

My colleague and the ranking member of the Small Business Committee, Ms. VELÁZQUEZ of New York, introduced H.R. 4325 to update the Small Business Act. Thanks to her efforts, we will no longer use different terms for micropurchase or simplified acquisition than the rest of the government. This will make it easier for small businesses to understand the law and for contracting officers to implement the law.

This legislation was included as part of a larger bill that passed the Small Business Committee in January, and it received bipartisan support.

Mr. Speaker, I urge my colleagues to support and pass H.R. 4325.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4325, the Unifying Small Business Terminology Act of 2016. There are many places in which the statutes and regulations small businesses must understand are overly complex.

This problem is compounded by inconsistencies in the language. For example, there are entire sections of the Small Business Act that are one long sentence with multiple commas and clauses.

The act also predates many other statutes and regulations that we now use to govern how agencies purchase goods and services.

As such, the act uses outdated terminology when discussing Federal contracting. Additionally, there are places in which the definitions vary between the act and the corresponding regulations.

One such case is when a contract must be reserved for award to small businesses. While the act indicates that contracts valued over \$2,000 and below \$100,000 are to be reserved for small businesses, other statutes and even SBA's own regulations point to different values or use the terms the values are supposed to represent.

This causes confusion not only among small businesses, but also to contracting officers as they are left to determine which values to use.

That is why I introduced H.R. 4325, the Unifying Small Business Terminology Act of 2016. The bill amends the Small Business Act so that it has the same terms that are used in titles 10 and 41 of the United States Code and in SBA's own regulation when referring to procurement rules.

This will ensure that there is no confusion among contracting personnel as to which opportunities should be set aside for small businesses.

Mr. Speaker, our committee hears from small businesses almost daily about how difficult it is to navigate the Federal marketplace.

With businesses having to be familiar with small-business regulations, the Federal Acquisition Regulations, and each agency's own FAR supplement, as

well as other statutes, the very least we can do is to make sure that all the terminology is consistent.

The changes made in H.R. 4325 will unify the terminology, providing much-needed certainty to both contracting officers and small businesses.

Mr. Speaker, I urge my colleagues to support this measure.

I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, in closing, the gentlewoman's bill is simply good government. We shouldn't have different terms and different laws if we are talking about the same thing.

Federal contracting is confusing enough for small businesses without the use of arcane terminology. Therefore, I urge my colleagues to vote to suspend the rules and pass H.R. 4325.

I would like to thank the gentlewoman, the ranking member, Ms. VELÁZQUEZ, for her leadership in this matter.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4325.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### SMALL AND DISADVANTAGED BUSINESS ENHANCEMENT ACT OF 2016

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4326) to amend the Small Business Act to expand the duties of the Office of Small and Disadvantaged Business Utilization, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4326

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Small and Disadvantaged Business Enhancement Act of 2016".

#### SEC. 2. EXPANDING DUTIES OF THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

(a) IN GENERAL.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by section 870 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), is amended—

(1) by striking "section 8, 15 or 44" and inserting "section 8, 15, 31, 36, or 44";

(2) by striking "sections 8 and 15" each place such term appears and inserting "sections 8, 15, 31, 36, and 44";

(3) in paragraph (10), by striking "section 8(a)" and inserting "section 8, 15, 31, or 36";

(4) by redesignating paragraphs (15), (16), and (17) as paragraphs (16), (17), and (18), respectively;

(5) by inserting after paragraph (14) the following new paragraph:

"(15) shall review purchases made by the agency greater than the micro-purchase

threshold defined in section 1902(a) of title 41, United States Code, and less than the simplified acquisition threshold to ensure that the purchases have been made in compliance with the provisions of this Act and have been properly recorded in the Federal Procurement Data System, if the method of payment is a purchase card issued by the Department of Defense pursuant to section 2784 of title 10, United States Code, or by the head of an executive agency pursuant to section 1909 of title 41, United States Code;"; and

(6) in paragraph (17) (as so redesignated)—  
(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(D) any failure of the agency to comply with section 8, 15, 31, or 36."

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

"(m) SIMPLIFIED ACQUISITION THRESHOLD.—In this Act, the term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Offices of Small and Disadvantaged Business Utilization were created in 1978 to serve as advocates within Federal agencies for small businesses seeking prime contracts and subcontracts.

These small offices help review contracts to prevent bundling, make sure small companies are paid promptly, and ensure that solicitations are written in a manner that maximizes the use of small businesses.

H.R. 4326, introduced by Ms. ADAMS of North Carolina, makes two improvements to this program.

First, H.R. 4326 makes a technical correction to the Small Business Act. When these offices were created in 1978, there was no contracting program for service-disabled, veteran-owned small businesses or for businesses located in and employing people from distressed areas, commonly known as HUBZones.

Therefore, H.R. 4326 updates the act to make it clear that these small-business advocates are authorized to provide assistance to service-disabled veterans and HUBZone small businesses.

Second, the bill allows the Offices of Small and Disadvantaged Business Utilization to crack down on credit card fraud by Federal employees.

Last year we learned that the Department of Veterans Affairs had ignored the law and hidden almost \$6 billion in spending by using these credit cards.

These contracts should have gone to service-disabled, veteran-owned small businesses, but the small-business office didn't have access to the data that would have let them catch this fraud. H.R. 4326 gives these small-business advocates access to this data.

This legislation was included, as I mentioned some of the other bills were, as part of a larger bill that passed the Small Business Committee in January, and it received bipartisan support.

Mr. Speaker, I urge my colleagues to support and pass H.R. 4326.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4326, the Small and Disadvantaged Business Enhancement Act of 2016. Over the years, Congress has sought to ensure that small businesses have fair opportunities to compete for Federal contracting opportunities.

There are various provisions that require agencies to set aside or reserve contracts for performance by small businesses so long as they can perform at a fair and reasonable price.

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These tools have provided small businesses with opportunities that may have otherwise been closed to them. They have also diversified the government's available suppliers and increased competition, thereby strengthening our country's industrial base.

However, last year, the Committees on Small Business and Veterans' Affairs held a hearing in which senior procurement officials at the Department of Veterans Affairs alleged that the Department was circumventing contracting regulations. Rather than using a contracting vehicle, contracting personnel used purchase cards to buy goods and services such as pharmaceuticals and prosthetics.

If true, these uses of purchase cards by the VA directly violated contracting regulations. Many of these purchases were of such value, that they should have been procured using either the small business reserve or set-asides. Additionally, as a result of their use, veterans were put at risk, as the goods purchased using these cards came without the warranties and protections provided under a contract.

The Small and Disadvantaged Business Enhancement Act of 2016, introduced by Ms. ADAMS and Mr. HARDY, seeks to ensure that the fraud alleged at the VA does not happen there or at any other agency. The bill will require the Office of Small and Disadvantaged Business Utilization to review agency purchases made using government purchase cards to ensure compliance with the contracting mechanisms set forth in the Small Business Act.

Additionally, the bill provides OSDDBU the ability to ensure that all small businesses have access to their services. We cannot allow agencies to bypass the protections afforded to small businesses.

I, therefore, ask my fellow Members to support this bill.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HARDY), who is the chairman of the Subcommittee on Investigations, Oversight, and Regulations.

Mr. HARDY. Mr. Speaker, we hear about fraud, waste, and abuse as it pertains to the Federal Government spending too much in this country.

Last year, the Subcommittee on Investigations, Oversight, and Regulations within the Small Business Committee held a joint hearing with the Veterans' Affairs Committee to investigate the reports of fraud and manipulation at the VA when it comes to reporting small business goals. What we heard was shocking.

The VA unlawfully spent millions of dollars on medicine, medical care, and prosthetic contracts. And even more troubling, these contracts, if administered lawfully and transparently, would have allowed veteran and service-disabled veteran-owned small businesses the opportunity to compete.

That is why I stand in support of my colleague's bill, H.R. 4326, the Small and Disadvantaged Business Enhancement Act of 2016. It contains language to equip small businesses with the tools to root out deception and fraud.

By having access to data in their toolbox, the small business offices would have not only reduced fraud activities, but it could also have potentially saved money by allowing competition in the process.

I urge my colleagues to support this commonsense language to help reduce fraud, waste, and abuse.

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. ADAMS), the author of H.R. 4326 and the ranking member of the Subcommittee on Investigations, Oversight, and Regulations.

Ms. ADAMS. Mr. Speaker, I rise today to encourage my colleagues to support H.R. 4326, the Small and Disadvantaged Business Enhancement Act.

This bill will expand oversight over the government purchase card system by ensuring that all small businesses contracting programs are under the purview of the Office of Small and Disadvantaged Business Utilization.

This legislation follows a joint Small Business Subcommittee on Investigations, Oversight, and Regulations and House Veterans' Affairs Subcommittee on Oversight and Investigations hearing, where we discussed reports that cited irregularities at the Department of Veterans Affairs. This hearing uncovered numerous violations of Federal

procurement laws with regard to government purchase cards.

According to witness testimony, including individuals from the Department of Veterans Affairs, the VA's Office of Management issued government purchase cards that were being used illegally. This includes recipients using government purchase cards above the micro-purchase threshold in the same manner as micro-purchases.

As ranking member of the Small Business Subcommittee on Investigations, Oversight, and Regulations, I believe we must ensure that our small businesses have access to Federal contracts by guaranteeing that money associated with government purchase cards are not used for wasteful spending.

The reckless misuse of government funding uncovered at the VA has prevented some small businesses from accessing the Federal dollars owed to them. This legislation would ensure that every agency properly monitors purchase card activity to better free up the funds allocated to small businesses, including disadvantaged businesses.

We have a responsibility to our Nation's small businesses to guarantee that there is a level playing field for them to offer their products and services. We cannot provide that level playing field if there are inefficiencies and waste occurring within our Federal agencies.

Before I close, I would like to thank Representative HARDY for his support and cosponsorship.

I want to urge my colleagues to support the Small and Disadvantaged Business Enhancement Act because supporting small business is simply the right thing to do.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. COFFMAN). He is the chairman of the Oversight and Investigations Subcommittee of the Committee on Veterans' Affairs.

Mr. COFFMAN. Mr. Speaker, I rise today in support of the Small and Disadvantaged Business Enhancement Act of 2016.

In part, H.R. 4326 is the result of the outstanding joint effort between the House Veterans' Affairs Committee's Subcommittee on Oversight and Investigations and the Small Business Committee's Subcommittee on Contracting and Workforce.

Our investigative work and joint hearing on the improper, and at times illegal, use of purchase cards revealed billions of dollars worth of inappropriate purchases within the Department of Veterans Affairs alone. This work underscores the need for the reform legislation to be applied across the Federal Government.

The bill requires purchase card procurements to be reviewed if they are above \$3,500 and less than \$150,000, and requires them to be properly entered into the Federal Procurement Data System. You might think this was already a clearcut requirement, but it

wasn't. H.R. 4326 corrects this glaring loophole. The bill also spells out the role of the Office of Small and Disadvantaged Business Utilization, a much-needed clarification.

I encourage all Members to support this outstanding, bipartisan piece of legislation.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

In closing, last year, we saw the government achieve record high percentages of dollars awarded to small business. Unfortunately, these numbers have been called into question due to allegations of fraud, waste, and abuse at the VA.

Ultimately, we do not know the total value of small business contracts at the VA, but estimates suggest that small businesses lost out between \$2.8 billion and \$3.7 billion of contracts as a result of personnel using their purchase cards. If this is true, it is a failure not just of the VA, but of the procurement system more broadly.

Time and time again, we are presented with similar allegations in which opportunities were improperly diverted away from those that they were intended to reach. Every time this happens, a deserving small business loses out on revenue that could help create jobs in local communities. The truth is that we need more oversight, and H.R. 4326 will provide it.

Before I yield back, I want to thank Ms. ADAMS for her efforts and the efforts of all of the members of the committee to work in a bipartisan manner to help small businesses gain access to the Federal marketplace.

I also would like to take this opportunity to thank Chairman CHABOT for his leadership on these matters, as well as other legislation that has passed out of the committee. I am happy to be working with him again to ensure that small businesses get the help they need to grow and continue to create jobs for our communities.

I also would like to add a thank you note to the staff on the majority, Emily Murphy, and on the minority, Eminence Griffin.

I yield back the balance of my time. Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

In closing, allowing service-disabled veterans access to small business advocates in Federal agencies is simply common sense. Allowing those advocates the tools necessary to detect fraud is good government.

This bill deserves the support of the House. I want to thank Mr. HARDY of Nevada for his leadership, Mr. COFFMAN of Colorado, Ms. ADAMS of North Carolina, and, as always, the ranking member, Ms. VELÁZQUEZ, for her leadership in this matter and all the other bills we had today. I urge passage of H.R. 4326.

I also want to thank the Speaker pro tempore for his time this afternoon. I particularly enjoyed his pronunciation of the great State of Ohio.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4326.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### BLOCKING PROPERTY AND SUSPENDING ENTRY INTO THE UNITED STATES OF PERSONS CONTRIBUTING TO THE SITUATION IN LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-124)

The SPEAKER pro tempore (Ms. MCSALLY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed: *To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") expanding the scope of the national emergency declared in Executive Order 13566 of February 25, 2011, with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Libya.

In the order, I find that the ongoing violence in Libya, including attacks by armed groups against Libyan state facilities, foreign missions in Libya, and critical infrastructure, as well as human rights abuses, violations of the arms embargo imposed by United Nations Security Council Resolution 1970 (2011), and misappropriation of Libya's natural resources threaten the peace, security, stability, sovereignty, democratic transition, and territorial integrity of Libya, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. The order blocks the property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State:

- to be responsible for or complicit in, or to have engaged in, directly or indirectly, any of the following:

- actions or policies that threaten the peace, security, or stability of Libya, including through the supply of arms or related materiel;

- actions or policies that obstruct, undermine, delay, or impede, or pose a significant risk of obstructing, undermining, delaying, or impeding, the adoption of or political transition to a Government of National Accord or a successor government;

- actions that may lead to or result in the misappropriation of state assets of Libya; or

- threatening or coercing Libyan state financial institutions or the Libyan National Oil Company;

- to be planning, directing, or committing or to have planned, directed, or committed, attacks against any Libyan state facility or installation (including oil facilities), against any air, land, or sea port in Libya, or against any foreign mission in Libya;

- to be involved in, or to have been involved in, the targeting of civilians through the commission of acts of violence, abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law;

- to be involved in, or to have been involved in, the illicit exploitation of crude oil or any other natural resources in Libya, including the illicit production, refining, brokering, sale, purchase, or export of Libyan oil;

- to be a leader of an entity that has, or whose members have, engaged in any activity described above;

- to have materially assisted, sponsored, or provided financial, material, logistical, or technological support for, or goods or services in support of any of the activities described above or any person whose property and interests in property are blocked pursuant to the order; or

- to be owned or controlled by, or to have acted or purported to act for or on behalf of, any person whose property and interests in property are blocked pursuant to the order.

In addition, the order suspends entry into the United States of any alien determined to meet one or more of the above criteria.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.  
THE WHITE HOUSE, April 19, 2016.

#### EARTH DAY AND THE PARIS CLIMATE AGREEMENT

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Madam Speaker, the idea of Earth Day began as a single day for the Nation to focus on environmental protection. Soon after the very first Earth Day in 1970, the phrase "every day is Earth Day" became a