

118TH CONGRESS
1ST SESSION

H. R. 4670

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2023

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

AN ACT

To amend the Small Business Act to require reporting on additional information with respect to small business concerns owned and controlled by women, qualified HUBZone small business concerns, and small business concerns owned and controlled by veterans, 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 “Small Business Con-
3 tracting Transparency Act of 2023”.

4 **SEC. 2. REPORT ON SMALL BUSINESS CONCERNS OWNED**
5 **AND CONTROLLED BY WOMEN.**

6 (a) IN GENERAL.—Section 8(m) of the Small Busi-
7 ness Act (15 U.S.C. 637(m)) is amended by adding at the
8 end the following new paragraph:

9 “(9) REPORT.—Not later than May 1, 2024,
10 and annually thereafter, the Administrator shall sub-
11 mit to the Committee on Small Business of the
12 House of Representatives and the Committee on
13 Small Business and Entrepreneurship of the Senate
14 a report on small business concerns owned and con-
15 trolled by women. Such report shall include, for the
16 fiscal year preceding the date of the report, the fol-
17 lowing:

18 “(A) The number of applications for cer-
19 tification as a small business concern owned
20 and controlled by women that have sufficient
21 information for the Administrator to make a
22 certification determination, disaggregated by—

23 “(i) the number of applications cer-
24 tified;

25 “(ii) the number of applications de-
26 nied; and

1 “(iii) the number of applications for
2 which a determination has not been made.

3 “(B) The number of concerns certified as
4 small business concerns owned and controlled
5 by women by a national certifying entity ap-
6 proved by the Administrator.

7 “(C) The amount of fees, if any, charged
8 by each national certifying entity for such cer-
9 tification.

10 “(D) The total dollar amount and total
11 percentage of prime contracts awarded to small
12 business concerns owned and controlled by
13 women pursuant to paragraph (2) or pursuant
14 to a waiver granted under paragraph (3).

15 “(E) The total dollar amount and total
16 percentage of prime contracts awarded to small
17 business concerns owned and controlled by
18 women pursuant to paragraphs (7) and (8).

19 “(F) With respect to a contract incorrectly
20 awarded pursuant to this subsection because it
21 was awarded based on an industry in which
22 small business concerns owned and controlled
23 by women are not underrepresented—

24 “(i) the number of such contracts;

1 “(ii) the Federal agencies that issued
2 such contracts; and

3 “(iii) any steps taken by Adminis-
4 trator to train the personnel of such Fed-
5 eral agency on the use of the authority
6 provided under this subsection.

7 “(G) With respect to an examination de-
8 scribed in paragraph (5)(B)—

9 “(i) the number of examinations due
10 because of recertification requirements and
11 the actual number of such examinations
12 conducted; and

13 “(ii) the number of examinations con-
14 ducted for any other reason.

15 “(H) The number of small business con-
16 cerns owned and controlled by women that were
17 found to be ineligible to be awarded a contract
18 under this subsection as a result of an examina-
19 tion conducted pursuant to paragraph (5)(B) or
20 failure to request an examination pursuant to
21 section 127.400 of title 13, Code of Federal
22 Regulations (or a successor rule).

23 “(I) The number of small business con-
24 cerns owned and controlled by women that were
25 decertified.

1 “(J) The total number of small business
2 concerns owned and controlled by women.

3 “(K) Any other information the Adminis-
4 trator determines necessary.”.

5 (b) TECHNICAL AMENDMENT.—Section 8(m)(2)(C)
6 of the Small Business Act is amended by striking “para-
7 graph (3)” and inserting “paragraph (4)”.

8 **SEC. 3. REPORT ON SMALL BUSINESS CONCERNS OWNED**
9 **AND CONTROLLED BY QUALIFIED HUBZONE**
10 **SMALL BUSINESS CONCERNS.**

11 Section 31 of the Small Business Act (15 U.S.C.
12 657a) is amended—

13 (1) by redesignating subsection (f) as sub-
14 section (g); and

15 (2) by inserting after subsection (e) the fol-
16 lowing new subsection:

17 “(f) REPORT.—Not later than May 1, 2024, and an-
18 nually thereafter, the Administrator shall submit to the
19 Committee on Small Business of the House of Representa-
20 tives and the Committee on Small Business and Entrepre-
21 neurship of the Senate a report on HUBZone small busi-
22 ness concerns. Such report shall include, for the fiscal year
23 preceding the date of the report, the following:

24 “(1) The number of applications for certifi-
25 cation as a qualified HUBZone small business con-

cern that have sufficient information for the Administrator to make a certification determination, disaggregated by—

“(A) the number of applications certified;

“(B) the number of applications denied;

and

“(C) the number of applications for which a determination has not been made.

“(2) The total dollar amount and total percentage of prime contracts awarded to qualified HUBZone small business concerns pursuant to this section.

“(3) The total dollar amount and percent of sole source contracts awarded to qualified HUBZone small business concerns under subsection (c)(2)(A).

“(4) With respect to an examination described in subsection (d)(5)—

“(A) the number of examinations due because of recertification requirements and the actual number of such examinations conducted; and

“(B) the number of examinations conducted for any other reason.

“(5) The number of HUBZone small business concerns that were found to be ineligible to be

1 awarded a contract under this subsection as a result
2 of an examination conducted pursuant to subsection
3 (d)(5) or a verification conducted pursuant to sub-
4 section (d)(2).

5 “(6) The number of small business concerns
6 that were decertified as qualified HUBZone small
7 business concerns.

8 “(7) The number of qualified HUBZone small
9 business concerns.

10 “(8) Any other information the Administrator
11 determines necessary.”.

12 **SEC. 4. REPORT ON SMALL BUSINESS CONCERNS OWNED**
13 **AND CONTROLLED BY SERVICE-DISABLED**
14 **VETERANS.**

15 Section 36 of the Small Business Act (15 U.S.C.
16 657f) is amended by adding at the end the following new
17 subsection:

18 “(j) REPORT.—Not later than May 1, 2024, and an-
19 nually thereafter, the Administrator shall submit to the
20 Committee on Small Business of the House of Representa-
21 tives and the Committee on Small Business and Entrepre-
22 neurship of the Senate a report on small business concerns
23 owned and controlled by service-disabled veterans. Such
24 report shall include, for the fiscal year preceding the date
25 of the report, the following:

1 “(1) The total number of small business con-
2 cerns certified as small business concerns owned and
3 controlled by service-disabled veterans.

4 “(2) The total dollar amount and total percent-
5 age of prime contracts awarded to small business
6 concerns owned and controlled by service-disabled
7 veterans pursuant to this section.

8 “(3) The total dollar amount and percent of
9 sole source contracts awarded to owned and con-
10 trolled by service-disabled veterans pursuant to sub-
11 section (c).

12 “(4) With respect to an examination described
13 in subsection (h)(2)—

14 “(A) the number of examinations due be-
15 cause of recertification requirements and the
16 actual number of such examinations conducted;
17 and

18 “(B) the number of examinations con-
19 ducted for any other reason.

20 “(5) The number of small business concerns
21 owned and controlled by service-disabled veterans
22 that were found to be ineligible to be awarded a con-
23 tract under this subsection as a result of an exam-
24 ination conducted pursuant to subsection (h)(2).

7 “(8) Any other information the Administrator
8 determines necessary.”.

10 No additional amounts are authorized to be appro-
11 priated to carry out this Act or the amendments made
12 by this Act.

Attest:

KEVIN F. MCCUMBER,
Clerk.