

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.

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## 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

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## 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:

1           “(J) assist small business concerns partici-  
2           pating in a SBIR or STTR program under sec-  
3           tion 9 with researching applicable solicitations  
4           for the award of a Federal contract to market  
5           the research developed by such concern under  
6           such SBIR or STTR program;

7           “(K) provide technical assistance to small  
8           business concerns participating in a SBIR or  
9           STTR program under section 9 to submit a bid  
10          for an award of a Federal contract, including  
11          coordination with the appropriate senior pro-  
12          curement executive and the appropriate Direc-  
13          tor of the Office of Small and Disadvantaged  
14          Business Utilization established pursuant to  
15          subsection (k) for the agency letting the con-  
16          tract; and”.

17 **SEC. 6. AMENDMENT TO THE DUTIES OF THE DIRECTOR OF**  
18 **SMALL AND DISADVANTAGED BUSINESS UTI-**  
19 **LIZATION FOR FEDERAL AGENCIES.**

20          Section 15(k) of the Small Business Act (15 U.S.C.  
21 644(k)) is amended—

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

24           (2) in paragraph (20), by striking the period at  
25          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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