

118TH CONGRESS
1ST SESSION

S. _____

To require certification of small business concerns as small business concerns owned and controlled by service-disabled veterans in order to be counted toward goals for contract awards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require certification of small business concerns as small business concerns owned and controlled by service-disabled veterans in order to be counted toward goals for contract awards, and for other purposes.

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 “Stop Stolen Valor for
5 Service-Disabled Veteran-Owned Small Business Contrac-
6 tors”.

1 **SEC. 2. ELIMINATING SELF-CERTIFICATION FOR SERVICE-**
2 **DISABLED VETERAN-OWNED SMALL BUSI-**
3 **NESSES.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Small Busi-
7 ness Administration.

8 (2) SMALL BUSINESS CONCERN; SMALL BUSI-
9 NESS CONCERNS OWNED AND CONTROLLED BY
10 SERVICE-DISABLED VETERANS.—The terms “small
11 business concern” and “small business concerns
12 owned and controlled by service-disabled veterans”
13 have the meanings given those terms in section 3 of
14 the Small Business Act (15 U.S.C. 632).

15 (b) ELIMINATING SELF-CERTIFICATION IN PRIME
16 CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

17 (1) IN GENERAL.—Each prime contract award
18 and subcontract award that is counted for the pur-
19 pose of meeting the goals for participation by small
20 business concerns owned and controlled by service-
21 disabled veterans in procurement contracts for Fed-
22 eral agencies, as established in section 15(g)(2) of
23 the Small Business Act (15 U.S.C. 644(g)(2)), shall
24 be entered into with small business concerns cer-
25 tified by the Administrator as small business con-
26 cerns owned and controlled by service-disabled vet-

1 erans under section 36 of such Act (15 U.S.C.
2 657f).

3 (2) EFFECTIVE DATE.—Paragraph (1) shall
4 take effect on October 1 of the fiscal year beginning
5 after the Administrator promulgates the regulations
6 required under subsection (d).

7 (c) PHASED APPROACH TO ELIMINATING SELF-CER-
8 TIFICATION FOR SDVOSBS.—Notwithstanding any other
9 provision of law, any small business concern that self-cer-
10 tified as a small business concern owned and controlled
11 by service-disabled veterans may—

12 (1) if the small business concern files a certifi-
13 cation application with the Administrator before the
14 end of the 1-year period beginning on the date of en-
15 actment of this Act, maintain such self-certification
16 until the Administrator makes a determination with
17 respect to such certification; and

18 (2) if the small business concern does not file
19 a certification application before the end of the 1-
20 year period beginning on the date of enactment of
21 this Act, lose, at the end of such 1-year period, any
22 self-certification of the small business concern as a
23 small business concern owned and controlled by serv-
24 ice-disabled veterans.

1 (d) RULEMAKING.—Not later than 180 days after the
2 date of enactment of this Act, the Administrator shall pro-
3 mulgate regulations to carry out this Act.