

114TH CONGRESS
1ST SESSION

H. R. 2950

To amend the Small Business Act to streamline and clarify small business contracting opportunities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2015

Mr. TAKAI introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to streamline and clarify small business contracting opportunities, 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 “Small Business Con-
5 tracting Clarity Act of 2015”.

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Native Hawaiians make up an economically
9 disadvantaged group.

1 (2) According to statistics from 2013, in the
2 United States—

3 (A) only 1 in 5 Native Hawaiians had at-
4 tained a bachelor's degree or higher (20.5 per-
5 cent), which is lower than percentage nationally
6 (29.1 percent), the percentage for Whites (32.5
7 percent), and the percentage for Asians (50.7
8 percent);

9 (B) the unemployment rate of Native Ha-
10 waiians (7.5 percent) was higher than the na-
11 tional unemployment rate (5.9 percent);

12 (C) Native Hawaiians remained underrep-
13 resented in management, business, sciences and
14 arts occupations (28.4 percent) in comparison
15 to the national level or representation (36.2
16 percent);

17 (D) the average earnings of a Native Ha-
18 waiian household (\$70,686) was lower than the
19 national average (\$74,657);

20 (E) the percentage of Native Hawaiian
21 households receiving benefits from the supple-
22 mental nutrition assistance program (18.8 per-
23 cent) was higher than the national percentage
24 (13.4 percent);

1 (F) the poverty rate of Native Hawaiian
2 families (13.2 percent) remains higher than the
3 national rate (11.7 percent); and

4 (G) approximately 34 percent of Native
5 Hawaiian households surveyed did not have a
6 savings account, in comparison to 29.5 percent
7 of all households surveyed.

8 (3) In 2001, the Department of the Treasury
9 found that Native Hawaiians living on Hawaiian
10 Home Lands (as defined in section 247(d)(2) of the
11 National Housing Act (12 U.S.C. 1715z–12(d)(2)))
12 face significant barriers to capital access, credit, and
13 basic financial services.

14 (4) The United States as a whole will benefit
15 from policies that assist Native Hawaiians in eco-
16 nomic equality.

17 (5) Participation in the free enterprise system
18 is essential to gain economic equality and self-suffi-
19 ciency for Native Hawaiians.

20 (6) Government procurement from Native Ha-
21 waiian Organizations (as defined in section 8(a)(15)
22 of the Small Business Act (15 U.S.C. 637(a)(15)))
23 offers a way for Native Hawaiians to participate in
24 our free enterprise system by providing goods and
25 services, revenue, and jobs for Native Hawaiians.

1 (7) Consistent promotion of and Federal assist-
 2 ance for Native Hawaiian Organizations will guar-
 3 antee that Native Hawaiians gain and maintain eco-
 4 nomic equality.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
 6 gress that it is in the best interests of the United States
 7 to consistently promote and assist Native Hawaiian Orga-
 8 nizations.

9 **SEC. 3. SMALL BUSINESS CONFORMITY.**

10 (a) HUBZONE ELIGIBILITY.—

11 (1) IN GENERAL.—Section 3(p)(3) of the Small
 12 Business Act (15 U.S.C. 632(p)(3)) is amended—

13 (A) by redesignating subparagraphs (D)
 14 and (E) as subparagraphs (E) and (F), respec-
 15 tively; and

16 (B) by inserting after subparagraph (C)
 17 the following:

18 “(D) a small business concern—

19 “(i) that is wholly owned by one or
 20 more Native Hawaiian Organizations (as
 21 defined in section 8(a)(15)), or by a cor-
 22 poration that is wholly owned by one or
 23 more Native Hawaiian Organizations; or

24 “(ii) that is owned in part by one or
 25 more Native Hawaiian Organizations, or

by a corporation that is wholly owned by one or more Native Hawaiian Organizations, if all other owners are either United States citizens or small business concerns;”.

(2) CONFORMING AMENDMENT.—Section 3(p)(5)(A)(i)(I)(aa) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)(aa)) is amended by striking “subparagraph (A), (B), (C), (D), or (E) of paragraph (3)” and inserting “subparagraph (A), (B), (C), (D), (E) or (F) of paragraph (3)”.

(b) 8(a) PROGRAM.—

(1) IN GENERAL.—Section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)) is amended by adding at the end the following new sentence: “Native Hawaiian Organizations (as defined in paragraph (15)) shall be deemed to be economically disadvantaged for the purposes of this subsection.”.

(2) APPLICABILITY.—The amendment made by this subsection shall take effect on the date of enactment of this Act and apply to determinations of economic disadvantage made before, on, or after the date of enactment of this Act.

○