

## MEMORANDUM TO THE OSDBU COUNCIL

DATE: June 30 2003

FROM: Arthuretta H. Martin, Chair Legislative Committee

SUBJECT: June 2003 Legislative Report

The following is the status of bills before congress affecting small businesses doing business with the Federal Government in the 108<sup>th</sup> Congress. They include bills that directly name small businesses as well as bills that affect Federal Procurement Policy. This report is submitted for information purposes only. Subsequent reports will only include activity that occurred after this report. Any recommendations to improving the report should be submitted to me at [Arthuretta.martin@hhs.gov](mailto:Arthuretta.martin@hhs.gov).

### **H.R.1772**

**Title:** To improve small business advocacy, and for other purposes.

**Sponsor:** Rep Akin, W. Todd [MO-2] (introduced 4/11/2003) **Cosponsors:** 1

**Latest Major Action:** 6/25/2003 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Small Business and Entrepreneurship.

### **SUMMARY AS OF:**

4/11/2003--Introduced.

Small Business Advocacy Improvement Act of 2003 - Requires appointment to the position of Chief Counsel of the Office of Advocacy of the Small Business Administration (SBA) without regard to political affiliation and on the basis of fitness to perform duties. Prohibits appointment of an individual who has served as an SBA officer or employee within the last five years.

Requires the Office to: (1) recommend methods for the delivery of financial assistance to small businesses owned and controlled by socially and economically disadvantaged individuals, women, and veterans; (2) make recommendations and submit relevant reports to the President, the chairmen and ranking members of the congressional small business committees, and the SBA Administrator; (3) maintain economic databases and make such information available to the Administrator and Congress; and (4) coordinate functions with the Small Business and Agriculture Regulatory Enforcement Ombudsman.

Requires the Chief Counsel to submit annually to the Office of Management and Budget and the congressional small business and appropriations committees the Office's appropriation estimate and request. Requires each budget of the United States submitted by the President to include a separate statement of the amount of appropriations requested for the Office of Advocacy.

Authorizes the Chief Counsel to appoint a Principal Deputy Chief Counsel, as well as regional advocates.

Requires the Administrator (currently, the Chief Counsel) to conduct an SBA program for the development of rural small businesses engaged in tourism-related activities.

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### **S.1126**

**Title:** A bill to establish the Office of Native American Affairs within the Small Business Administration, to create the Native American Small Business Development Program, and for other purposes.

**Sponsor:** Sen Johnson, Tim [SD] (introduced 5/22/2003)    **Cosponsors:** 11

**Latest Major Action:** 5/22/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Small Business and Entrepreneurship.

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### **H.R.1460**

**Title:** To amend title 38, United States Code, to improve education and entrepreneurship benefits, housing benefits, and certain other benefits for veterans.

**Sponsor:** Rep Renzi, Rick [AZ-1] (introduced 3/27/2003)    **Cosponsors:** 15

**Latest Major Action:** 6/25/2003 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.

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### **SUMMARY AS OF:**

6/24/2003--Passed House, amended. (There are 2 [other summaries](#))

Veterans Entrepreneurship and Benefits Improvement Act of 2003 - Authorizes a State agency to approve entrepreneurship (business education) courses for attendance by veterans using veterans' basic educational assistance provided through the Department of Veterans Affairs. Prohibits the Secretary of Veterans Affairs from treating a business owner as already qualified for such purposes. Includes entrepreneurship courses within authorized programs of veterans' education assistance.

Amends the Small Business Act to authorize a Federal contracting officer to award a sole source contract to any certified small business (one owned and controlled by service-disabled (qualified) veterans) if: (1) the certified business is determined to be responsible with respect to the performance of the contract opportunity and the contracting officer does not expect two or more such businesses to submit offers for such contract; (2) the anticipated award price of the contract will not exceed a specified amount; and (3) the contract award can be made at a fair and reasonable price. Allows a contracting officer to restrict contract competition to such businesses if the officer can reasonably expect two or more such businesses to submit offers. Directs the Administrator of the Small Business Administration (SBA), at least every three years, to: (1) complete a survey of qualified veterans receiving such benefits; and (2) report survey results to Congress. Prohibits a contracting officer from making a procurement under this Act: (1) unless the officer has

determined that such procurement cannot be made on the basis of a preference provided under another provision of the Small Business Act; or (2) if the procurement would otherwise be made from a different source under provisions of the Federal criminal code governing Government procurement of prisoner products or services or of the Javits-Wagner-O'Day Act. Outlines the appropriate order of priority, with the highest priority under small business start-up loans guaranteed by the SBA. Provides priority requirements with respect to a contracting officer of the Department of Veterans Affairs. Terminates that priority with respect to Department procurements after FY 2007).

Authorizes the Secretary to provide adapted housing assistance to certain categories of disabled military personnel (having suffered loss of limbs, organs, partial blindness or deafness, etc.) serving on active duty if the disability is the result of an injury or disease contracted or aggravated during such duty.

Increases from 65 to 85 the percentage of the number of purchases during a fiscal year of real property acquired by the Secretary as a result of default on guaranteed loans for the purchase or construction of homes for veterans that may be financed by a loan made by the Secretary.

Requires the payment of all accrued monetary benefits (currently limited to two years' worth) of a deceased veteran's beneficiary to the veteran or any other surviving dependent.

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#### **H.R.2374**

**Title:** To amend the Small Business Act to allow more joint ventures, leader-follow arrangements, and teaming arrangements under the section 8(a) minority business development program.

**Sponsor:** Rep Millender-McDonald, Juanita [CA-37] (introduced 6/5/2003)

**Cosponsors:** (none)

**Latest Major Action:** 6/5/2003 Referred to House committee. Status: Referred to the House Committee on Small Business.

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#### **S.1154**

**Title:** A bill to provide for the reauthorization of programs administered by the Small Business Administration that assist small business concerns owned and controlled by women, and for other purposes.

**Sponsor:** Sen Snowe, Olympia J. [ME] (introduced 5/23/2003)      **Cosponsors:** 2

**Latest Major Action:** 5/23/2003 Referred to Senate committee. Status: Read twice and referred to the Committee on Small Business and Entrepreneurship.

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#### **H.R.1837**

**Title:** To improve the Federal acquisition workforce and the process for the acquisition of services by the Federal Government, and for other purposes.

**Sponsor:** Rep Davis, Tom [VA-11] (introduced 4/29/2003)      **Cosponsors:** 1

**Latest Major Action:** 6/25/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Commercial and Administrative Law.

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**H.R.1588**

**Title:** To authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. (**Acquisition and personnel reforms**)

**Sponsor:** Rep Hunter, Duncan [CA-52] (by request) (introduced 4/3/2003)

**Cosponsors:** 1

**Related Bills:** [H.RES.245](#), [H.RES.247](#), [S.1047](#), [S.1050](#)

**Latest Major Action:** 6/4/2003 Resolving differences / Conference -- Senate actions. Status: Senate insists on its amendment, asks for a conference, appoints conferees Warner; McCain; Inhofe; Roberts; Allard; Sessions; Collins; Ensign; Talent; Chambliss; Graham SC; Dole; Cornyn; Levin; Kennedy; Byrd; Lieberman; Reed; Akaka; Nelson FL; Nelson NE; Dayton; Bayh; Clinton; Pryor.