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MARKUP OF: H.R. 7352, H.R. 7334, H.R. 7622, H.R. 7664, H.R. 7670, H.R. 5879, H.R. 7694

HEARING

BEFORE THE

COMMITTEE ON SMALL BUSINESS
UNITED STATES
HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

HEARING HELD
MAY 11, 2022



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WEDNESDAY, MAY 11, 2022

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC.

The Committee met, pursuant to call, at 10:05 a.m., in Room 2360, Rayburn House Office Building, Hon. Nydia M. Velázquez [chairwoman of the Committee] presiding.

Present: Representatives Velázquez, Davids, Golden, Crow, Mfume, Phillips, Newman, Bourdeaux, Carter, Evans, Houlahan, Craig, Luetkemeyer, Williams, Stauber, Meuser, Tenney, Garbarino, Young Kim of California, Van Duyne, and Fitzgerald.

Chairwoman VELAZQUEZ. Good morning. With a quorum being present, I call this morning's meeting of the Committee on Small Business to order.

Without objection, the Chair is authorized to declare a recess at any time.

I would like to begin by noting some important requirements. Let me begin by saying that standing House and Committee rules and practice will continue to during hybrid proceedings. All Members are reminded that they are expected to adhere to these standing rules.

House regulations require Members to be visible through a video connection throughout the proceeding, so please keep your cameras

on. Also, please remember to be muted until you are recognized to minimize background noise.

Today, we will be considering seven bipartisan bills that are a product of our legislative and oversight work over the course of this Congress. It has been a difficult couple of years. The pandemic has inflicted unprecedented harm on the small business community throughout the country. This Committee and its Members have worked diligently to provide both emergency and recovery support, and we are beginning to see the fruits of our labor.

In 2021, Americans launched more than 5 million new businesses, higher than any previous year on record. Our economy has added more than 7.4 million jobs and unemployment is down to 3.6 percent. Small businesses will continue to lead the way in our recovery, and it is important that our committee remain focused on moving legislation to support small business growth for years to come.

Just 2 weeks ago, we passed five bipartisan bills through the House in anticipation of National Small Business Week, and now we are back today to consider seven more bipartisan bills dedicated to promoting policies that encourage economic prosperity on main street in a variety of ways.

First, we have two bills setting the statute of limitations for fraud in cases related to PPP and EIDL of 10 years. These bills will give law enforcement more time to investigate and prosecute pandemic-related fraud. I am proud to have partnered with the Ranking Member to take common sense steps to root out fraud and recover billions of dollars.

Next, we will consider two bills to help small firms attract and retain qualified workers. Our committee has held numerous hearings over the past year and the bills represent what we have consistently heard from witnesses, the importance of utilizing apprenticeships and career and technical education programs.

Finally, we will consider three contracting bills to improve the federal procurement process and promote opportunities for small businesses.

Each of these pieces of legislation are critical to making it easier for employers to do what they do best, operate their business and create jobs.

With that, let's turn to the bills under consideration.

H.R. 7352, the "PPP and Bank Fraud Enforcement Harmonization Act of 2022," introduced by myself and cosponsored by Ranking Member Luetkemeyer.

H.R. 7334, the "COVID-19 EIDL Fraud Statute of Limitations Act of 2022," introduced by the Ranking Member and cosponsored by myself.

H.R. 7622, the "Small Business Workforce Pipeline Act of 2022," introduced by Mr. Crow and cosponsored by Mr. Fitzgerald, Ms. Houlahan, and Mr. Garbarino.

H.R. 7664, the "Supporting Small Business and Career and Technical Education Act of 2022," introduced by Mr. Williams and cosponsored by Ms. Newman.

H.R. 7670, the "Women-Owned Small Business Program Transparency Act," introduced by Ms. Houlahan and cosponsored by Ms. Tenney.

H.R. 5879, the "HUBZone Price Evaluation Preference Clarification Act of 2021," introduced by Ms. Newman and cosponsored by Ms. Salazar.

And H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022," introduced by Mr. Stauber and cosponsored by Mr. Mfume.

These bills have bipartisan support and I urge Members to support them.

I would now like to recognize the Ranking Member for his opening statement.

Mr. LUETKEMEYER. Thank you, Madam Chair, and thank you for calling this markup to discuss seven bipartisan bills that address a few different needs of the nation's job creators. Frankly put, the nation's small businesses, entrepreneurs, innovators, and startups, are facing some of the strongest headwinds in decades. Unfortunately, this morning's Consumer Price Index report highlights more of the same, from price increases that impact everything from food to gas, to not being able to find employees, to the continued supply chain issues, it is difficult to be a small business owner today. Inflation alone is a top challenge facing small businesses according to the surveys published by the Job Creators Network.

Unfortunately, because small business owners operate on the thinnest of margins, dealing with inflation often is limited and results in raising prices themselves. This is a continuous cycle that puts the nation's smallest firms at a disadvantage. We must stop reckless spending in Washington and must stop it now.

Pro-growth initiatives have worked in the past and they will work again. A low tax environment for small businesses, combined with a smart regulatory environment will allow businesses to return to operating independently. I look forward to returning to an economic environment that allows small businesses to grow, expand, and create jobs. Through this same lens, it is the responsibility of this committee to examine issues through congressional testimony and hearings and present prudent and responsible solutions. Today's slate of bills accomplishes this.

Before us today are bills that tackle fraud and the recoupment of wasted dollars, bills that enforce workforce development of our country, and bills to strengthen the SBA's federal contracting programs. All three of these topics have been discussed widely by our Members and it truly represents how we, as a committee, should follow regular ardor.

I want to thank the Chair for bringing these bills forward and they represent the work and devotion of many of our committee Members. I support each and every one of these bills and recommend a yes vote across the board.

With that, Madam Chair, I look forward to today's markup, and I yield back.

Chairwoman VELÁZQUEZ. Thank you, Ranking Member. The gentleman yields back.

Before we get into the individual bills, are there any Members present who seek recognition for the purpose of making an opening statement?

H.R. 7352

Seeing none, we will now move to the consideration of the first bill on the agenda, H.R. 7352, the "PPP and Bank Fraud Enforcement Harmonization Act of 2022," introduced by myself and cosponsored by Ranking Member Luetkemeyer.

The bill sets the statute of limitation for all cases of PPP fraud at 10 years, consistent with the statute of limitations for bank fraud.

I will now recognize myself briefly.

Under current law, bank-originated PPP fraud is being prosecuted as bank fraud, which has a 10-year statute of limitations. Yet, fintech originated PPP loans are prosecuted as wire fraud which only carries a 5-year statute of limitations. Given the volume of PPP loans and the diligence required by our investigators to identify and build cases against bad actors, my bill addresses this discrepancy by creating uniformity for all PPP loans. It gives prosecutors 10 years to prosecute all cases of PPP fraud regardless of whether the lender was a bank or fintech company.

This is important because SBA's Office of Inspector General identified over 70,000 loans totaling over $4.6 billion in potentially fraudulent PPP loans. Reports have found that fintechs handled 75 percent of PPP loans connected to fraud despite originating only 15 percent of the loans overall. Given the magnitude of the potential fraud in this program, we must ensure prosecutors have sufficient time to fully investigate and bring these cases forward.

Currently, nonbank PPP loans secured in April 2020 will expire in 2025, less than 3 years away. This is simply not enough time given the complexity of these fraud schemes and the reality that we are only beginning to learn the full scope of fraud during the loan forgiveness process.

I take our committee's oversight role over the SBA and this program very seriously. That is why I introduced this bill which will go a long way towards enhancing oversight and accountability for the biggest program in the agency's history. Let's be clear, Democrats and Republicans agree anyone who took advantage of this once-in-a-lifetime crisis to commit fraud and line their own pockets must be held accountable. It is unacceptable to allow anyone to get off the hook simply because the statute of limitations expired. We must give law enforcement the time they need to bring the fraudster to justice.

I would now like to recognize the Ranking Member for an opening statement.

Mr. LUETKEMEYER. Thank you, Madam Chair.

When Members of Congress created the Paycheck Protection Program, we focused on ensuring dollars were delivered to small businesses in an effective and efficient manner. This was accomplished by requiring private sector lenders to play an important role in the program.

The success of the program cannot be diminished. By the end of the program, nearly $800 billion in forgivable loans were delivered to the nation's small businesses. To this day, I continue to hear from small business owners that this program saved them and their employees.

Unfortunately, and with any federal program, especially one of this magnitude, fraud will develop and occur. According to the most

recent numbers from the Small Business Administration's Inspector General, there is approximately $4.6 billion in potentially fraudulent loans within the PPP. While limited as compared to the SBA's direct EIDL program, fraud is fraud and it must be addressed swiftly and comprehensively.

While most private sector lenders performed admirably and ensured oversight defenses were strong due to the federal financial rules and regulations such as Know Your Customer, independent studies and reports continue to highlight that some fintech lenders were more associated with fraudulent loans than other lenders. To ensure law enforcement officials have the tools and time at their disposal to track down all fraudulent activity, H.R. 7352 harmonizes the statute of limitations for all PPP loans out to 10 years.

Without this important legislation, that statute of limitations within PPP will be different based on the type of lender involved. For example, bank fraud, which encompasses most lenders would stand at 10 years, but wire fraud, which is associated with fintech lenders, would stand at 5 years. Given the disparaging timelines, it was essential to move the statute of limitations for all PPP loans out to 10 years.

As Congress continues to examine and analyze the COVID-19 relief programs, it is critical that we examine all lending participants. Importantly, Congress required the Treasury Department and the Secretary of the Treasury to bring new lenders into the program and to help reach the nation's small businesses.

As we continue to look into this, I assure you that we will have very important questions that need to be asked of the Secretary of the Treasury. Unfortunately, she continues to ignore the law and not appear before this committee. I hope this issue can be resolved soon as we have important work to do with examining lender participation within PPP. In the meantime, this is an important bill that will allow law enforcement to do their job.

I want to thank the Chair for working with me on this legislation and urge my colleagues to join us and ensure fraud is tracked down no matter where, when, or how it occurred.

With that, Madam Chair, I yield back.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7352?

I want to thank the Ranking Member for his bipartisanship on this bill and I urge a yes vote.

If there is no further discussion, the committee will move on to consideration of H.R. 7352.

The clerk will report the bill.

The CLERK. H.R. 7352, the PPP and Bank Fraud Enforcement Harmonization——

Chairwoman VELÁZQUEZ. Without objection, H.R. 7352 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7352.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7352 is agreed to.

The question now occurs on reporting H.R. 7352 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7352 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 7334

We will now consider H.R. 7334, the "COVID-19 EIDL Fraud Statute of Limitations Act of 2022," introduced by Ranking Member Blaine Luetkemeyer and cosponsored by myself.

Similar to the PPP and Bank Fraud Enforcement Harmonization Act, this bill extends the statute of limitations for COVID EIDL fraud cases to 10 years to allow prosecutors more time to investigate these cases and bring charges.

I would now like to recognize the Ranking Member for an opening statement.

Mr. LUETKEMEYER. Thank you, Madam Chair. And thank you for working with me on H.R. 7334, the "COVID-19 EIDL Fraud Statute of Limitations Act of 2022."

Similar to the previous bill, H.R. 7334 will ensure law enforcement has the runway to conduct investigations and bring to justice any illegal behavior that occurred with the SBA's Economic Injury Disaster Loan program. Unfortunately, the SBA's Inspector General has flagged this program as one that has experienced an increased level of fraud and activity. According to numerous government reports, of the approximately $400 billion in loans and grants directly handed out by the SBA, more than $80 billion could be potentially fraudulent. This represents a fraud rate of approximately 20 percent. These are taxpayer dollars on the line. This is unacceptable.

Moreover, the SBA recklessly continues to allow small businesses to defer their payments within the EIDL program. We will not see the true performance of the program, nor will we understand the true extent of fraud within the program until payments are required. Each month of the deferment period represents time that law enforcement officials need to catch criminals.

My bill, H.R. 7334, the "COVID-19 EIDL Fraud Statute of Limitations Act of 2022" will lengthen the statute of limitations for all EIDL loans and grants out to 10 years. As a sole lender, the SBA is not a depository institution, and therefore, crimes were on a much shorter statute of limitations. With more than $80 billion in fraudulent lending within one program, it is obvious the SBA does not know how to administer, nor underwrite loans on their own. H.R. 7334 will allow law enforcement to correct some of these wrongdoings.

With that, I urge my colleagues to support H.R. 7334, and Madam Chair, I yield back the balance of my time.

Chairwoman VELAZQUEZ. The gentleman yields back.

I would now like to recognize the gentlewoman from New York, Ms. Tenney, for an opening statement.

Ms. TENNEY. Thank you, Madam Chairwoman, and Ranking Member Luetkemeyer, for introducing this legislation.

Since the onset of the pandemic, Congress has passed several COVID-19 relief bills totaling an unprecedented $5.3 trillion. While some of this spending was unwise, other programs, like the Paycheck Protection Program and the COVID-19 Economic Injury Disaster Loan program provided much-needed relief to employers and businesses devastated by the pandemic. However, since these measures were passed, we have learned about many alarming cases of fraud, waste, and abuse in the funding programs that these bills authorized. This is one reason I introduced the House version of the Transparency in COVID-19 Expenditures Act which should require an audit of all federal COVID-19 relief spending.

There is, obviously, room for improvement in providing additional oversight and returning fraudulently awarded funds back to the taxpayers. The COVID-19 EIDL Fraud Statute of Limitations Act of 2022 will help fix part of the shortcoming by expanding the statute of limitations for the Economic Injury Disaster Loans from 6 years to 10 years as the Ranking Member mentioned. This is the same as in bank fraud. This will give the officials a greater window to track down fraudulent activity and hold these bad actors accountable on behalf of the taxpayers. No one should be wrongly profiting from the need to distribute during the pandemic. The American taxpayers deserve better. That is why I fully support this legislation and urge all of my colleagues to support it as well.

And with that I yield back. Thank you.

Chairwoman VELAZQUEZ. Thank you. The gentlewoman yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7334?

Mr. MEUSER. Madam Chair?

Chairwoman VELAZQUEZ. Yes.

Mr. MEUSER. Thank you, Madam Chair. And thank you to the Ranking Member.

The EIDL Loan Program——

Chairwoman VELAZQUEZ. The gentleman is recognized for 5 minutes.

Mr. MEUSER. Oh, I am sorry. Thank you, Ma'am.

The EIDL Loan Program was another relief program, as we all know, that provided relief for struggling small businesses during the pandemic. The EIDL program, unlike the Paycheck Protection Program, was a direct loan program administered by the SBA. The SBA's Inspector General, as the Ranking Member mentioned, estimates that approximately $84 billion of the EIDL loan activity, nearly 20 percent, perhaps over 20 percent, was potentially fraudulent. With this massive level of potentially fraudulent activity, it is imperative that we pass Ranking Member Luetkemeyer's bill to extend the 5-year statute of limitations that currently exists for SBA grants and loans. In doing so, we can allow for authorities to investigate the egregious amount of potential fraud in the EIDL program and ensure accountability for those who took advantage of the EIDL program to defraud the American people.

I urge my colleagues to support this important legislation and look forward to its swift consideration on the House floor.

I yield back.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Are there any other Members who wish to be recognized on H.R. 7334?

I would now like to recognize myself for 5 minutes.

Congress notified the EIDL program at the outset of the pandemic to allow small businesses facing economic injury due to COVID to apply for SBA disaster loans. Overall, the COVID EIDL program has approved almost 4 million loans totaling over $378 billion. The program was a lifeline to millions of small businesses as they recovered from the COVID-19 disaster economic impacts.

Early in the program, SBA lowered guardrails and disbursed funds quickly to provide stability to the small business economy, which has led to the fraud we are seeing today. Throughout the pandemic, our committee held numerous oversight hearings with the SBA Inspector General. Most recently, he testified it will be a decades-long effort to fully investigate an estimated $78 billion in potentially fraudulent activity as well as over $6 billion in loans and grants related to identify theft.

Given the magnitude of this program and the degree of potential fraud, we need to give prosecutors more time to hold these pandemic fraudsters accountable, and this bill will do just that.

I thank the Ranking Member for his introduction, and I am pleased to support it.

If there is no further discussion, the committee will move on to consideration of H.R. 7334.

The clerk will report the bill.

The CLERK. H.R. 7334, the COVID——

Chairwoman VELÁZQUEZ. Without objection, H.R. 7334 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7334.

All in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7334 is agreed to.

The question now occurs on reporting H.R. 7334 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7334 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 7622

We will now consider H.R. 7622, the "Small Business Workforce Pipeline Act of 2022," introduced by Mr. Crow, the Chairman of the Subcommittee on Innovation, Entrepreneurship, and Workforce De-

velopment, and cosponsored by Representatives Fitzgerald, Houlahan, and Garbarino.

This bill empowers Small Business Development Centers to help small firms improve their apprenticeship and job training programs.

I would now like to recognize the gentleman from Colorado, Mr. Crow, the sponsor of the bill for an opening statement.

Mr. CROW. Madam Chairwoman, thank you for the opportunity to speak in support of H.R. 7622, the "Small Business Workforce Pipeline Act of 2022."

Just last week, I visited the Aurora South Metro Small Business Development Center which provides training and counseling to hundreds of small businesses in Colorado's 6th Congressional District. During this visit, I heard about the issues facing local small businesses, including small businesses and their difficulty finding qualified workers. We also spoke about solutions for small businesses like the Small Business Workforce Pipeline Act.

The Small Business Workforce Pipeline Act aims to empower Small Business Development Centers, like Aurora's South Metro SBDC in my district, to help small businesses establish and improve their apprenticeship programs, or pre-apprenticeship, or job training programs. Work-based learning opportunities, like apprenticeships, help small businesses fill job openings and get the workers the skills that they need to succeed, not just individually but also within the business context.

Offering work-based learning opportunities is a great way to attract quality candidates who may not be able to attend traditional education models and provide skills-based knowledge necessary to fill critical jobs. Basically, what we want to do is allow people to earn while they learn. People already have families, they have obligations, they have mortgages, they have a rent payment. Most people who are upskilling or reskilling do not have the ability to go back to school and earn nothing, and apprenticeship programs are very critical to fill this gap.

I want to thank Representatives Fitzgerald, Houlahan, and Garbarino for their partnership on this bill, and I urge my colleagues to support H.R. 7622. I thank the Chairwoman for the opportunity to speak on its behalf. I yield back.

Chairwoman VELAZQUEZ. The gentleman yields back.

Now I would like to recognize the gentleman from Wisconsin, Mr. Fitzgerald, for an opening statement.

Mr. FITZGERALD. Thank you, Madam Chair. I want to thank my colleague, Mr. Crow, for inviting me to co-lead H.R. 7622. The bill would allow Small Business Development Centers to provide information and assistance to small businesses on how to establish and improve work-based learning opportunities, apprenticeship programs, pre-apprenticeship programs, and other job training programs.

I hear all the time in Wisconsin, in my district's small businesses every day about how the country's labor shortage is affecting the recruitment of skilled employees, particularly in the manufacturing sector. I have a lot of small, manufacturing, light manufacturing in the 5th Congressional. The latest NFIB Small Business Economic Trends Report showed that while optimism is recovering to pre-

pandemic levels and it has been increasing, more than 60 percent of manufacturing firms report unfilled job openings.

Apprenticeships and other job training programs provide a solution to address the needs of the manufacturing sector. Apprenticeships are among the most successful forms of workforce development through paid, on-the-job training, along with classroom education.

This bill will directly benefit manufacturers and other businesses in Wisconsin's 5th District by having apprenticeship and other job training materials readily available to them. I support the passage of the bill and I would yield back.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Now I recognize the gentlelady from Pennsylvania, Ms. Houlahan, for an opening statement.

Ms. HOULAHAN. Thank you, Chairwoman Velázquez, and Ranking Member Luetkemeyer, for the opportunity to speak on H.R. 7622, the "Small Business Workforce Pipeline Act of 2022." I am very proud to help introduce this strong, bipartisan effort alongside my colleagues, Representatives Crow, Fitzgerald, and Garbarino.

H.R. 7622 makes a very timely and much-needed change that allows Small Business Development Centers to be able to provide apprenticeships, pre-apprenticeships, and job training programs that will assist our small businesses. In traveling throughout my community in Pennsylvania, small business owners in Chester and Berks counties have shared over and over again that they simply cannot find workers with the technical experience needed to fill their abundant job openings. Through this legislation, business owners will be able to provide apprenticeship and on-the-job training that would be able to do just that through accessing critical entrepreneurial development resources at their Small Business Development Centers.

Additionally, it will allow workers to reskill, to upskill, and to gain the experience that they need to be able to succeed in our 21st century economy. This is critical as our small business owners, our entrepreneurs, and our workforce continues to recover from this pandemic.

So, I eagerly and enthusiastically encourage all of my colleagues to support H.R. 7622, the Small Business Workforce Pipeline Act. With that, Madam Chair, I yield back the balance of my time. Thank you.

Chairwoman VELÁZQUEZ. The gentlelady yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7622?

Now I recognize the gentleman, the Ranking Member, Mr. Luetkemeyer.

Mr. LUETKEMEYER. Thank you, Madam Chair.

I would like to thank the gentleman from Colorado, Congressman Crow, as well as Congressman Fitzgerald, Congresswoman Houlahan, and Congressman Garbarino, for working on this legislation.

This Congress, the committee has heard from Small Business Development Centers (SBDCs) and small businesses who have benefitted from SBDC services. This legislation will improve the SBDCs

in their mission to serve small businesses. Specifically, this legislation will empower SBDCs to assist small businesses in establishing and improving work-based learning opportunities and apprenticeship programs. It also allows SBDCs to share information from the Department of Labor and other federal agencies related to work-based learning and apprenticeships.

This legislation comes at a critical time as our small business community faces labor and skill shortages. NFIB's recent survey of small business owners found that 23 percent of owners report labor quality as a top business problem. Further, of those owners hiring or trying to hire, 93 percent of owners reported few or no qualified applicants for the positions they are trying to fill. Apprenticeships and learning opportunities help American workers gain new skills and support small business growth.

With that, Madam Chair, I urge my colleagues to support H.R. 7622, and I yield back the balance of my time.

Chairwoman VELAZQUEZ. The gentleman yields back.

Now I recognize myself briefly.

The SBDC program is the SBA's largest resource partner delivering free and low-cost counseling and training through its network of 62 lead centers and nearly 1,000 subcenters throughout the country. One particular area that small firms need assistance with is how to retract, retain, and train skilled workers. Small businesses have been hit hard by tight labor markets, often struggling to compete with their larger counterparts. With a record number of jobs available in the economy and an unemployment rate of just 3.6 percent, employers are finding it harder and harder to find qualified applicants.

H.R. 7622 directs SBDCs to assist small firms that are struggling to find employees by sharing information regarding apprenticeships, pre-apprenticeships, and other forms of job training. Programs like this are highly successful workforce development programs with an average starting salary of $72,000 and an employee retention rate of 92 percent. Apprenticeships not only provide a pathway into the middle class but high-quality employees to businesses. With the assistance provided by the SBDC network, more small firms will have access to the resources they need to attract high-quality talent.

I want to thank Representatives Crow, Fitzgerald, Houlahan, and Garbarino for their work in helping small businesses attract highly skilled and qualified workers. I urge a yes vote.

If there is no further discussion, the Committee will move on to consideration of H.R. 7622.

The clerk will report the bill.

The CLERK. H.R. 7622, the Small Business Workforce Pipeline Act——

Chairwoman VELÁZQUEZ. Without objection, H.R. 7622 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7622.

All in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7622 is agreed to.

The question now occurs on reporting H.R. 7622 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7622 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 7664

We will now consider H.R. 7664, the "Supporting Small Business and Career and Technical Education Act of 2022," introduced by Vice Ranking Member, Mr. Williams, and cosponsored by Ms. Newman. This legislation directs SBDCs and WBCs to assist small businesses in hiring graduates from career and technical education programs and helps graduates launch their own businesses.

I would now like to recognize the gentleman from Texas, Mr. Williams, the sponsor of the bill, for an opening statement.

Mr. WILLIAMS. Thank you, Madam Chairwoman. I want to thank the Chairwoman and Ranking Member for including my bill in today's markup, H.R. 7664, known as the Supporting Small Business and Career and Technical Education Act. It is an important piece of legislation that will provide career and technical education graduates with additional support as they enter the workforce or start their own business.

The growing skills gap is hitting small businesses across the country extremely hard, and our country needs more plumbers, electricians, mechanics, and other skilled professionals who are the lifeblood of this economy. A traditional 4-year college degree is not always for everyone, and we need to ensure students know that there are other providers that will provide them with good-paying jobs and a successful career.

My bill directs Small Business Development Centers and Women's Business Centers to assist small businesses in hiring graduates from career and technical education programs, as well as assisting CTE graduates in starting up a small business of their own. America is in a critical need of skilled workers, which is why we should encourage younger generations to pursue a career in technical education paths. CTE programs prepare individuals for high-demand occupations that earn good wages and allow individuals to provide for their families. CTE is a return on investment by setting students up to learn a skill which they can master over the years and hopefully turn into their own small businesses one day.

I want to thank Chairwoman Velázquez, Ranking Member Luetkemeyer, and all the staff who have helped in getting this bill brought up in the committee. It is important that we support the CTE professional in developing the necessary skills to become a business owner and assist in connecting graduates with an existing business in need of their unique skillset.

I urge all of my colleagues to support H.R. 7664, and I yield back the balance of my time.

Chairwoman VELÁZQUEZ. Thank you. The gentleman yields back.

Now, I would like to recognize the gentlelady from Illinois, Ms. Newman, for an opening statement.

Ms. NEWMAN. Thank you, Madam Chair, and thank you, Ranking Member Luetkemeyer, for having this very important hearing. I would like to talk about H.R. 7664.

I join my colleague today, Rep. Williams, in strong support of H.R. 7664, the Supporting Small Business and Career and Technical Education Act. This bill would increase CTE programs so it is very important. It would direct Small Business Development Centers, otherwise known as SBDCs and Women's Business Centers, WBCs, to assist small businesses in hiring graduates from career and technical education programs, in addition to the existing services which are amazing.

As a prior small business owner, I know firsthand the importance of strengthening trade and issues which are a key component of building a 21st century economy that actually works for everybody, everywhere.

While a 4-year degree remains an important path to rebuilding our workforce with skills, we also have to remember all of our other folks that do great work in the trades. This bill also relies on our valuable resource partners including WBCs. WBCs are designed from entrepreneurs who are socially and economically disadvantaged. In starting and growing small businesses through education and training, WBCs have spread across the country and will continue to be a factor as we grow our solutions and our workforce. It is critical to ensure that all of our youth have the opportunity that they need and the resources to develop critical skills that will lead them to good paying jobs—our skilled workforce is vital to a strong economy. I am proud to introduce H.R. 7664 with Rep. Williams and I urge my colleagues to support the bill.

Thank you, and I yield back.

Chairwoman VELÁZQUEZ. The gentlelady yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7664?

Ranking Member?

Mr. LUETKEMEYER. Madam Chair?

Chairwoman VELÁZQUEZ. Yes. The Ranking Member is recognized.

Mr. LUETKEMEYER. Thank you, Madam Chair. And thank Mr. Williams and Ms. Newman for their work on this great legislation. Vice Ranking Member Williams is a strong advocate for small businesses and the American worker, and I appreciate his work on this legislation to engage with the career and technical education community to support small business growth.

Career and technical education programs are so important for individuals across the nation because they help high school, community college, and trade school students obtain the hands-on experience they need for jobs in a broad range of industries. This legislation directs the Small Business Development Centers (SBDCs) and Women's Business Centers (WBCs) to assist small businesses in hiring graduates from career and technical education programs. Additionally, this legislation supports career and technical edu-

cation graduates by directing SBDCs and WBCs to assist them in starting a small business.

With that, Madam Chair, I urge my colleagues to support H.R. 7664, and I yield back.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Are there any other Members who wish to be recognized for a statement?

I would now like to recognize myself briefly.

Whether it is accessing capital, developing a business plan, or assisting in a marketing strategy, SBA resource partners play a crucial role in helping small businesses thrive. Over the past few years, we have heard about the struggles that many small firms face in finding a skilled workforce. A poll of over 6,000 small businesses throughout the country found that roughly three in five are having issues hiring talent. H.R. 7664 utilizes SBDCs and WBCs by assisting small firms looking for talent and recent graduates interested in becoming entrepreneurs. It requires SBDCs and WBCs to build awareness of career and technical education programs among small business owners and develop close partnerships to help bridge the gap between training programs and small firms struggling to find workers. I applaud the work of Representatives Williams and Newman on this bill connecting graduates of career and technical education programs with small businesses, and I urge a yes vote.

If there is no further discussion, the committee will move on to consideration of H.R. 7664.

The clerk will report the bill.

The CLERK. H.R. 7664, the Supporting Small Business——

Chairwoman VELÁZQUEZ. Without objection, H.R. 7664 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7664.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7664 is agreed to.

The question now occurs on reporting H.R. 7664 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7664 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 7670

We will now consider H.R. 7670, the "Women-Owned Small Business Program Transparency Act" introduced by Representative Houlahan and cosponsored by Representative Tenney, Ranking Member of the Subcommittee on Underserved, Agricultural, and Rural Business Development.

This bill establishes a reporting requirement for the Women-Owned Small Business Contracting Program.

I would now like to recognize the gentlewoman from Pennsylvania, Ms. Houlahan, the sponsor of the bill, for an opening statement.

Ms. HOULAHAN. Thank you.

First, I would like to thank you, Chairwoman Velázquez, and Ranking Member Luetkemeyer, for organizing this bipartisan markup and for bringing H.R. 7670, the "Women-Owned Small Business Program Transparency Act" before our committee alongside these other very important bipartisan measures.

I also want to thank Representative Claudia Tenney for her partnership in introducing this legislation.

The SBA's Women-Owned Small Business Contracting Program helps to level the playing field by reserving federal contracting opportunities for qualified women-owned small businesses in underrepresented industries. Through this program, the SBA aids other federal agencies in meeting the statutory goal of awarding 5 percent of all prime federal contracts to women-owned small businesses.

While the SBA has made great strides towards improving the program in recent years, including transitioning to full SBA certification for businesses that participate in the program, additional transparency and oversight is needed to address ongoing program challenges.

The WOSB program has only met its 5 percent statutory goal twice, most recently attaining 4.85 percent in fiscal year 2020. In addition to the underutilization of the women-owned companies in federal contracting, the SBA is also facing a significant backlog of applications and there is very little visibility into how many firms are being certified by the four national certifying entities that are approved by the SBA. The Government Accountability Office has also issued concerns regarding the needed improvements to program examinations and to contracts that are being awarded to businesses in eligible industries.

To address these concerns, H.R. 7670 requires the SBA to submit to Congress an annual report which would benchmark crucial data, including the amount of contracting dollars that are awarded through the program, the number of certifications that are being issued, the amount of program examinations being conducted, the number of companies that are being decertified, and the number of contracts that are incorrectly awarded, as well as any other actions taken by the SBA to properly train personnel in other agencies.

The bill will increase transparency and oversight, allowing Congress and the SBA to further improve the program, to work towards efficiencies, and to properly allow for program administration, and ultimately, of course, to benefit women in securing government contracts, especially those in underrepresented industries.

Improvements to the SBA's Women-Owned Small Business Contracting Program are especially needed as our business owners are continuing to recover from the pandemic. As additional federal contracts are issued through the historic implementation of the bipartisan Infrastructure Investment and Jobs Act, it is critical that

Congress has access to the data which will be required by this legislation.

Women-owned businesses are still underutilized in federal contracting and greater oversight must be established to ensure that the program is working as it is intended.

I urge my colleagues enthusiastically to support H.R. 7670. With that, I yield back the remainder of my time, Madam Chair.

Chairwoman VELAZQUEZ. The gentlelady yields back.

Now we recognize the gentlelady from New York, Ms. Tenney, for an opening statement.

Ms. TENNEY. Thank you, Chairwoman Velázquez and Ranking Member Luetkemeyer. I, too, echo the comments of my colleague, Representative Houlahan. And having this bipartisan markup, it is great for our small business community. Also, I am just pleased to be cosponsoring 7670, the "Women-Owned Small Business Program Transparency Act" because I think it is really important.

For over 2 decades, the Women-Owned Small Business Program has set aside at least 5 percent of federal contracting dollars for certified women-owned small businesses. This plays a small part, but important part, ensuring that the federal government does not leave our nation's small businesses behind and that we continue to have a robust and competitive contractor ecosystem to pull from.

In New York's 22nd Congressional District, small businesses make up 94 percent of all employees, and I have seen the tremendous impact that women-owned small businesses had. Whether it is my good friend Gina Curcio, who runs Curcio Printing in the Southern Tier or a wonderful company called AeroMed Technologies in Utica, our communities and our taxpayers benefit from women-owned businesses, especially when they thrive. My family business, which has been around since 1946, is also a women-owned business.

However, even with this proven track record, the Women-Owned Small Business program has room for improvement. The Small Business Administration still does not transparently disclose some in-depth performance metrics that would allow us to ensure the program meets the needs of small business owners.

That is why I was glad to partner with Representative Houlahan earlier this month to introduce this bipartisan Women-Owned Small Business Program Transparency Act. This legislation will require the Small Business Administration to annually disclose the total number of businesses that are certified as women-owned by the SBA, the number certified by third-party certifiers, and the fees charged by third-party certifiers, the dollar amount, and the percent of contracts to Women-Owned Small Businesses and the information on contracts incorrectly awarded. This is going to be essential in ensuring that we have transparency and that we can ensure that this program works effectively and efficiently for the small businesses and for taxpayers and the women who are out there putting their all in courageously trying to thrive as small business owners and entrepreneurs in our communities.

With that, I want to again thank my cosponsor and also the Ranking Member and our Chairwoman for doing a great job in this markup and for bringing this important bill to the floor. I yield back.

Chairwoman VELÁZQUEZ. The gentlelady yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7670?

I now recognize the Ranking Member, Mr. Luetkemeyer.

Mr. LUETKEMEYER. Thank you, Madam Chair.

Part of our congressional duties and responsibilities is proper oversight of federal programs. H.R. 7670, the "Women-Owned Small Business Program Transparency Act" will enhance and strengthen the oversight requirements of the SBA on important federal contracting programs. The more information that is at our disposal will lead to more efficient and effective policymaking.

I want to thank Ms. Houlahan from Pennsylvania, and Ms. Tenney from New York, for working in a bipartisan manner to increase transparency within one of SBA's federal government contracting programs.

With that, Madam Chairwoman, I want to thank you for working with me to advance this bill. I urge my colleagues to support this bill to ensure the SBA has a clear lens to view the Women-Owned Small Business Contracting Program. Thank you.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Now I recognize myself.

Combatting the continuous barriers women entrepreneurs face in accessing federal contracts, I led Congress in creating the Women-Owned Small Business Contracting Program in 2000. The program has greatly improved since it was first implemented. However, there are a number of issues that require congressional oversight to ensure it is working as intended. For example, even though the program is supposed to help agencies in meeting the 5 percent women-owned small business goal, this goal has only been met twice despite it being 2022. The SBA just recently started providing formal certifications to program participants. While progress is being made, there is still a significant backlog of applications. In considering the GAO reports issued regularly on the program, Congress must keep an eye on program examinations and any contracts incorrectly awarded.

H.R. 7670 requires SBA to provide Congress with the necessary data to oversee these matters and more. This bill furthers transparency and accountability by creating a reporting requirement for the Women-Owned Small Business Program. This is an issue we should never lose sight of.

I thank Ms. Houlahan and Ms. Tenney for their bipartisan work on this bill, and I urge a yes vote.

If there is no further discussion, the committee will move on to consideration of H.R. 7670.

The clerk will report the bill.

The CLERK. H.R. 7670, the Women-Owned Small Business Program——

Chairwoman VELÁZQUEZ. Without objection, H.R. 7670 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7670.

All in favor say aye.

All opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7670 is agreed to.

The question now occurs on reporting H.R. 7670 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7670 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 5879

We will now consider H.R. 5879, the "HUBZone Price Evaluation Preference Clarification Act of 2021," introduced by Ms. Newman and cosponsored by Ms. Salazar, the Ranking Member of the Subcommittee on Contracting and Infrastructure. This bill clarifies that the HUBZone Price Evaluation Preference applies to orders.

Are there any other Members who wish to be recognized for a statement on H.R. 5879?

I would now like to recognize the gentlewoman from Illinois, Ms. Newman, the sponsor of the bill for an opening statement.

Ms. NEWMAN. Thank you, Madam Chair and Ranking Member Luetkemeyer.

I rise in strong support of the bipartisan bill H.R. 5879, the "HUBZone Price Evaluation Preference Clarification Act of 2021." This legislation is designed to expand contracting opportunities to small businesses located historically in underutilized sectors. This bill would amend current trends to ensure more federal spending is devoted to SBA's HUBZone program, which could then be used to expand the number of federal and private contracting opportunities for local entrepreneurs and small businesses.

The SBA's historically underutilized empowerment contracting programs, also known as the HUBZone program, is designed to provide small businesses located in low-income areas or with obstacles for high unemployment with contracting.

Currently, the HUBZone price evaluation preference is not widely used because some agencies have incorrectly interpreted that the preference does not apply to order. As the federal government drives its spending through indefinite means a significant opportunity for HUBZone spending is being lost because the HUBZone price evaluation is not being applied to award awarders. This bill would clarify the program's evaluation language to ensure the federal government is driving its spending toward HUBZone small businesses.

I urge that my colleagues support this bill and I yield back my time.

Chairwoman VELÁZQUEZ. The gentlelady yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 5879?

I would now like to recognize the Ranking Member.

Mr. LUETKEMEYER. Thank you, Madam Chair.

I would like to thank you for bringing this bill forward and the sponsors of the bill, Ms. Newman from Illinois, and Ms. Salazar, the Ranking Member of the Subcommittee on Contracting and Infrastructure from the State of Florida.

Further consolidation within the federal government's contracting space will continue to disadvantage the nation's smallest contractors. This bill takes an important step and ensures important HUBZone businesses have an opportunity to compete. It is critically important that we continue to examine this issue and propose solutions, like H.R. 5879, the "HUBZone Price Evaluation Preference Clarification Act of 2021."

With that, I urge a yes vote, and I yield back the balance of my time.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Now I recognize myself briefly.

The HUBZone program promotes economic development by providing small businesses located in distressed areas greater access to federal contracts. One of the main incentives of the program is the HUBZone Price Evaluation Preference which will help level the playing field when a HUBZone firm is competing against a large business for a federal contract. Unfortunately, this incentive is not widely used because some agencies have incorrectly interpreted regulations to mean that the price evaluation preference does not apply to orders. To eliminate any uncertainty, H.R. 5879 amends the Small Business Act to explicitly state that the price evaluation preference applies to orders. Doing so opened the doors to many more procurement opportunities for HUBZone firms, and therefore, paving the way for economic growth in their communities. Thanks to the devoted efforts of Congressmembers Newman and Salazar, there is a path to improve the HUBZone program and provide clarity to federal agencies seeking to hire small contractors. I urge a yes vote.

If there is no further discussion, the Committee will move on to consideration of H.R. 5879.

The clerk will report the bill.

The CLERK. H.R. 5879, the HUBZone Price Evaluation——

Chairwoman VELÁZQUEZ. Without objection, H.R. 5879 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 5879.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 5879 is agreed to.

The question now occurs on reporting H.R. 5879 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 5879 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

H.R. 7694

We will now take up the final bill on the agenda, H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022," introduced by Mr. Stauber and cosponsored by Mr. Mfume, the Chair of the Subcommittee on Contracting and Infrastructure. This bill ensures that the past compliance with subcontracting plans is considered when determining an offeror's past performance.

I would now like to recognize the gentleman from Minnesota, Mr. Stauber, the sponsor of the bill, for an opening statement.

Mr. STAUBER. Thank you, Chairwoman Velázquez and Ranking Member Luetkemeyer.

A common theme we have heard in the contracting space is that prime contracting opportunities for small businesses are dwindling at an alarming rate. This means that subcontracting opportunities are more important than ever for small business contractors. While large prime contractors are statutorily required to have subcontracting plans, there is little incentive for a prime contractor to comply with such plans. Further, there is no requirement that a contracting officer take into consideration a large prime contractor's performance in subcontracting with small businesses when deliberating new contract awards.

While it is laudable that prime contractors have subcontracting plans, these plans seem to have minimal influence on a large prime contractor's motivation to award work to small business subs.

My bill, the Strengthening Subcontracting for Small Businesses Act addresses this problem in a few ways. First, the legislation will require contracting officers to consider a contractor's proposed utilization of small businesses in its proposed subcontracting plan. Second, the legislation will require contracting officers to consider the contractor's past performance in meeting its previous subcontracting plans. In short, the bill creates a strong incentive for large prime contractors to comply with their own subcontracting plans since it will now impact their ability to win new work.

I would like to thank my colleague, Congressman Mfume, for his collaboration on this bill, and together, I believe we have created meaningful legislation that will make a real and significant impact on the way small business contracting is conducted throughout the federal procurement environment.

I urge my colleagues to support this legislation. Madam Chair, I yield back.

Chairwoman VELÁZQUEZ. The gentleman yields back.

Now I would like to recognize the gentleman from Maryland, Mr. Mfume, for an opening statement.

Mr. MFUME. Thank you very much, Madam Chair. Good morning. I want to thank you for calling this markup for today and for your leadership on small business issues over many, many years.

At a time when many of those same small businesses are at risk of being pushed out of the federal procurement space due to forces that are outside of their control, it is imperative that we unite across the aisle to stand up for small business concerns and to help support and grow their presence in the small business federal contracting space.

I am very pleased to have worked with Mr. Stauber, the distinguished gentleman from Minnesota, and with those Members of the Small Business Committee staff on this bipartisan, common-sense bill that protects small businesses by incentivizing large prime contractors to adhere to this contracting plan. This bill as you heard requires any agency that is considering proposals for contract to assess the extent to which an offer complied with its subcontracting plan in the past. By amending existing language of the Small Business Act and also by expanding its scope, the legislation will benefit contractors that interact with and treat small businesses in the right way. It will incentivize them to do the right thing, and it will strongly urge and encourage improvement by those contractors that have failed to properly include and protect small businesses.

And so as such, I respectfully ask that my colleagues on the committee support H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022," and I yield back the remainder of my time. Thank you, Madam Chair.

Chairwoman VELAZQUEZ. The gentleman yields back.

Are there any other Members who wish to be recognized for a statement on H.R. 7694?

I would now like to recognize the Ranking Member.

Mr. LUETKEMEYER. Thank you, Madam Chair.

I support H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022." While the government has certain requirements in place supporting small businesses subcontracting, we are missing a vital piece of this puzzle. Specifically, there is a lack of incentive among large prime contractors to use small businesses as subcontractors in the federal sphere in a way that promotes true and lasting behavioral change. I believe this bill gets us there and I urge my colleagues to support it.

With that, Madam Chair, I yield back.

Chairwoman VELAZQUEZ. The gentleman yields back.

Now I briefly recognize myself.

The Small Business Act seeks to promote opportunity for small contractors to participate in the federal procurement process, whether at the prime or subcontracting level. It requires offerors to submit subcontracting plans for contracts that have a certain threshold and will be awarded using negotiated procedures. The law ensures compliance with subcontracting requirements by allowing the imposition of liquidated damages if a contractor fails to engage in good faith efforts to meet them. Yet, this standard is ambiguous and not always enforced, resulting in contractors not facing any consequences for noncompliance. What most people do not understand is just how important subcontracting plans are for small firms. In many instances, they represent the only method to gain a foothold into the federal marketplace. That is why it is important that we keep looking for ways to encourage compliance. Thanks to the diligence of Mr. Stauber and Mr. Mfume, we have an important piece of legislation ensuring that previous compliance with subcontracting plans is considered when evaluating an offeror's past performance.

I support this bill and I urge a yes vote.

If there is no further discussion, the committee will move on to consideration of H.R. 7694.

The clerk will report the bill.

The CLERK. H.R. 7694, the Strengthening Subcontracting——

Chairwoman VELAZQUEZ. Without objection, H.R. 7694 is considered as read and open for amendment at any point.

Does anyone seek recognition to offer an amendment?

Seeing none, the question is now on H.R. 7694.

All in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7694 is agreed to.

The question now occurs on reporting H.R. 7694 favorably to the House.

All those in favor say aye.

All those opposed say no.

In the opinion of the Chair, the ayes have it and H.R. 7694 is reported to the House.

Without objection, committee staff is authorized to correct punctuation and make other necessary technical corrections and conforming changes.

Without objection, Members have 2 business days to file additional supplemental, dissenting, and minority views.

My thanks to all the Members for their participation today. If there is no further business to come before the committee, without objection, this meeting is adjourned. Thank you.

[Whereupon, at 11:14 a.m., the committee was adjourned.]

APPENDIX

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117TH CONGRESS
2D SESSION

H. R. 7352

To amend the Small Business Act to extend the statute of limitation for fraud by borrowers under the Paycheck Protection Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

Ms. VELÁZQUEZ (for herself and Mr. LUETKEMEYER) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To amend the Small Business Act to extend the statute of limitation for fraud by borrowers under the Paycheck Protection Program, and for other purposes.

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 "PPP and Bank Fraud Enforcement Harmonization Act of 2022".

SEC. 2. FRAUD ENFORCEMENT HARMONIZATION.

(a) PAYCHECK PROTECTION PROGRAM.—Section 7(a)(36) of the Small Business Act (15 U.S.C.

636(a)(36)) is amended by adding at the end the following new subparagraph:

"(W) FRAUD ENFORCEMENT HARMONIZATION.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed.".

(b) PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.—Section 7(a)(37) of the Small Business Act (15 U.S.C. 636(a)(37)) is amended by adding at the end the following new subparagraph:

"(P) FRAUD ENFORCEMENT HARMONIZATION.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a covered loan guaranteed under this paragraph shall be filed not later than 10 years after the offense was committed.".

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117TH CONGRESS
2D SESSION

H. R. 7334

To extend the statute of limitations for fraud by borrowers under certain COVID–19 economic injury disaster loan programs of the Small Business Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

Mr. LUETKEMEYER (for himself and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To extend the statute of limitations for fraud by borrowers under certain COVID–19 economic injury disaster loan programs of the Small Business Administration, and for other purposes.

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 "COVID–19 EIDL Fraud Statute of Limitations Act of 2022".

SEC. 2. EXTENSION OF STATUTE OF LIMITATIONS FOR CERTAIN COVID–19 ECONOMIC INJURY DISASTER LOAN PROGRAMS.

(a) CERTAIN ECONOMIC INJURY DISASTER LOANS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (15) the following new paragraph:

"(16) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to a loan made under this subsection in response to COVID–19 during the covered period (as defined in section 1110(a) of the CARES Act) shall be filed not later than 10 years after the offense was committed.".

(b) EIDL ADVANCES.—Section 1110(e) of the CARES Act (15 U.S.C. 9009(e)) is amended by adding at the end the following new paragraph:

"(9) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to the use of an advance received under this subsection shall be filed not later than 10 years after the offense was committed.".

(c) TARGETED EIDL ADVANCES.—Section 331 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (15 U.S.C. 9009b) is amended by adding at the end the following new subsection:

"(i) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, any criminal charge or civil enforcement action alleging that a borrower engaged in fraud with respect to the use of any amount received pursuant to this section shall be filed not later than 10 years after the offense was committed.".

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117TH CONGRESS
2D SESSION

H. R. 7622

To amend the Small Business Act to include requirements relating to apprenticeship program assistance for small business development centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2022

Mr. CROW (for himself, Mr. FITZGERALD, Ms. HOULAHAN, and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To amend the Small Business Act to include requirements relating to apprenticeship program assistance for small business development centers, and for other purposes.

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 Business Workforce Pipeline Act of 2022".

SEC. 2. SMALL BUSINESS DEVELOPMENT CENTER APPRENTICESHIP PROGRAM ASSISTANCE.

Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(1)) is amended—

(1) in subparagraph (T), by striking "and" at the end;

(2) in clause (v) of the first subparagraph (U) (relating to succession planning), by striking the period at the end and inserting a semicolon;

(3) in second subparagraph (U) (relating to training on domestic and international intellectual property protections)—

(A) in clause (ii)(II), by striking the period at the end and inserting "; and"; and

(B) by redesignating such subparagraph as subparagraph (V); and

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

"(W) providing information and assistance to small business concerns, including by disseminating relevant information from the Department of Labor and other Federal agencies, on how to establish and improve—

"(i) work-based learning opportunities (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));

"(ii) apprenticeship programs registered under the Act of August 16, 1937

(50 Stat. 664, chapter 663; commonly known as the 'National Apprenticeship Act'; 29 U.S.C. 50 et seq.);

"(iii) pre-apprenticeship programs; and

"(iv) job training programs.".

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117TH CONGRESS
2D SESSION

H. R. 7664

To amend the Small Business Act to include requirements relating to graduates of career and technical education programs or programs of study for small business development centers and women's business centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2022

Mr. WILLIAMS of Texas (for himself and Ms. NEWMAN) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To amend the Small Business Act to include requirements relating to graduates of career and technical education programs or programs of study for small business development centers and women's business centers, and for other purposes.

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 "Supporting Small Business and Career and Technical Education Act of 2022".

SEC. 2. INCLUSION OF CAREER AND TECHNICAL EDUCATION.

(a) DEFINITION.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following new subsection:

"(gg) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).".

(b) SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(1)) is amended—

(1) in subparagraph (T), by striking "and" at the end;

(2) in clause (v) of the first subparagraph (U) (relating to succession planning), by striking the period at the end and inserting a semicolon;

(3) in second subparagraph (U) (relating to training on domestic and international intellectual property protections)—

(A) in clause (ii)(II), by striking the period at the end and inserting a semicolon; and

(B) by redesignating such subparagraph as subparagraph (V); and

(4) by adding at the end the following new subparagraphs:

"(W) assisting small businesses in hiring graduates from career and technical education programs or programs of study; and

"(X) assisting graduates of career and technical education programs or programs of study in starting up a small business concern.".

(c) WOMEN'S BUSINESS CENTERS.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) in paragraph (2), by striking "and" at the end;

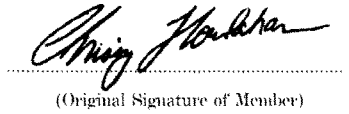
(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

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

"(4) assistance for small business concerns to hire graduates from career and technical education programs or programs of study; and

"(5) assistance for graduates of career and technical education programs or programs of study to start up a small business concern.".

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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. 7670

To amend the Small Business Act to require a report on small business concerns owned and controlled by women, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. HOULAHAN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Small Business Act to require a report on small business concerns owned and controlled by women, and for other purposes.

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 "Women-Owned Small Business Program Transparency Act" or the "WOSB Program Transparency Act".

SEC. 2. REPORT ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) IN GENERAL.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended by adding at the end the following new paragraph:

"(9) REPORT.—Not later than May 1, 2023, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on small business concerns owned and controlled by women. Such report shall include, for the fiscal year preceding the date of the report, the following:

"(A) The total number of concerns certified as small business concerns owned and controlled by women, disaggregated by the number of concerns certified by—

"(i) the Administrator; or

"(ii) a national certifying entity approved by the Administrator.

"(B) The amount of fees, if any, charged by each national certifying entity for such certification.

"(C) The total dollar amount and total percentage of prime contracts awarded to small

business concerns owned and controlled by women pursuant to paragraph (2) or pursuant to a waiver granted under paragraph (3).

"(D) The total dollar amount and total percentage of prime contracts awarded to small business concerns owned and controlled by women pursuant to paragraphs (7) and (8).

"(E) With respect to a contract incorrectly awarded pursuant to this subsection because it was awarded based on an industry in which small business concerns owned and controlled by women are not underrepresented—

"(i) the number of such contracts;

"(ii) the Federal agencies that issued such contracts; and

"(iii) any steps taken by Administrator to train the personnel of such Federal agency on the use of the authority provided under this subsection.

"(F) With respect to an examination described in paragraph (5)(B)—

"(i) the number of examinations due because of recertification requirements and the actual number of such examinations conducted; and

"(ii) the number of examinations conducted for any other reason.

"(G) The number of small business concerns owned and controlled by women that were found to be ineligible to be awarded a contract under this subsection as a result of an examination conducted pursuant to paragraph (5)(B) or failure to request an examination pursuant to section 127.400 of title 13, Code of Federal Regulations (or a successor rule).

"(H) The number of small business concerns owned and controlled by women that were decertified.

"(I) Any other information the Administrator determines necessary.".

(b) TECHNICAL AMENDMENT.—Section 8(m)(2)(C) of the Small Business Act is amended by striking "paragraph (3)" and inserting "paragraph (4)".

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117TH CONGRESS
1ST SESSION

H. R. 5879

To amend the Small Business Act to clarify the application of the price evaluation preference for qualified HUBZone small business concerns to certain contracts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2021

Ms. NEWMAN (for herself and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To amend the Small Business Act to clarify the application of the price evaluation preference for qualified HUBZone small business concerns to certain contracts, and for other purposes.

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 "Hubzone Price Evaluation Preference Clarification Act of 2021".

SEC. 2. APPLICATION OF PRICE EVALUATION PREFERENCE FOR QUALIFIED HUBZONE SMALL BUSINESS CONCERNS TO CERTAIN CONTRACTS.

(a) IN GENERAL.—Section 31(c)(3) of the Small Business Act (15 U.S.C. 657a(c)(3)) is amended by adding at the end the following new subparagraph:

"(E) APPLICATION TO CERTAIN CONTRACTS.—The requirements of subparagraph (A) shall apply to an unrestricted order issued under an unrestricted multiple award contract or the unrestricted portion of a contract that is partially set aside for competition restricted to small business concerns.".

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this section, the Administrator of the Small Business Administration shall revise any rule or guidance to implement the requirements of this section.

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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To amend the Small Business Act to modify the requirements relating to the evaluation of the subcontracting plans of certain offerors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MR. Stauber (for himself and Mr. Mfume) introduced the following bill; which was referred to the Committee on Small Business

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A BILL

To amend the Small Business Act to modify the requirements relating to the evaluation of the subcontracting plans of certain offerors, and for other purposes.

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 "Strengthening Subcontracting for Small Businesses Act of 2022".

SEC. 2. EVALUATION OF SUBCONTRACTING PLANS.

Section 8(d)(4)(G) of the Small Business Act (15 U.S.C. 637(d)(4)(G)) is amended—

(1) in the matter preceding clause (i), by striking "bundled contract" and all that follows through "for subcontracting" and inserting "contract that includes a subcontracting plan required under this paragraph"; and

(2) in clause (i), by striking "the rate provided under the subcontracting plan for small business participation" and inserting "the description in the subcontracting plan of the extent to which the offeror proposes to use small business concerns as subcontractors (at any tier)".

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