

Suspend the Rules and Pass the Bill, H.R. 7105, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
2^D SESSION

H. R. 7105

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

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”.

1 **SEC. 2. EXCLUSION OF SELF-CERTIFIED SMALL BUSINESS**
2 **CONCERNS OWNED AND CONTROLLED BY**
3 **WOMEN FROM GOALS.**

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

6 (1) IN GENERAL.—Section 15(g) of the Small
7 Business Act (15 U.S.C. 644(g)) is amended by add-
8 ing at the end the following new paragraph:

9 “(4) EXCLUSION OF SELF-CERTIFIED WOSBS
10 FROM GOALS.—Only small business concerns owned
11 and controlled by women that have been certified
12 under section 8(m)(2)(E) shall be included in calcu-
13 lating the goals established—

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

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

18 (2) EFFECTIVE DATE.—The amendments made
19 by paragraph (1) shall take effect on the first day
20 after the end of the second fiscal year beginning
21 after the Administrator issues the regulations re-
22 quired under subsection (b)(2).

23 (b) REQUIREMENTS RELATING TO SELF-CERTIFIED
24 WOSBS.—

25 (1) INCLUSION OF CERTAIN SELF-CERTIFIED
26 WOSBS IN GOALS.—

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

17 (B) SMALL BUSINESS CONCERNS DE-
18 SCRIBED.—A small business concern described
19 in this subparagraph is a small business con-
20 cern—

21 (i) that is self-certified as a small
22 business concern owned and controlled by
23 women as of the date on which the amend-
24 ments made by subsection (a) take effect;

1 (ii) that files a certification applica-
2 tion with the Administrator or a national
3 certifying entity approved by the Adminis-
4 trator under section 8(m) of the Small
5 Business Act (15 U.S.C. 637(m)) prior to
6 such date; and

7 (iii) for which the Administrator or
8 such a national certifying entity does not
9 make a determination prior to such date
10 regarding certification pursuant to such
11 certification application.

12 (2) RULEMAKING.—Not later than one year
13 after the date of the enactment of this Act, the Ad-
14 ministrator shall issue regulations carrying out this
15 section.

16 (c) QUARTERLY BRIEFINGS REQUIRED.—Not later
17 than 60 days after the date of the enactment of this Act
18 and on a quarterly basis thereafter until the date specified
19 in subsection (b), the Administrator shall provide to the
20 Committee on Small Business of the House of Representa-
21 tives and the Committee Small Business and Entrepre-
22 neurship of the Senate a briefing on the implementation
23 of the requirements of this section. Such briefings shall
24 include—

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

4 (2) the number of applications for certification
5 pending with the Administrator or a national certi-
6 fying entity approved by the Administrator under
7 section 8(m) of the Small Business Act during the
8 period covered by the briefing;

9 (3) the total number of applications approved
10 by the Administrator or such a national certifying
11 entity since the date of the enactment of this Act;

12 (4) the timelines associated with processing
13 such applications by the Administrator or such a na-
14 tional certifying entity between submission and ap-
15 proval;

16 (5) the administrative costs to the Administra-
17 tion to make determinations on such applications
18 and the estimated cost to such applicant to seek cer-
19 tification from a national certifying entity;

20 (6) a discussion of the Administrator's current
21 and future outreach efforts to small business con-
22 cerns owned and controlled by women and to Fed-
23 eral agencies on the requirements of this Act; and

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

4 (d) DEFINITIONS.—In this section:

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

7 (2) ADMINISTRATOR.—The term “Adminis-
8 trator” means the Administrator of the Small Busi-
9 ness Administration.

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

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

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