

110TH CONGRESS
1ST SESSION

S. 904

To provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2007

Ms. SNOWE (for herself, Mr. PRYOR, and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, 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 “Veterans Small Busi-
5 ness Opportunity Act of 2007”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “active duty” has the meaning
2 given that term in section 101 of title 10, United
3 States Code;

4 (2) the terms “Administration” and “Adminis-
5 trator” means the Small Business Administration
6 and the Administrator thereof, respectively;

7 (3) the term “member of the Guard or Re-
8 serve” means a member of a reserve component of
9 the Armed Forces, as defined in section 101 of title
10 10, United States Code;

11 (4) the term “Secretary” means the Secretary
12 of Defense; and

13 (5) the terms “service-disabled veteran”, “small
14 business concern”, “small business concern owned
15 and controlled by service-disabled veterans”, “small
16 business concern owned and controlled by veterans”,
17 and “veteran” have the meanings given those terms
18 in section 3 of the Small Business Act (15 U.S.C.
19 632).

20 **SEC. 3. RELIEF FROM TIME LIMITATIONS FOR VETERAN-**
21 **OWNED SMALL BUSINESSES.**

22 Section 3(q) of the Small Business Act (15 U.S.C.
23 632(q)) is amended by adding at the end the following:

24 “(5) RELIEF FROM TIME LIMITATIONS.—

1 “(A) IN GENERAL.—Any time limitation
2 on any qualification, certification, or period of
3 participation imposed under this Act on any
4 program available to small business concerns
5 shall be extended for a small business concern
6 that—

7 “(i) is owned and controlled by—

8 “(I) a veteran who was called or
9 ordered to active duty under a provi-
10 sion of law specified in section
11 101(a)(13)(B) of title 10, United
12 States Code, on or after September
13 11, 2001; or

14 “(II) a service-disabled veteran
15 who became such a veteran due to an
16 injury or illness incurred or aggra-
17 vated in the active military, naval, or
18 air service during a period of active
19 duty pursuant to a call or order to ac-
20 tive duty under a provision of law re-
21 ferred to in subclause (I) on or after
22 September 11, 2001; and

23 “(ii) was subject to the time limitation
24 during such period of active duty.

1 “(B) DURATION.—Upon submission of
2 proper documentation to the Administrator, the
3 extension of a time limitation under subpara-
4 graph (A) shall be equal to the period of time
5 that such veteran who owned or controlled such
6 a concern was on active duty as described in
7 that subparagraph.”.

8 **SEC. 4. STUDY ON OPTIONS FOR PROMOTING POSITIVE**
9 **WORKING RELATIONS BETWEEN EMPLOYERS**
10 **AND THEIR RESERVE COMPONENT EMPLOY-**
11 **EES.**

12 (a) STUDY REQUIRED.—The Secretary shall conduct
13 a study on options for promoting positive working rela-
14 tions between employers and Reserve component employ-
15 ees of such employers, including assessing options for im-
16 proving the time in which employers of members of the
17 Guard or Reserve are notified of the call or order of such
18 members to active duty other than for training.

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of enactment of this Act, the Sec-
22 retary shall submit to the appropriate committees of
23 Congress a report on the study conducted under
24 subsection (a).

1 (2) CONTENTS.—The report submitted under
2 paragraph (1) shall—

3 (A) describe what measures, if any, are
4 being taken to inform members of the Guard or
5 Reserve of the obligations and responsibilities of
6 such members to their employers;

7 (B) how effective such measures have been;
8 and

9 (C) whether there are additional measures
10 that could be taken to promote positive working
11 relations between members of the Guard or Re-
12 serve and their employers, including any steps
13 that could be taken to ensure that employers
14 are timely notified of a call to active duty.

15 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
16 FINED.—In this section, the term “appropriate commit-
17 tees of Congress” means—

18 (1) the Committee on Armed Services and the
19 Committee on Small Business and Entrepreneurship
20 of the Senate; and

21 (2) the Committee on Armed Services and the
22 Committee on Small Business of the House of Rep-
23 resentatives.

24 **SEC. 5. LOANS.**

25 (a) GUARD AND RESERVE LOANS.—

1 (1) IN GENERAL.—Section 7(b)(3) of the Small
2 Business Act (15 U.S.C. 636(b)(3)) is amended—

3 (A) in subparagraph (E), by striking
4 “\$1,500,000” each place such term appears
5 and inserting “\$2,000,000”; and

6 (B) by adding at the end the following:

7 “(G) Notwithstanding any other provision
8 of law, a loan not greater than \$25,000 may be
9 made under this paragraph without collateral.”.

10 (2) LOAN INFORMATION.—

11 (A) IN GENERAL.—The Administrator and
12 the Secretary shall develop a joint website and
13 printed materials providing information regard-
14 ing any program for small business concerns
15 that is available to veterans or Members of the
16 Guard or Reserve.

17 (B) MARKETING.—The Administrator is
18 authorized—

19 (i) to advertise and promote the pro-
20 gram under section 7(b)(3) of the Small
21 Business Act jointly with the Secretary
22 and veterans’ service organizations; and

23 (ii) to advertise and promote partici-
24 pation by lenders in such program jointly

1 with trade associations for banks or other
2 lending institutions.

3 (b) STUDY.—

4 (1) IN GENERAL.—The Administrator and the
5 Secretary shall jointly conduct a study of the feasi-
6 bility of increasing the utilization of credit unions af-
7 filiated with the Department of Defense in programs
8 administered by the Administrator.

9 (2) REPORT.—Not later than 6 months after
10 the date of enactment of this Act, the Administrator
11 and the Secretary shall submit a joint report to the
12 Committee on Small Business and Entrepreneurship
13 of the Senate and the Committee on Small Business
14 of the House of Representatives regarding the study
15 conducted under paragraph (1).

16 **SEC. 6. INCREASED FUNDING FOR THE OFFICE OF VET-**
17 **ERANS BUSINESS DEVELOPMENT.**

18 Section 32 of the Small Business Act (15 U.S.C.
19 657b) is amended by striking subsection (c) and inserting
20 the following:

21 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out subsections
23 (a) and (b), to remain available until expended—

24 “(1) \$2,000,000 for fiscal year 2008;

25 “(2) \$2,100,000 for fiscal year 2009; and

1 “(3) \$2,200,000 for fiscal year 2010.”.

2 **SEC. 7. INTERAGENCY TASK FORCE.**

3 Section 32 of the Small Business Act (15 U.S.C.
4 657b) is amended by adding at the end the following:

5 “(d) INTERAGENCY TASK FORCE.—

6 “(1) ESTABLISHMENT.—Not later than 90 days
7 after the date of enactment of the Veterans Small
8 Business Opportunity Act of 2007, the President
9 shall establish an interagency task force to coordi-
10 nate the efforts of Federal agencies necessary to in-
11 crease capital and business development opportuni-
12 ties for, and increase the award of Federal con-
13 tracting and subcontracting opportunities to, small
14 business concerns owned and controlled by service-
15 disabled veterans and small business concerns owned
16 and controlled by veterans (in this section referred
17 to as the ‘task force’).

18 “(2) MEMBERSHIP.—The members of the task
19 force shall include—

20 “(A) the Administrator, who shall serve as
21 chairperson of the task force; and

22 “(B) a representative from—

23 “(i) the Department of Veterans Af-
24 fairs;

25 “(ii) the Department of Defense;

1 “(iii) the Administration (in addition
2 to the Administrator);

3 “(iv) the Department of Labor;

4 “(v) the General Services Administra-
5 tion; and

6 “(vi) the Office of Management and
7 Budget.

8 “(3) DUTIES.—The task force shall coordinate
9 administrative and regulatory activities and develop
10 proposals relating to—

11 “(A) increasing capital access and capacity
12 of small business concerns owned and controlled
13 by service-disabled veterans and small business
14 concerns owned and controlled by veterans
15 through loans, surety bonding, and franchising;

16 “(B) increasing access to Federal con-
17 tracting and subcontracting for small business
18 concerns owned and controlled by service-dis-
19 abled veterans and small business concerns
20 owned and controlled by veterans through in-
21 creased use of contract reservations, expanded
22 mentor-protégé assistance, and matching such
23 small business concerns with contracting oppor-
24 tunities;

1 “(C) increasing the integrity of certifi-
 2 cations of status as a small business concern
 3 owned and controlled by service-disabled vet-
 4 erans or a small business concern owned and
 5 controlled by veterans;

6 “(D) reducing paperwork and administra-
 7 tive burdens on veterans in accessing business
 8 development and entrepreneurship opportuni-
 9 ties; and

10 “(E) making other improvements relating
 11 to the support for veterans business develop-
 12 ment by the Federal Government.

13 “(4) REPORTING.—The task force shall submit
 14 an annual report regarding its activities and pro-
 15 posals to—

16 “(A) the Committee on Small Business
 17 and Entrepreneurship and the Committee on
 18 Veterans’ Affairs of the Senate; and

19 “(B) the Committee on Small Business
 20 and the Committee on Veterans’ Affairs of the
 21 House of Representatives.”.

22 **SEC. 8. VETERAN-OWNED BUSINESS DATABASE IMPROVE-**
 23 **MENTS.**

24 (a) **ELIMINATION OF DUPLICATIVE REGISTRA-**
 25 **TIONS.**—Not later than 1 year after the date of enactment

1 of this Act, the Administrator and the Secretary of Vet-
2 erans Affairs shall review any registration database oper-
3 ated by the Administration or the Department of Veterans
4 Affairs (including the Pro-Net database of the Adminis-
5 tration, the Vendor Information Pages database of the De-
6 partment of Veterans Affairs, or any successor to either
7 such database) and take appropriate action to ensure that
8 one-stop online registration for all such databases is avail-
9 able to small business concerns owned and controlled by
10 service-disabled veterans and small business concerns
11 owned and controlled by veterans seeking to participate
12 in Federal contracting and subcontracting.

13 (b) CERTIFICATION INTEGRITY.—The Administrator
14 and the Secretary of Veterans Affairs shall establish cri-
15 teria for the one-stop online registration described in sub-
16 section (a) that are in accordance with the requirements
17 under any provision of law relating to the definitions of,
18 certifications by, or representations of status as a small
19 business concern owned and controlled by service-disabled
20 veterans or a small business concern owned and controlled
21 by veterans.

22 **SEC. 9. BUSINESS DEVELOPMENT AND MENTOR-PROTÉGÉ**
23 **ASSISTANCE.**

24 Section 36 of the Small Business Act (15 U.S.C.
25 657f) is amended—

1 (1) by redesignating subsection (e) as sub-
2 section (g); and

3 (2) by inserting after subsection (d) the fol-
4 lowing:

5 “(e) BUSINESS DEVELOPMENT AND MENTOR-
6 PROTÉGÉ ASSISTANCE.—

7 “(1) IN GENERAL.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), the Administrator, in cooperation
10 with the Secretary of Veterans Affairs, may de-
11 velop a program for business development as-
12 sistance (including mentor-protégé assistance)
13 for small business concerns owned and con-
14 trolled by service-disabled veterans (in this sub-
15 section referred to as the ‘program’).

16 “(B) CONDITION.—In implementing the
17 program, the Administrator shall take steps to
18 ensure that the program helps to expand con-
19 tracting opportunities for small business con-
20 cerns owned and controlled by service-disabled
21 veterans, while ensuring the continued success
22 of procurement programs for other small busi-
23 ness concerns.

24 “(2) REPORT.—Not later than 1 year after the
25 date of enactment of the Veterans Small Business

1 Opportunity Act of 2007, the Administrator shall
2 submit to the Committee on Small Business and En-
3 trepreneurship of the Senate and the Committee on
4 Small Business of the House of Representatives, a
5 report regarding—

6 “(A) the feasibility of establishing and ad-
7 ministering the program; and

8 “(B) the terms of assistance and internal
9 controls proposed for the program.”.

10 **SEC. 10. COMPLIANCE WITH EXECUTIVE ORDER 13360.**

11 Section 36 of the Small Business Act (15 U.S.C.
12 657f) is amended by inserting after subsection (e), as
13 added by this Act, the following:

14 “(f) EXECUTIVE ORDER 13360.—Implementation of
15 this section shall be consistent with the requirements of
16 Executive Order 13360 (69 Fed. Reg. 62549; relating to
17 providing opportunities for service-disabled veteran-owned
18 businesses), as in effect on October 20, 2004.”.

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