

116TH CONGRESS
1ST SESSION

H. R. 246

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2019

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

To amend the Small Business Act to require senior procurement executives, procurement center representatives, and the Office of Small and Disadvantaged Business Utilization to assist small business concerns participating in the Small Business Innovation Research Program and the Small Business Technology Transfer Program, 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 “Stimulating Innovation
5 through Procurement Act of 2019”.

6 **SEC. 2. DEFINITION OF SENIOR PROCUREMENT EXECU-**
7 **TIVE.**

8 Section 9(e) of the Small Business Act (15 U.S.C.
9 638(e)) is amended—

10 (1) in paragraph (12)(B), by striking “and” at
11 the end;

12 (2) in paragraph (13)(B), by striking the period
13 at the end and inserting “; and”; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(13) the term ‘senior procurement executive’
17 means an official designated under section 1702(c)
18 of title 41, United States Code, as the senior pro-
19 curement executive of a Federal agency participating
20 in a SBIR or STTR program.”.

21 **SEC. 3. INCLUSION OF SENIOR PROCUREMENT EXECU-**
22 **TIVES IN SBIR AND STTR.**

23 (a) IN GENERAL.—Section 9(b) of the Small Busi-
24 ness Act (15 U.S.C. 638(b)) is amended—

1 (1) in paragraph (8), by striking “and” at the
2 end;

3 (2) in paragraph (9), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(10) to coordinate, where appropriate, with the
8 senior procurement executive of the relevant Federal
9 agency to assist small business concerns partici-
10 pating in a SBIR or STTR program with commer-
11 cializing research developed under such a program
12 before such small business concern is awarded a con-
13 tract from such Federal agency.”.

14 (b) TECHNICAL AMENDMENT.—Section 9(b)(3) of
15 the Small Business Act (15 U.S.C. 638(b)(3)) is amended
16 by striking “and” at the end.

17 **SEC. 4. MODIFICATIONS RELATING TO PROCUREMENT**

18 **CENTER REPRESENTATIVES AND OTHER AC-**

19 **QUISITION PERSONNEL.**

20 (a) SBIR AMENDMENT.—Section 9(j) of the Small
21 Business Act (15 U.S.C. 638(j)) is amended by adding
22 at the end the following new paragraph:

23 “(4) MODIFICATIONS RELATING TO PROCURE-
24 MENT CENTER REPRESENTATIVES.—Upon the en-
25 actment of this paragraph, the Administrator shall

1 modify the policy directives issued pursuant to this
2 subsection to require procurement center representa-
3 tives (as described in section 15(l)) to assist small
4 business concerns participating in the SBIR pro-
5 gram with researching solicitations for the award of
6 a Federal contract (particularly with the Federal
7 agency that has a funding agreement with the con-
8 cern) and to provide technical assistance to such
9 concerns to submit a bid for an award of a Federal
10 contract. The procurement center representatives
11 shall coordinate with the appropriate senior procure-
12 ment executive and the appropriate Director of the
13 Office of Small and Disadvantaged Business Utiliza-
14 tion established pursuant to section 15(k) for the
15 agency letting the contract.”.

16 (b) STTR AMENDMENT.—Section 9(p)(2) of the
17 Small Business Act (15 U.S.C. 638(p)(2)) is amended—

18 (1) in subparagraph (E)(ii), by striking “and”
19 at the end;

20 (2) in subparagraph (F), by striking the period
21 at the end and inserting “; and”; and

22 (3) by adding at the end the following new sub-
23 paragraph:

1 “(G) procedures to ensure that procure-
2 ment center representatives (as described in
3 section 15(l))—

4 “(i) assist small business concerns
5 participating in the STTR program with
6 researching applicable solicitations for the
7 award of a Federal contract (particularly
8 with the Federal agency that has a funding
9 agreement with the concern);

10 “(ii) provide technical assistance to
11 such concerns to submit a bid for an
12 award of a Federal contract; and

13 “(iii) coordinate with the appropriate
14 senior procurement executive and the ap-
15 propriate Director of the Office of Small
16 and Disadvantaged Business Utilization
17 established pursuant to section 15(k) for
18 the Federal agency letting the contract in
19 providing the assistance described in clause
20 (i).”.

21 **SEC. 5. AMENDMENT TO DUTIES OF PROCUREMENT CEN-**
22 **TER REPRESENTATIVES.**

23 Section 15(l)(2) of the Small Business Act (15
24 U.S.C. 644(l)(2)) is amended—

1 (1) in subparagraph (I), by striking “and” at
2 the end;

3 (2) by redesignating subparagraph (J) as sub-
4 paragraph (L); and

5 (3) by inserting after subparagraph (I) the fol-
6 lowing new subparagraphs:

7 “(J) assist small business concerns partici-
8 pating in a SBIR or STTR program under sec-
9 tion 9 with researching applicable solicitations
10 for the award of a Federal contract to market
11 the research developed by such concern under
12 such SBIR or STTR program;

13 “(K) provide technical assistance to small
14 business concerns participating in a SBIR or
15 STTR program under section 9 to submit a bid
16 for an award of a Federal contract, including
17 coordination with the appropriate senior pro-
18 curement executive and the appropriate Direc-
19 tor of the Office of Small and Disadvantaged
20 Business Utilization established pursuant to
21 subsection (k) for the agency letting the con-
22 tract; and”.

1 **SEC. 6. AMENDMENT TO THE DUTIES OF THE DIRECTOR OF**
2 **SMALL AND DISADVANTAGED BUSINESS UTI-**
3 **LIZATION FOR FEDERAL AGENCIES.**

4 Section 15(k) of the Small Business Act (15 U.S.C.
5 644(k)) is amended—

6 (1) in paragraph (19), by striking “and” at the
7 end;

8 (2) in paragraph (20), by striking the period at
9 the end and inserting a semicolon; and

10 (3) by adding at the end the following new
11 paragraphs:

12 “(21) shall assist small business concerns par-
13 ticipating in a SBIR or STTR program under sec-
14 tion 9 with researching applicable solicitations for
15 the award of a Federal contract (particularly with
16 the Federal agency that has a funding agreement, as
17 defined under section 9, with the concern) to market
18 the research developed by such concern under such
19 SBIR or STTR program; and

20 “(22) shall provide technical assistance to small
21 business concerns participating in a SBIR or STTR
22 program under section 9 to submit a bid for an
23 award of a Federal contract, including coordination
24 with procurement center representatives and the ap-

1 appropriate senior procurement executive for the agen-
2 cy letting the contract.”.

Passed the House of Representatives January 14,
2019.

Attest:

KAREN L. HAAS,

Clerk.