

116TH CONGRESS
1ST SESSION

H. R. 246

To amend the Small Business Act to require senior procurement executives, procurement center representatives, and the Office of Small and Disadvantaged Business Utilization to assist small business concerns participating in the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2019

Ms. FINKENAUER (for herself, Mr. CURTIS, and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Small Business Act to require senior procurement executives, procurement center representatives, and the Office of Small and Disadvantaged Business Utilization to assist small business concerns participating in the Small Business Innovation Research Program and the Small Business Technology Transfer Program, 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 “Stimulating Innovation
3 through Procurement Act of 2019”.

4 **SEC. 2. DEFINITION OF SENIOR PROCUREMENT EXECU-**
5 **TIVE.**

6 Section 9(e) of the Small Business Act (15 U.S.C.
7 638(e)) is amended—

8 (1) in paragraph (12)(B), by striking “and” at
9 the end;

10 (2) in paragraph (13)(B), by striking the period
11 at the end and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(13) the term ‘senior procurement executive’
15 means an official designated under section 1702(c)
16 of title 41, United States Code, as the senior pro-
17 curement executive of a Federal agency participating
18 in a SBIR or STTR program.”.

19 **SEC. 3. INCLUSION OF SENIOR PROCUREMENT EXECU-**
20 **TIVES IN SBIR AND STTR.**

21 (a) IN GENERAL.—Section 9(b) of the Small Busi-
22 ness Act (15 U.S.C. 638(b)) is amended—

23 (1) in paragraph (8), by striking “and” at the
24 end;

25 (2) in paragraph (9), by striking the period at
26 the end and inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(10) to coordinate, where appropriate, with the
4 senior procurement executive of the relevant Federal
5 agency to assist small business concerns partici-
6 pating in a SBIR or STTR program with commer-
7 cializing research developed under such a program
8 before such small business concern is awarded a con-
9 tract from such Federal agency.”.

10 (b) TECHNICAL AMENDMENT.—Section 9(b)(3) of
11 the Small Business Act (15 U.S.C. 638(b)(3)) is amended
12 by striking “and” at the end.

13 **SEC. 4. MODIFICATIONS RELATING TO PROCUREMENT**
14 **CENTER REPRESENTATIVES AND OTHER AC-**
15 **QUISITION PERSONNEL.**

16 (a) SBIR AMENDMENT.—Section 9(j) of the Small
17 Business Act (15 U.S.C. 638(j)) is amended by adding
18 at the end the following new paragraph:

19 “(4) MODIFICATIONS RELATING TO PROCURE-
20 MENT CENTER REPRESENTATIVES.—Upon the en-
21 actment of this paragraph, the Administrator shall
22 modify the policy directives issued pursuant to this
23 subsection to require procurement center representa-
24 tives (as described in section 15(l)) to assist small
25 business concerns participating in the SBIR pro-

1 gram with researching solicitations for the award of
2 a Federal contract (particularly with the Federal
3 agency that has a funding agreement with the con-
4 cern) and to provide technical assistance to such
5 concerns to submit a bid for an award of a Federal
6 contract. The procurement center representatives
7 shall coordinate with the appropriate senior procure-
8 ment executive and the appropriate Director of the
9 Office of Small and Disadvantaged Business Utiliza-
10 tion established pursuant to section 15(k) for the
11 agency letting the contract.”.

12 (b) STTR AMENDMENT.—Section 9(p)(2) of the
13 Small Business Act (15 U.S.C. 638(p)(2)) is amended—

14 (1) in subparagraph (E)(ii), by striking “and”
15 at the end;

16 (2) in subparagraph (F), by striking the period
17 at the end and inserting “; and”; and

18 (3) by adding at the end the following new sub-
19 paragraph:

20 “(G) procedures to ensure that procure-
21 ment center representatives (as described in
22 section 15(l))—

23 “(i) assist small business concerns
24 participating in the STTR program with
25 researching applicable solicitations for the

1 award of a Federal contract (particularly
2 with the Federal agency that has a funding
3 agreement with the concern);

4 “(ii) provide technical assistance to
5 such concerns to submit a bid for an
6 award of a Federal contract; and

7 “(iii) coordinate with the appropriate
8 senior procurement executive and the ap-
9 propriate Director of the Office of Small
10 and Disadvantaged Business Utilization
11 established pursuant to section 15(k) for
12 the Federal agency letting the contract in
13 providing the assistance described in clause
14 (i).”.

15 **SEC. 5. AMENDMENT TO DUTIES OF PROCUREMENT CEN-**
16 **TER REPRESENTATIVES.**

17 Section 15(l)(2) of the Small Business Act (15
18 U.S.C. 644(l)(2)) is amended—

19 (1) in subparagraph (I), by striking “and” at
20 the end;

21 (2) by redesignating subparagraph (J) as sub-
22 paragraph (L); and

23 (3) by inserting after subparagraph (I) the fol-
24 lowing new subparagraphs:

“(J) assist small business concerns participating in a SBIR or STTR program under section 9 with researching applicable solicitations for the award of a Federal contract to market the research developed by such concern under such SBIR or STTR program;

“(K) provide technical assistance to small business concerns participating in a SBIR or STTR program under section 9 to submit a bid for an award of a Federal contract, including coordination with the appropriate senior procurement executive and the appropriate Director of the Office of Small and Disadvantaged Business Utilization established pursuant to subsection (k) for the agency letting the contract; and”.

**SEC. 6. AMENDMENT TO THE DUTIES OF THE DIRECTOR OF
SMALL AND DISADVANTAGED BUSINESS UTILIZATION FOR FEDERAL AGENCIES.**

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended—

(1) in paragraph (19), by striking “and” at the end;

(2) in paragraph (20), by striking the period at the end and inserting a semicolon; and

1 (3) by adding at the end the following new
2 paragraphs:

3 “(21) shall assist small business concerns par-
4 ticipating in a SBIR or STTR program under sec-
5 tion 9 with researching applicable solicitations for
6 the award of a Federal contract (particularly with
7 the Federal agency that has a funding agreement, as
8 defined under section 9, with the concern) to market
9 the research developed by such concern under such
10 SBIR or STTR program; and

11 “(22) shall provide technical assistance to small
12 business concerns participating in a SBIR or STTR
13 program under section 9 to submit a bid for an
14 award of a Federal contract, including coordination
15 with procurement center representatives and the ap-
16 propriate senior procurement executive for the agen-
17 cy letting the contract.”.

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