

110TH CONGRESS
2D SESSION

S. 2608

To make improvements to the Small Business Act.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7 (legislative day, FEBRUARY 6), 2008

Ms. SNOWE (for herself and Mrs. DOLE) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To make improvements to the Small Business Act.

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 “Small Business Wom-
5 en’s Procurement Program Improvement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds—

8 (1) based on evidence presented by Congres-
9 sional witnesses, testimony before Congress, and
10 studies and reports, that women-owned small busi-
11 ness concerns are under represented in certain iden-

1 tified industries with respect to Federal procurement
2 contracting; and

3 (2) the women’s small business government-
4 wide statutory goal has never been achieved since
5 the time of its enactment.

6 **SEC. 3. SMALL BUSINESS ACT PROGRAM IMPROVEMENTS.**

7 Section 8(m) of the Small Business Act (15 U.S.C.
8 637(m)) is amended—

9 (1) in paragraph (2)(C), by striking “(3)” and
10 inserting “(4)”;

11 (2) in paragraph (2), by striking subparagraph
12 (D) and inserting the following:

13 “(D) the contract is consistent with the re-
14 quirements set forth in subsection
15 (a)(1)(D)(i);”;

16 (3) by striking paragraph (4) and inserting the
17 following:

18 “(4) IDENTIFICATION OF INDUSTRIES.—

19 “(A) STUDY REQUIRED.—The Adminis-
20 trator shall conduct a study 5 years after the
21 date on which the program under this section is
22 implemented, to identify industries in which
23 small business concerns owned and controlled
24 by women are underrepresented with respect to
25 Federal procurement contracting.

1 “(B) PRESUMPTION RELATING TO UNDER-
2 REPRESENTATION.—For purposes of this sub-
3 section, the industries identified by the 2007
4 North American Industry Classification System
5 Code as industry codes 11 through 81 (as pub-
6 lished by the Bureau of the Census) shall be
7 presumed to be industries in which small busi-
8 ness concerns owned and controlled by women
9 are underrepresented with respect to Federal
10 procurement contracting.”; and

11 (4) by adding at the end the following:

12 “(7) NO PAST FINDING OF DISCRIMINATION RE-
13 QUIRED.—Notwithstanding any other provision of
14 law, a contracting officer need not make a finding
15 of past gender discrimination by a contracting agen-
16 cy in order to comply with or otherwise be subject
17 to the requirements of this subsection.”.

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