 “(E) each of the concerns—

4 “(i) is certified by a Federal agency,
5 a State government, or a national certi-
6 fying entity approved by the Adminis-
7 trator, as a small business concern owned
8 and controlled by women; or

9 “(ii) is certified by the Administrator
10 as a small business concern owned and
11 controlled by women.”; and

12 (2) by adding at the end the following:

13 “(7) SOLE SOURCE CONTRACTS FOR ECONOMI-
14 CALLY DISADVANTAGED WOMEN-OWNED SMALL
15 BUSINESSES.—In accordance with this section, a
16 contracting officer may award a sole source contract
17 to any small business concern meeting the require-
18 ments of section 8(m)(2)(A) of this Act if—

19 “(A) such concern is determined to be a
20 responsible contract with respect to perform-
21 ance of such contract opportunity and the con-
22 tracting officer does not have a reasonable ex-
23 pectation that 2 or more businesses meeting the
24 requirements of section 8(m)(2)(A) will submit
25 offers;

1 “(B) the anticipated award price of the
2 contract (including options) will not exceed—

3 “(i) \$6,500,000 in the case of a con-
4 tract opportunity assigned a standard in-
5 dustrial code for manufacturing; or

6 “(ii) \$4,000,000 in the case of any
7 other contract opportunity; and

8 “(C) in the estimation of the contracting
9 officer, the contract award can be made at a
10 fair and reasonable price.

11 “(8) SOLE SOURCE CONTRACTS FOR WOMEN
12 OWNED SMALL BUSINESSES IN SUBSTANTIALLY
13 UNDERREPRESENTED INDUSTRIES.—In accordance
14 with this section, a contracting officer may award a
15 sole source contract to any small business concerns
16 meeting the requirements of section 8(m)(3) of this
17 Act if—

18 “(A) such concern is determined to be a
19 responsible contract with respect to perform-
20 ance of such contract opportunity and the con-
21 tracting officer does not have a reasonable ex-
22 pectation that 2 or more businesses meeting the
23 requirements of section 8(m)(3) will submit of-
24 fers;

1 “(B) the anticipated award price of the
2 contract (including options) will not exceed—

3 “(i) \$6,500,000 in the case of a con-
4 tract opportunity assigned a standard in-
5 dustrial code for manufacturing; or

6 “(ii) \$4,000,000 in the case of any
7 other contract opportunity; and

8 “(C) in the estimation of the contracting
9 officer, the contract award can be made at a
10 fair and reasonable price.”.

11 **SEC. 3. REPORTING ON GOALS FOR PROCUREMENT CON-**
12 **TRACTS AWARDED TO SMALL BUSINESS CON-**
13 **CERNS.**

14 Section 15(h)(2)(E)(viii) of the Small Business Act
15 (15 U.S.C. 644) is amended to read as follows:

16 “(viii) small business concerns owned
17 and controlled by women—

18 “(I) in the aggregate;

19 “(II) through competitions re-
20 stricted to small business concerns;

21 “(III) through competitions re-
22 stricted using the authority under sec-
23 tion 8(m)(2);

24 “(IV) through competitions re-
25 stricted using the authority under sec-

1 tion 8(m)(2) and in which the waiver
2 authority under section 8(m)(3) was
3 used;

4 “(V) through sole source con-
5 tracts awarded using the authority
6 under section 8(m)(7);

7 “(VI) through sole source con-
8 tracts awarded using the authority
9 under section 8(m)(8) and in which
10 the waiver authority under section
11 8(m)(3) was used;

12 “(VII) by industry in which the
13 contracts described in subclauses (III)
14 through (VI) were awarded; and

15 “(VIII) through unrestricted
16 competition; and”.

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