

111TH CONGRESS  
2D SESSION

# S. 3429

To require the Comptroller General of the United States to carry out a study on procurement under the American Recovery and Reinvestment Act of 2009.

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2010

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require the Comptroller General of the United States to carry out a study on procurement under the American Recovery and Reinvestment Act of 2009.

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. STUDY BY COMPTROLLER GENERAL.**

4       (a) DEFINITIONS.—In this Act—

5               (1) the terms “HUBZone small business con-  
6       cern”, “small business concern”, “small business  
7       concern owned and controlled by service-disabled  
8       veterans”, and “small business concern owned and  
9       controlled by women” have the meaning given those

1 terms under section 3 of the Small Business Act (15  
2 U.S.C. 632);

3 (2) the term “minority business enterprise”  
4 means a small business concern that is uncondition-  
5 ally owned, controlled, and managed by an individual  
6 who is—

7 (A) a Black American;

8 (B) a Hispanic American;

9 (C) a Native American, including an Amer-  
10 ican Indian, Eskimo, Aleut, or Native Hawai-  
11 ian;

12 (D) an Asian Pacific American, including  
13 an individual having origins in any of the origi-  
14 nal peoples of Myanmar, Thailand, Malaysia,  
15 Indonesia, Singapore, Brunei, Japan, China  
16 (including Hong Kong), Taiwan, Laos, Cam-  
17 bodia (Kampuchea), Vietnam, North Korea,  
18 South Korea, the Philippines, a United States  
19 Trust Territory of the Pacific Islands (including  
20 the Republic of Palau), the Republic of the  
21 Marshall Islands, the Federated States of Mi-  
22 cronesia, the Commonwealth of the Northern  
23 Mariana Islands, Guam, Samoa, Macao, Fiji,  
24 Tonga, Kiribati, Tuvalu, or Nauru;

1 (E) a Subcontinent Asian American, in-  
 2 cluding an individual having origins in any of  
 3 the original peoples of India, Pakistan, Ban-  
 4 gladesh, Sri Lanka, Bhutan, the Maldives Is-  
 5 lands, or Nepal; or

6 (F) a member of another minority group,  
 7 as determined by the Administrator of the  
 8 Small Business Administration;

9 (3) the term “qualified HUBZone small busi-  
 10 ness concern” means a HUBZone small business  
 11 concern that is qualified under section 3(p)(5) of the  
 12 Small Business Act (15 U.S.C. 632(p)(5)); and

13 (4) the term “small business concern owned  
 14 and controlled by socially and economically disadvan-  
 15 taged individuals” has the meaning given that term  
 16 in section 8(d)(3)(C) of the Small Business Act (15  
 17 U.S.C. 637(d)(3)(C)).

18 (b) STUDY REQUIRED.—The Comptroller General of  
 19 the United States shall carry out a study on the participa-  
 20 tion of small business concerns owned and controlled by  
 21 socially and economically disadvantaged individuals, mi-  
 22 nority business enterprises, and small business concerns  
 23 owned and controlled by women in procurement contracts  
 24 awarded using funds made available under division A of

1 the American Recovery and Reinvestment Act of 2009  
2 (Public Law 111–5; 123 Stat. 116), which shall include—

3 (1) determining the percentage of all contracts  
4 awarded by Federal agencies and departments using  
5 funds made available under the American Recovery  
6 and Reinvestment Act of 2009 (Public Law 111–5)  
7 that were awarded to—

8 (A) small business concerns owned and  
9 controlled by socially and economically dis-  
10 advantaged individuals;

11 (B) minority business enterprises; and

12 (C) small business concerns owned and  
13 controlled by women; and

14 (2) evaluating whether Federal agencies and de-  
15 partments have met the Government-wide goals es-  
16 tablished under section 15(g) of the Small Business  
17 Act (15 U.S.C. 644(g)) for procurement contracts  
18 awarded to small business concerns, small business  
19 concerns owned and controlled by service-disabled  
20 veterans, qualified HUBZone small business con-  
21 cerns, small business concerns owned and controlled  
22 by socially and economically disadvantaged individ-  
23 uals, and small business concerns owned and con-  
24 trolled by women, with respect to procurement con-  
25 tracts awarded using funds made available under di-

1 vision A of the American Recovery and Reinvest-  
2 ment Act of 2009 (Public Law 111–5; 123 Stat.  
3 116).

4 (c) REPORT.—Not later than 120 days after the date  
5 of enactment of this Act, the Comptroller General shall  
6 submit to Congress a report on the results of the study  
7 required under subsection (b).

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