

112TH CONGRESS
2D SESSION

H. R. 3779

To hold accountable Federal departments and agencies that fail to meet goals relating to the participation of small business concerns in procurement contracts, to authorize Federal departments and agencies to give preference to small business concerns when procuring goods or services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 2012

Mr. OWENS introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Small Business, 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 hold accountable Federal departments and agencies that fail to meet goals relating to the participation of small business concerns in procurement contracts, to authorize Federal departments and agencies to give preference to small business concerns when procuring goods or services, 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 “Small Business Growth
3 and Federal Accountability Act of 2012”.

4 **SEC. 2. SMALL BUSINESS PARTICIPATION IN PROCUREMENT**
5 **CONTRACTS.**

6 (a) **CONSEQUENCE FOR FAILURE TO MEET GOAL.**—
7 If a Federal department or agency does not meet a covered
8 goal with respect to a fiscal year, that department or agen-
9 cy, in the succeeding fiscal year, may not expend for the
10 procurement of goods or services an amount that is great-
11 er than 90 percent of the amount expended for the pro-
12 curement of goods or services in the fiscal year with re-
13 spect to which that department or agency did not meet
14 the covered goal.

15 (b) **PREFERENCE.**—To meet a covered goal, the head
16 of a Federal department or agency may give preference
17 to a small business concern when procuring goods or serv-
18 ices.

19 (c) **DEFINITIONS.**—In this section, the following defi-
20 nitions apply:

21 (1) **COVERED GOAL.**—The term “covered goal”
22 means a goal established by the head of a Federal
23 department or agency—

24 (A) under section 15(g) of the Small Busi-
25 ness Act (15 U.S.C. 644(g)); and

1 (B) relating to the participation of small
2 business concerns in the procurement contracts
3 of that department or agency.

4 (2) SMALL BUSINESS CONCERN.—The term
5 “small business concern” has the meaning given
6 that term under section 3(a) of the Small Business
7 Act (15 U.S.C. 632(a)).

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