

HR 4206

Contracting Oversight for Small Business Jobs Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Mar 19, 2012

Current Status: Placed on the Union Calendar, Calendar No. 531.

Latest Action: Placed on the Union Calendar, Calendar No. 531. (Dec 21, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/4206>

Sponsor

Name: Rep. Coffman, Mike [R-CO-6]

Party: Republican • **State:** CO • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Graves, Sam [R-MO-6]	R · MO		Mar 19, 2012
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Mar 21, 2012
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Apr 16, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Mar 26, 2012
Small Business Committee	House	Reported By	Dec 21, 2012

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

No related bills are listed.

Contracting Oversight for Small Business Jobs Act of 2012 - Amends the federal criminal code to include under penalties for misrepresentation the willful misrepresentation of status as a small business for the purpose of obtaining, retaining, or completing a federal contract.

Amends the Small Business Act to provide that, in cases of small business fraud, including misrepresentation of status, the penalties provided shall not apply if the defendant acted in reliance on a written advisory opinion from a licensed attorney who is not an employee of the defendant. Requires the Administrator of the Small Business Administration (SBA) to: (1) issue rules defining an advisory opinion for such purposes, and (2) issue a compliance guide to assist businesses in accurately determining their small business status.

Establishes in the SBA an Office of Hearings and Appeals, headed by a Chief Hearing Officer, which shall: (1) impartially decide matters where Congress designates that a hearing on the record is required or which the Administrator designates by regulation or otherwise, and (2) contain the SBA's Freedom of Information/Privacy Acts Office.

Includes as a misrepresentation, for SBA purposes, any misrepresentation established by a preponderance of the evidence (in the case of debarment) or adequate evidence (in the case of suspension). Directs the Administrator to publish on the SBA website the standard operating procedures for such debarments and suspensions.

Directs the Administrator to report annually to the congressional small business committees on debarment and suspension actions.

Expresses the sense of Congress that the Administrator should present to the SBA Inspector General or the Attorney General any evidence of a violation of misrepresentation of small business status presented in a proceeding conducted by the Office of Hearings and Appeals.

Actions Timeline

- **Dec 21, 2012:** Reported (Amended) by the Committee on Small Business. H. Rept. 112-728, Part I.
- **Dec 21, 2012:** Committee on Judiciary discharged.
- **Dec 21, 2012:** Placed on the Union Calendar, Calendar No. 531.
- **Mar 26, 2012:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Mar 21, 2012:** Committee Consideration and Mark-up Session Held.
- **Mar 21, 2012:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 19, 2012:** Introduced in House
- **Mar 19, 2012:** Referred to the Committee on Small Business, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.