



112TH CONGRESS
1ST SESSION

S. _____

To amend the Small Business Act to permit agencies to count certain contracts toward contracting goals.

IN THE SENATE OF THE UNITED STATES

Mr. ENZI (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Small Business Act to permit agencies to count certain contracts toward contracting goals.

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 Fair-
5 ness Act of 2011".

6 **SEC. 2. TEAMING ARRANGEMENTS AND AGENCY CON-**
7 **TRACTING GOALS.**

8 Section 15(g) of the Small Business Act (15 U.S.C.
9 644(g)) is amended by adding at the end the following:

1 “(3) TEAMING ARRANGEMENTS AND AGENCY
2 CONTRACTING GOALS.—

3 “(A) DEFINITIONS.—In this paragraph—

4 “(i) the term ‘covered small business
5 concern’ means—

6 “(I) a small business concern
7 owned and controlled by service-dis-
8 abled veterans;

9 “(II) a small business concern
10 owned and controlled by socially and
11 economically disadvantaged individ-
12 uals, as defined in section 8(d)(3)(C);

13 “(III) a small business concern
14 owned and controlled by women, as
15 defined in section 8(d)(3)(D); or

16 “(IV) a qualified HUBZone small
17 business concern; and

18 “(ii) the term ‘teaming arrangement
19 entity’ means a prime contractor under a
20 contractor team arrangement, as defined in
21 section 9.601 of the Federal Acquisition
22 Regulation, as in effect on October 1,
23 2009.

24 “(B) CONTRACTING GOALS.—If a covered
25 small business concern performs the obligations

1 of a teaming arrangement entity under a con-
2 tract between the teaming arrangement entity
3 and a Federal agency, the head of the Federal
4 agency may deem the contract to be a contract
5 awarded to the covered small business concern
6 for purposes of determining whether the Fed-
7 eral agency has met the goals established by the
8 head of the Federal agency under paragraph
9 (2).”.