

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 8128 the following new item:

“8129. Information on cost or price savings from competition.”

SEC. 3. USE OF STANDARDIZED PROCUREMENT TEMPLATES.

To the extent practicable, the Secretary of Veterans Affairs shall make available and use on a Department-wide basis the standardized procurement templates used by the Central Office of the Department, the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration. In carrying out this section, the Secretary may customize such templates to address particular procurement situations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2005, the VA Procurement Efficiency and Transparency Act.

H.R. 2006 is commonsense contracting, transparency, and efficiency legislation sponsored by my friend, Representative MIKE COFFMAN, an esteemed member of the Veterans' Affairs Committee.

This bill will make clear how much money the VA is saving by competing contracts and direct the VA to organize its contracting documents. Procurement difficulties seem to happen year after year, and I thank Representative COFFMAN and other Members with reform bills under consideration today for their work on this issue.

Mr. Speaker, I urge all Members to support H.R. 2006, and I reserve the balance of my time.

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

Mr. Speaker, I feel so strongly about this, I am going to support it again today. I urge my colleagues to support H.R. 2006, and I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), a senior member of the Veterans' Affairs Committee, a veteran of both the Marine Corps and the U.S. Army, and a great friend.

Mr. COFFMAN. Mr. Speaker, one of the VA's top procurement goals is to achieve savings through competition. However, there is no uniformity in how the savings are calculated or if they are recorded at all.

This is why I introduced H.R. 2006, the VA Procurement Efficiency and Transparency Act. My bill will create a consistent method for the VA to measure and record the cost savings generated by competing contracts from its \$20 billion procurement budget.

H.R. 2006 also directs the VA to organize its document templates, which are the building blocks for every contract, and make them accessible in a central place.

Mr. Speaker, too often, the VA reports flawed or incomplete data to Congress and to the public. While the VA's current leadership is working to correct years of transparency problems, the legislation gives that effort a much-needed push in the right direction.

Mr. Speaker, the VA's contracting will benefit by adopting these best practices, and I encourage my colleagues to support this commonsense measure.

Mr. WALZ. Mr. Speaker, I urge support of this piece of legislation, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2006.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PROTECTING BUSINESS OPPORTUNITIES FOR VETERANS ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2749) to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2749

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 “Protecting Business Opportunities for Veterans Act of 2017”.

SEC. 2. LIMITATIONS ON SUBCONTRACTS UNDER CONTRACTS WITH SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following new subsection (l):

“(l) LIMITATIONS ON SUBCONTRACTING.—(1)(A) The requirements applicable to a covered small business concern under section 46 of the Small Business Act (15 U.S.C. 657s) shall apply with respect to a small business concern owned and controlled by veterans that is awarded a contract under this section.

“(B) For purposes of applying the requirements of section 46 of the Small Business Act (15 U.S.C. 657s) pursuant to subparagraph (A), the term ‘similarly situated entity’ used in such section 46 includes a subcontractor for a small business concern owned and controlled by veterans described in such subparagraph (A).

“(2) The Secretary may award a contract under this section only after the Secretary obtains from the offeror a certification that the offeror will comply with the requirements described in paragraph (1)(A) if awarded the contract. Such certification shall—

“(A) specify the exact performance requirements applicable under such paragraph; and

“(B) explicitly acknowledge that the certification is subject to section 1001 of title 18.

“(3)(A) The Director of Small and Disadvantaged Business Utilization for the Department, established pursuant to section 15(k) of the Small Business Act (15 U.S.C. 644(k)), and the Chief Acquisition Officer of the Department, established pursuant to section 1702 of title 41, shall jointly implement a process using the systems described in section 16(g)(2) of the Small Business Act (15 U.S.C. 645(g)(2)), and any other relevant systems available, to monitor compliance with this subsection.

“(B) The Director of Small and Disadvantaged Business Utilization and the Chief Acquisition Officer shall jointly refer any violations or suspected violations of this subsection to the Inspector General of the Department.

“(C) If the Secretary determines, in consultation with the Inspector General of the Department, that a small business concern that is awarded a contract under this section did not act in good faith with respect to the requirements described in paragraph (1)(A), the small business concern shall be subject to any or all of the following consequences—

“(i) referral to the Debarment and Suspension Committee of the Department;

“(ii) a fine under section 16(g)(1) of the Small Business Act (15 U.S.C. 645(g)(1)); and

“(iii) prosecution for violating section 1001 of title 18.

“(D) Not later than November 30 for each of years 2018 through 2022, the Inspector General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report for the fiscal year preceding the fiscal year during which the report is submitted that includes, for the fiscal year covered by the report—

“(i) the number of referred violations and suspected violations received under subparagraph (B); and

“(ii) the disposition of such referred violations, including the number of small business concerns suspended or debarred from Federal contracting or referred to the Attorney General for prosecution.”

(b) EFFECTIVE DATE.—Subsection (l) of section 8127 of title 38, United States Code, as added by subsection (a) shall apply with respect to a contract entered into after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman

from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2749, as amended, the Protecting Business Opportunities for Veterans Act of 2017.

H.R. 2749, as amended, is contracting reform legislation sponsored by my friends, General BERGMAN and Representative KUSTER, the chairman and ranking member of our Oversight and Investigations Subcommittee.

This bill will help stop companies that exploit the existing contracting laws and regulations to take work away from legitimate service-disabled veteran-owned small businesses and veteran-owned small businesses.

It is crucial that Federal procurement be fair and that veteran entrepreneurs actually receive the business opportunities that the law creates for them. This bill is a smart fix for a difficult problem, and I appreciate my colleagues' work on it.

Mr. Speaker, I urge all Members to support H.R. 2749, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 2749, as amended, the Protecting Business Opportunities for Veterans Act.

I thank General BERGMAN and Ms. KUSTER of New Hampshire for introducing this. The Subcommittee on Oversight and Investigations has worked hard to ensure that our service-disabled veteran-owned small businesses are provided the protections and support they need from the VA to remain competitive in the Federal contracting process.

Congress granted Federal Government contracting preferences to small businesses owned by veterans and service-disabled veterans because we want our veteran entrepreneurs to thrive.

This bill, introduced by Representatives BERGMAN and KUSTER, closes a loophole utilized by some that pass through contracts to non-veteran-owned businesses. This practice is unfair to the thousands of small-business owners who are actually serving and owned by service-disabled veterans who play by the rules.

The bill ensures that only our veteran entrepreneurs get this preference by closing the loophole. It is smart, it is the right thing to do, and I urge its passage.

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

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN), a new member of our committee and chairman of the Subcommittee on Oversight and Investigations.

Mr. BERGMAN. Mr. Speaker, I rise to speak today on behalf of H.R. 2749, the Protecting Business Opportunities for Veterans Act of 2017. I thank the chairman and the ranking member for their support for Ranking Member KUSTER and myself.

Mr. Speaker, H.R. 2749 aims to provide the VA with the tools it needs to correct the persistent problem in contracting. The problem is improper pass-throughs. An improper pass-through is when a small business obtains a contract under a set-aside, but gives all or substantially all of the work to a large company and, nonetheless, collects profit.

Sometimes multiple companies pass through the work while adding price markups. This has long been prohibited by law and wastes taxpayer dollars; but, in practice, agencies have little ability to stop it.

In the VA, veteran-owned and service-disabled veteran-owned small businesses have special preference to receive contracts, but bad actors are taking contracts away from law-abiding veteran businessowners who truly want to perform their work. The committee gets complaints about this situation nearly every week.

This bill will make every bidder for a VA contract certify that it will perform the percentage of work the law already requires. The bill also directs the VA to work with the Office of Inspector General in a more effective way to find, stop, and, where appropriate, punish the improper pass-throughs.

H.R. 2749 relies on existing law and fills in gaps in implementation, but does not create any new bureaucracy.

The solution is long overdue. I strongly urge my colleagues to support the bill.

Mr. WALZ. Mr. Speaker, I urge passage of this good piece of legislation that is doing the right thing, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I urge all Members to support H.R. 2749, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RICE of South Carolina). The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2749, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

ENSURING VETERAN ENTERPRISE PARTICIPATION IN STRATEGIC SOURCING ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2781) to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled and owned by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2781

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 "Ensuring Veteran Enterprise Participation in Strategic Sourcing Act".

SEC. 2. SECRETARY OF VETERANS AFFAIRS CERTIFICATION OF SUFFICIENT PARTICIPATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS AND SMALL BUSINESS CONCERNS OWNED BY VETERANS WITH SERVICE-CONNECTED DISABILITIES IN CONTRACTS UNDER THE FEDERAL STRATEGIC SOURCING INITIATIVE.

(a) **CERTIFICATION REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate certification in writing that with respect to each contract (except for domestic delivery services) awarded under the Federal Strategic Sourcing Initiative (managed by the Office of Federal Procurement Policy) a sufficient number of small business concerns owned and controlled by veterans and a sufficient number of small business concerns owned and controlled by veterans with service-connected disabilities are represented within each category.

(b) **INSUFFICIENT REPRESENTATION.**—If the Secretary determines that the representation by small business concerns owned and controlled by veterans or small business concerns owned and controlled by veterans with service-connected disabilities within a category of the contracts awarded under such Federal Strategic Sourcing Initiative is not a sufficient number, the Secretary shall—

(1) consult with the Administrator of the General Services Administration to increase the number of such concerns awarded contracts under such category; or

(2) require the Department of Veterans Affairs to stop awarding orders under that category of the Initiative, effective on the date of such determination.

(c) **DEFINITIONS.**—In this section:

(1) The terms "small business concern owned and controlled by veterans" and "small business concern owned and controlled by veterans with service-connected disabilities" have the meaning given such terms in section 8127(k) of title 38, United States Code.

(2) The term "category" means—

(A) a type of supply or service for which a suite of contracts has been established under the Federal Strategic Sourcing Initiative; or

(B) any further subdivision or grouping within such a suite of contracts.