

guaranteeing that our contractors are treated fairly when carrying out their contracts.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume, and I am prepared to close.

Mr. Speaker, I thank the gentleman from Florida (Mr. LAWSON) and his cosponsor, Mr. KELLY, for introducing this important legislation. H.R. 6367 protects our small contractors by updating the subcontracting goaling regime through increased flexibility and accountability.

Establishing incentives to count lower-tier subcontracting awards and a dispute process for subcontractors to utilize in the event of nonpayment ensures a healthy Federal procurement marketplace.

Today's legislation spreads the economic power of Federal procurement to more companies and the communities they are located.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

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

Mr. Speaker, as we have discussed, there are less prime contracting opportunities that are available for small businesses nowadays. It is in the subcontracting arena that is often the best and only way for a small contractor to engage with the Federal Government, but the lack of accountability and Federal oversight harms small subcontractors that rely on these opportunities to survive.

This is a lose-lose situation for both America's small businesses seeking to do work for the Federal Government and for the government itself. We want our citizens to get the best bang for their buck, and the more competition there is, the better it is for all of us. The greater oversight reforms in this legislation take a big step in ensuring small firms are protected.

I once again thank the gentleman from Florida (Mr. LAWSON) for his leadership on this measure, and I urge my colleagues to support this bipartisan, commonsense piece of legislation.

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

The SPEAKER pro tempore (Mr. PALMER). 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. 6367, as amended.

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

A motion to reconsider was laid on the table.

ENCOURAGING SMALL BUSINESS INNOVATORS

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6368) to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protege program, to promote the use of interagency contracts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6368

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 "Encouraging Small Business Innovators".

SEC. 2. INCLUDING TESTING AND EVALUATION IN THE DEFINITION OF R&D.

Section 9(e)(5) of the Small Business Act (15 U.S.C. 638(e)(5)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) by striking "means any activity" and inserting the following: "means—

"(A) any activity"; and

(3) by adding at the end the following: "and "(B) any testing or evaluation in connection with such an activity;"

SEC. 3. ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

"(tt) ENCOURAGING PARTICIPATION IN THE MENTOR-PROTEGE PROGRAM.—The Administrator shall provide an increase to the past performance rating of any small business concern that has participated in the SBIR or STTR program that serves as a mentor under section 45 to a small business concern that seeks to participate in the SBIR or STTR program."

SEC. 4. PROMOTING THE USE OF GOVERNMENT-WIDE AND OTHER INTERAGENCY CONTRACTS.

(a) PROMOTING INTERAGENCY ACQUISITIONS.—Section 865 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) is amended—

(1) in subsection (b)(1)—

(A) by striking "all interagency acquisitions";

(B) in subparagraph (A)—

(i) by adding "all interagency assisted acquisitions" before "include"; and

(ii) by adding "and" at the end;

(C) by striking subparagraph (B);

(D) by redesignating subparagraph (C) as subparagraph (B);

(E) in subparagraph (B), as so redesignated, by adding "all interagency assisted acquisitions" before "include"; and

(2) in subsection (d), by adding at the end the following:

"(5) The term 'assisted acquisition' means a type of interagency acquisition where a servicing agency performs acquisition activities on a requesting agency's behalf, such as awarding and administering a contract, task order, or delivery order."

(b) GSA ASSISTANCE WITH CERTAIN SMALL BUSINESS CONTRACT AWARDS.—

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by section 4, is further amended by adding at the end the following:

"(uu) GSA ASSISTANCE WITH CERTAIN SMALL BUSINESS CONTRACT AWARDS.—The Administrator of the General Services Administration may assist another agency with the process of awarding a contract to a small business concern under the SBIR or STTR

program or under a small business set-aside."

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 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, this bipartisan legislation was introduced by the gentleman from New York (Mr. ESPAILLAT) and cosponsored by the gentleman from South Carolina (Mr. NORMAN), so it is bipartisan. I thank the gentlemen, both of them, for their leadership on this important issue.

This legislation would make small but important changes to the Small Business Innovation Research, or SBIR, and the Small Business Technology Transfer, or STTR, programs.

A healthy and vibrant Federal marketplace is important to our Nation. Competition breeds innovation, which is critical in our national defense to save lives on the battlefield or healthcare advancements to improve and prolong lives.

The SBIR and STTR programs are often one of the first places small innovators and manufacturers venture into the Federal contracting arena. The process can be daunting for small firms completely new to contracting with the Federal Government.

H.R. 6368 provides an avenue for more experienced SBIR and STTR companies to mentor newer companies to help them adjust to how the Federal Government does business. By doing so, it aims to strengthen the industrial base by bringing new firms into the contracting process.

The bill also rewards mentors with a past-performance rating boost so they can be more advantaged when applying for a full research and development set-aside or sole-source contracts going forward outside of the program.

Additionally, this legislation provides clarity in the use of government-side interagency acquisitions permitted through the fiscal year 2009 National Defense Authorization Act, or NDAA, by updating and harmonizing the terminology used in acquisitions.

Finally, the bill expressly allows the GSA, General Services Administration, to assist agencies with contract awards and vehicle creation for small businesses receiving sole-source or set-aside contracts in the SBIR and STTR programs.

Historically, there have been lengthy delays in the programs at various stages, including award notification, payment, and advancement. The bill aims to reduce these delays by allowing the GSA to assist participating agencies in the SBIR and STTR contract creation and management.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, September 18, 2018.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 6368, the Encouraging Small Business Innovators Act of 2018. This bill contains provisions within the jurisdiction of the Committee on Oversight and Government Reform. As a result of your having consulted with me concerning the provisions of the bill that fall within our Rule X jurisdiction, I agree to forgo consideration of the bill, so the bill may proceed expeditiously to the House floor.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 6368, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so we may address any remaining issues within our Rule X jurisdiction. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference on this or related legislation.

Finally, I would appreciate a response confirming this understanding and ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Small Business, as well as in the Congressional Record during floor consideration thereof.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, September 18, 2018.

Hon. TREY GOWDY,
Chairman, Committee on Oversight and Government Reform, House of Representatives,
Washington, DC.

DEAR CHAIRMAN GOWDY: In reference to your letter of September 18, 2018, I write to confirm our mutual understanding regarding H.R. 6368, the "Encouraging Small Business Innovators Act of 2018."

I appreciate the House Committee on Oversight and Government Reform's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 6368 and does not in any way waive or diminish the House Committee on Oversight and Government Reform's jurisdictional interests over this or similar legislation. I will support a request from the House Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 6368 or similar legislation.

Again, thank you for your assistance with these matters.

Sincerely,

STEVE CHABOT,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, September 18, 2018.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 6368, "Encouraging Small Business Innovators," which was ordered reported by your Committee on July 18, 2018.

H.R. 6368 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, September 18, 2018.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives,
Washington, DC.

DEAR CHAIRMAN SMITH: In reference to your letter of September 18, 2018, I write to confirm our mutual understanding regarding H.R. 6368, the "Encouraging Small Business Innovators Act of 2018."

I appreciate the House Committee on Science, Space, and Technology's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 6368 and does not in any way waive or diminish the House Committee on Science, Space, and Technology's jurisdictional interests over this or similar legislation. I will support a request from the House Committee on Science, Space, and Technology for appointment to any House-Senate conference on H.R. 6368 or similar legislation.

Again, thank you for your assistance with these matters.

Sincerely,

STEVE CHABOT,
Chairman.

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

Mr. Speaker, I rise in support of H.R. 6368, Encouraging Small Business Innovators.

For almost 40 years, our Nation has experienced increased innovation and job creation through the Small Business Innovation Research program, or SBIR, and the Small Business Technology Transfer program, or STTR. Research conducted by SBIR and STTR awardees has helped address our country's most technological and research-based challenges while generating tre-

mendous economic growth and employment opportunities.

By incentivizing more experienced SBIR/STTR companies to mentor newer companies and rewarding mentors through a past-performance rating increase, Congressman ESPAILLAT's legislation positively promotes integrating these program participants into the larger Federal marketplace. That is why I urge Members to support this legislation.

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

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ESPAILLAT), the sponsor of the bill.

Mr. ESPAILLAT. Mr. Speaker, before I begin, I thank Ranking Member VELÁZQUEZ and Chairman CHABOT for their leadership in the Small Business Committee, and the colead in this bill, the Congressman from South Carolina (Mr. NORMAN).

Mr. Speaker, I rise today in support of H.R. 6368, Encouraging Small Business Innovators.

Mr. Speaker, access to capital remains limited for underrepresented minority- and women-owned small businesses. I hear this concern from many in New York City whose ventures in science and technology are full of promise and potential for success.

However, a 2013 report commissioned by the Small Business Administration found that women-owned businesses do not have equal access to capital from the private sector as compared to their male peers. The Small Business Administration's own Office of Advocacy has said that "there are fewer minority-owned businesses representing high-patenting industries than in all industries."

Through the Small Business Innovation Research and the Small Business Technology Transfer programs, the Small Business Administration works with partners in 11 Federal agencies, ranging from agriculture to NASA, to support small businesses, and especially those that are minority and disadvantaged owned.

These programs are committed to fostering and encouraging participation and innovation and entrepreneurship by socially and economically disadvantaged individuals and expanding private-sector commercialization of innovations resulting from federally funded research and development. But this is limited only to research and development. There is no consideration given for testing and evaluation.

What good is a product or a method when you don't know if it works effectively, efficiently, or can be used in variable ways?

H.R. 6368 addresses this problem by including testing and evaluation among the activities that SBIR and STTR participants can apply for. This is how we can encourage more underrepresented entrepreneurs and their expertise into a process where they can

develop new products, ideas, and gain respected external validators.

H.R. 6368 also incentivizes mentorship with previous SBIR and STTR companies that have found success in the programs to share and impart that knowledge and experience.

Today's bill is endorsed by the National Defense Industrial Association, an association whose majority are small businesses.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentleman from New York (Mr. ESPAILLAT) for introducing today's bill to spur increased contracting activities in the SBIR/STTR programs, and I ask all my colleagues to support this important piece of legislation.

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

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

Mr. Speaker, I, first of all, thank the gentlewoman, the ranking member, for her leadership on this, and Mr. ESPAILLAT, as well, and Mr. NORMAN for working together in a bipartisan manner.

Mr. Speaker, the SBIR and STTR play pivotal roles in the development of new technologies while giving Federal agencies innovative and cost-effective ways to solve operational problems. They are highly popular and have helped thousands of small businesses create new technologies, commercialize their ideas, and generate new jobs.

The reforms contained in H.R. 6368 will bring more firms into the programs and make it easier for them to win contracts. This is a win-win for small businesses and the Federal Government as competition breeds innovation, and innovation leads to saving taxpayer dollars.

Mr. Speaker, I urge my colleagues to support the bipartisan and common-sense reforms of H.R. 6368, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 6368, the "Encouraging Small Business Innovators Act," which encourages R&D small business set-asides, to incentivize Small Business Innovation Research Program (SBIR) and Small Business Technology Transfer Program (STTR) participants to serve as mentors under the Small Business Administration's mentor-protégé program.

The SBIR program is a highly competitive program that encourages domestic small businesses to engage in Federal Research/Research and Development (R/R&D) that has the potential for commercialization.

Through a competitive awards-based program, SBIR enables small businesses to explore their technological potential and provides the incentive to profit from its commercialization.

By including qualified small businesses in the nation's R&D arena, high-tech innovation is stimulated and the United States gains en-

trepreneurial capacity as it meets its specific research and development needs.

STTR is another program that expands funding opportunities in the federal innovation research and development (R&D) arena.

Central to the STTR program is expansion of the public/private sector partnerships to include the joint venture opportunities for small businesses and nonprofit research institutions.

The unique feature of the STTR program is the requirement for the small business to formally collaborate with a research institution in Phase I and Phase II.

STTR's most important role is to bridge the gap between performance of basic science and commercialization of resulting innovations.

As a member of Congress, I have worked to advance policies that promote business opportunities and business growth because I believe that this is at the heart of the American dream—small businesses are the backbone of the American economy.

To this end, I have authored numerous Legislative proposals empowering small businesses such as the American Rising Act and the Transitioning Heroes Act, to name a few to provide opportunities for small businesses.

I have also hosted events to create a platform for entrepreneurial and small business participants to hear from experts in the industry and to network with supplier outreach representatives from major government agencies and corporations.

By finding the right mentors like SBIR and STTR, small business owners and incubators can learn valuable tools to aid in leading small businesses to success.

For these reasons, I urge my colleagues to stand with me in the support of H.R. 6368.

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. 6368, 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. CHABOT. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 48. Concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1551.

□ 1745

EXPANDING CONTRACTING OPPORTUNITIES FOR SMALL BUSINESSES ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6369) to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6369

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 "Expanding Contracting Opportunities for Small Businesses Act of 2018".

SEC. 2. AMENDMENTS TO CONTRACTING AUTHORITY FOR CERTAIN SMALL BUSINESS CONCERNS.

(a) **QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.**—Subparagraph (A) of section 31(b)(2) of the Small Business Act (15 U.S.C. 657a(b)(2)) is amended to read as follows:

"(A) **SOLE SOURCE CONTRACTS.**—A contracting officer may award sole source contracts under this section to any qualified HUBZone small business concern, if—

"(i) the qualified HUBZone small business concern is determined to be a responsible contractor with respect to performance of such contract opportunity;

"(ii) the contracting officer does not have a reasonable expectation that two or more qualified HUBZone small business concerns will submit offers for the contracting opportunity;

"(iii) the anticipated award price of the contract will not exceed—

"(I) \$7,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

"(II) \$4,000,000, in the case of all other contract opportunities; and

"(iv) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price."

(b) **SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.**—Subsection (a) of section 36 of the Small Business Act (15 U.S.C. 657f) is amended to read as follows:

"(a) **SOLE SOURCE CONTRACTS.**—In accordance with this section, a contracting officer may award a sole source contract to any small business concern owned and controlled by service-disabled veterans if—

"(1) such concern is determined to be a responsible contractor with respect to performance of such contract opportunity;

"(2) the contracting officer does not have a reasonable expectation that two or more small business concerns owned and controlled by service-disabled veterans will submit offers for the contracting opportunity;

"(3) the anticipated award price of the contract will not exceed—

"(A) \$7,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

"(B) \$4,000,000, in the case of any other contract opportunity;

"(4) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price;

"(5) the contracting officer has notified the Administration of the intent to make such award and requested that the Administration determine the concern's eligibility for award; and

"(6) the Administration has determined that such concern is eligible for award."

(c) **CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.**—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) by amending paragraph (7) to read as follows:

"(7) **AUTHORITY FOR SOLE SOURCE CONTRACTS FOR ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY**