

# Union Calendar No. 744

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6368

**[Report No. 115–956, Part I]**

To encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration’s mentor-protege program, to promote the use of interagency contracts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2018

Mr. ESPAILLAT introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committees on Oversight and Government Reform, and 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

SEPTEMBER 20, 2018

Additional sponsors: Mr. NORMAN, Ms. VELÁZQUEZ, and Miss GONZÁLEZ-COLÓN of Puerto Rico

SEPTEMBER 20, 2018

Reported from the Committee on Small Business

SEPTEMBER 20, 2018

Committees on Oversight and Government Reform, and Science, Space, and Technology discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protege program, to promote the use of interagency contracts, 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 “Encouraging Small  
5 Business Innovators”.

6 **SEC. 2. INCLUDING TESTING AND EVALUATION IN THE**  
7 **DEFINITION OF R&D.**

8       Section 9(e)(5) of the Small Business Act (15 U.S.C.  
9 638(e)(5)) is amended—

10           (1) by redesignating subparagraphs (A), (B),  
11           and (C) as clauses (i), (ii), and (iii), respectively;

12           (2) by striking “means any activity” and insert-  
13           ing the following: “means—

14                       “(A) any activity”; and

15           (3) by adding at the end the following: “and

16                       “(B) any testing or evaluation in connec-  
17           tion with such an activity;”.

18 **SEC. 3. ENCOURAGING PARTICIPATION IN THE MENTOR-**  
19 **PROTEGE PROGRAM.**

20       Section 9 of the Small Business Act (15 U.S.C. 638)  
21 is amended by adding at the end the following:

22       “(tt) ENCOURAGING PARTICIPATION IN THE MEN-  
23 TOR-PROTEGE PROGRAM.—The Administrator shall pro-  
24 vide an increase to the past performance rating of any  
25 small business concern that has participated in the SBIR

1 or STTR program that serves as a mentor under section  
2 45 to a small business concern that seeks to participate  
3 in the SBIR or STTR program.”.

4 **SEC. 4. PROMOTING THE USE OF GOVERNMENT-WIDE AND**  
5 **OTHER INTERAGENCY CONTRACTS.**

6 (a) PROMOTING INTERAGENCY ACQUISITIONS.—Sec-  
7 tion 865 of the Duncan Hunter National Defense Author-  
8 ization Act for Fiscal Year 2009 (Public Law 110–417)  
9 is amended—

10 (1) in subsection (b)(1)—

11 (A) by striking “all interagency acquisi-  
12 tions”;

13 (B) in subparagraph (A)—

14 (i) by adding “all interagency assisted  
15 acquisitions” before “include”; and

16 (ii) by adding “and” at the end;

17 (C) by striking subparagraph (B);

18 (D) by redesignating subparagraph (C) as  
19 subparagraph (B);

20 (E) in subparagraph (B), as so redesign-  
21 ated, by adding “all interagency assisted ac-  
22 quisitions” before “include”; and

23 (2) in subsection (d), by adding at the end the  
24 following:

1           “(5) The term ‘assisted acquisition’ means a  
2           type of interagency acquisition where a servicing  
3           agency performs acquisition activities on a request-  
4           ing agency’s behalf, such as awarding and admin-  
5           istering a contract, task order, or delivery order.”.

6           (b) GSA ASSISTANCE WITH CERTAIN SMALL BUSI-  
7           NESS CONTRACT AWARDS.—

8           Section 9 of the Small Business Act (15 U.S.C.  
9           638), as amended by section 4, is further amended  
10          by adding at the end the following:

11          “(uu) GSA ASSISTANCE WITH CERTAIN SMALL  
12          BUSINESS CONTRACT AWARDS.—The Administrator of  
13          the General Services Administration may assist another  
14          agency with the process of awarding a contract to a small  
15          business concern under the SBIR or STTR program or  
16          under a small business set-aside.”.

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