

Union Calendar No. 481

115TH CONGRESS
2^D SESSION

H. R. 5178

[Report No. 115–628]

To amend the Small Business Act to provide for small business concerns located in Puerto Rico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2018

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Small Business

APRIL 10, 2018

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Small Business Act to provide for small business concerns located in Puerto Rico, 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 “Puerto Rico Small
 5 Business Contracting Assistance Act of 2018”.

6 **SEC. 2. DEFINITION OF PUERTO RICO BUSINESS.**

7 Section 3 of the Small Business Act (15 U.S.C. 632)
 8 is amended by adding at the end the following new sub-
 9 section:

10 “(ee) PUERTO RICO BUSINESS.—In this Act, the
 11 term ‘Puerto Rico business’ means a small business con-
 12 cern that has its principal office located in the Common-
 13 wealth of Puerto Rico.”.

14 **SEC. 3. SMALL BUSINESS CREDIT FOR PUERTO RICO BUSI-**
 15 **NESSES.**

16 Section 15 of the Small Business Act (15 U.S.C. 644)
 17 is amended by adding at the end the following new sub-
 18 section:

19 “(w) SMALL BUSINESS CREDIT FOR PUERTO RICO
 20 BUSINESSES.—

21 “(1) CREDIT FOR MEETING CONTRACTING
 22 GOALS.—If an agency awards a prime contract to
 23 Puerto Rico business during the period beginning on
 24 the date of enactment of this subsection and ending
 25 on the date that is 4 years after such date of enact-

ment, the value of the contract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A)(i) during such period.

“(2) REPORT.—Along with the report required under subsection (h)(1), the head of each Federal agency shall submit to the Administrator, and make publicly available on the scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (15 U.S.C. 644 note), an analysis of the number and dollar amount of prime contracts awarded pursuant to paragraph (1) for each fiscal year of the period described in such paragraph.”.

SEC. 4. PRIORITY FOR SURPLUS PROPERTY TRANSFERS.

Section 7(j)(13)(F) of the Small Business Act (15 U.S.C. 636(j)(13)(F)) is amended by adding at the end the following new clause:

“(iii)(I) In this clause, the term ‘covered period’ means the period beginning on the date of enactment of this clause and ending on the date on which the Oversight Board established under section 101 of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2121) terminates.

1 “(II) The Administrator may transfer tech-
 2 nology or surplus property under clause (i) to a
 3 Puerto Rico business if the Puerto Rico business
 4 meets the requirements for such a transfer, without
 5 regard to whether the Puerto Rico business is a Pro-
 6 gram Participant.”.

7 **SEC. 5. CONTRACTING INCENTIVES FOR PROTEGE FIRMS**
 8 **THAT ARE PUERTO RICO BUSINESSES.**

9 (a) IN GENERAL.—Section 45(a) of the Small Busi-
 10 ness Act (15 U.S.C. 657r(a)) is amended by adding at
 11 the end the following new paragraph:

12 “(3) PUERTO RICO BUSINESSES.—During the
 13 period beginning on the date of enactment of this
 14 paragraph and ending on the date on which the
 15 Oversight Board established under section 101 of
 16 the Puerto Rico Oversight, Management, and Eco-
 17 nomic Stability Act (48 U.S.C. 2121) terminates,
 18 the Administrator shall identify potential incentives
 19 to a covered mentor that awards a subcontract to its
 20 covered protege, including—

21 “(A) positive consideration in any past per-
 22 formance evaluation of the covered mentor;

23 “(B) the application of costs incurred for
 24 providing training to such covered protege to
 25 the subcontracting plan (as required under

1 paragraph (4) or (5) of section 8(d)) of the cov-
 2 ered mentor; and

3 “(C) such other incentives as the Adminis-
 4 trator determines appropriate.”.

5 (b) DEFINITIONS.—Section 45(d) of the Small Busi-
 6 ness Act (15 U.S.C. 657r(d)) is amended by adding at
 7 the end the following new paragraphs:

8 “(4) COVERED MENTOR.—The term ‘covered
 9 mentor’ means a mentor that enters into an agree-
 10 ment under this Act, or under any mentor-protege
 11 program approved under subsection (b)(1), with a
 12 covered protege.

13 “(5) COVERED PROTEGE.—The term ‘covered
 14 protege’ means a protege of a covered mentor that
 15 is a Puerto Rico business.”.

16 **SEC. 6. ADDITIONAL MENTOR-PROTEGE RELATIONSHIPS**
 17 **FOR PROTEGE FIRMS THAT ARE PUERTO**
 18 **RICO BUSINESSES.**

19 Section 45(b)(3)(A) of the Small Business Act (15
 20 U.S.C. 657r(b)(3)(A)) is amended by inserting “, except
 21 that such restrictions shall not apply to up to 2 mentor-
 22 protege relationships if such relationships are between a
 23 covered protege and covered mentor” after “each partici-
 24 pant”.

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