

110TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To make improvements to the Small Business Act.

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IN THE SENATE OF THE UNITED STATES

Ms. SNOWE (for herself, \_\_\_\_\_) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To make improvements to the Small Business Act.

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 “Small Business Wom-  
5 en’s Procurement Program Improvement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds—

8 (1) based on evidence presented by Congres-  
9 sional witnesses, testimony before Congress, and  
10 studies and reports, that women-owned small busi-  
11 ness concerns are under represented in certain iden-

1           tified industries with respect to Federal procurement  
2           contracting; and

3           (2) the women’s small business government-  
4           wide statutory goal has never been achieved since  
5           the time of its enactment.

6 **SEC. 3. SMALL BUSINESS ACT PROGRAM IMPROVEMENTS.**

7           Section 8(m) of the Small Business Act (15 U.S.C.  
8           637(m)) is amended—

9           (1) in paragraph (2)(C), by striking “(3)” and  
10          inserting “(4)”;

11          (2) in paragraph (2), by striking subparagraph  
12          (D) and inserting the following:

13                 “(D) the contract is consistent with the re-  
14                 quirements set forth in subsection  
15                 (a)(1)(D)(i);”;

16          (3) by striking paragraph (4) and inserting the  
17          following:

18                 “(4) IDENTIFICATION OF INDUSTRIES.—

19                         “(A) STUDY REQUIRED.—The Adminis-  
20                         trator shall conduct a study 5 years after the  
21                         date on which the program under this section is  
22                         implemented, to identify industries in which  
23                         small business concerns owned and controlled  
24                         by women are underrepresented with respect to  
25                         Federal procurement contracting.

1                   “(B) PRESUMPTION RELATING TO UNDER-  
2                   REPRESENTATION.—For purposes of this sub-  
3                   section, the industries identified by the 2007  
4                   North American Industry Classification System  
5                   Code as industry codes 11 through 81 (as pub-  
6                   lished by the Bureau of the Census) shall be  
7                   presumed to be industries in which small busi-  
8                   ness concerns owned and controlled by women  
9                   are underrepresented with respect to Federal  
10                  procurement contracting.”; and

11                  (4) by adding at the end the following:

12                  “(7) NO PAST FINDING OF DISCRIMINATION RE-  
13                  QUIRED.—Notwithstanding any other provision of  
14                  law, a contracting officer need not make a finding  
15                  of past gender discrimination by a contracting agen-  
16                  cy in order to comply with or otherwise be subject  
17                  to the requirements of this subsection.”.