

S 633

Small Business Contracting Fraud Prevention Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Mar 17, 2011

Current Status: Referred to the House Committee on Small Business.

Latest Action: Referred to the House Committee on Small Business. (Sep 22, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/633>

Sponsor

Name: Sen. Snowe, Olympia J. [R-ME]

Party: Republican • **State:** ME • **Chamber:** Senate

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Scott P. [R-MA]	R · MA		Mar 17, 2011
Sen. Enzi, Michael B. [R-WY]	R · WY		Mar 17, 2011
Sen. Landrieu, Mary L. [D-LA]	D · LA		Mar 17, 2011
Sen. Merkley, Jeff [D-OR]	D · OR		Mar 17, 2011
Sen. Hagan, Kay R. [D-NC]	D · NC		Mar 28, 2011
Sen. McCaskill, Claire [D-MO]	D · MO		Mar 28, 2011
Sen. Grassley, Chuck [R-IA]	R · IA		Mar 29, 2011
Sen. Ayotte, Kelly [R-NH]	R · NH		Jul 18, 2011
Sen. Toomey, Patrick [R-PA]	R · PA		Aug 2, 2011
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 6, 2011
Sen. Manchin, Joe, III [D-WV]	D · WV		Sep 12, 2011
Sen. Cantwell, Maria [D-WA]	D · WA		Sep 19, 2011
Sen. Hoeven, John [R-ND]	R · ND		Sep 20, 2011

Committee Activity

Committee	Chamber	Activity	Date
Small Business and Entrepreneurship Committee	Senate	Discharged From	Sep 21, 2011
Small Business Committee	House	Referred To	Sep 22, 2011

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
112 S 3442	Related bill	Nov 29, 2012: Committee on Small Business and Entrepreneurship. Hearings held.
112 S 3572	Related bill	Sep 19, 2012: Read twice and referred to the Committee on Finance.
112 HR 2131	Related bill	Jun 3, 2011: Referred to the House Committee on Small Business.

Summary (as of Sep 21, 2011)

Small Business Contracting Fraud Prevention Act of 2011 - (Sec. 3) Amends the Small Business Act to include under penalties for misrepresentation a business that misrepresents itself as a small business owned and controlled by service-disabled veterans. Includes under such penalties misrepresentation for purposes of the award of a grant or cooperative agreement through the Small Business Administration (SBA). (Current law addresses only awards of prime contracts or subcontracts.) Expands authorized remedies to include civil remedies available under the False Claims Act, as well as the amount actually received from the federal government under a contract, grant or cooperative agreement, or losses sustained. Provides additional events or instances under which a person shall be considered to have misrepresented its status.

(Sec. 4) Requires an entity seeking status as a small business owned and controlled by service-disabled veterans to submit an annual certification of such status, and to register with specified databases that track veteran small businesses. Includes as a service-disabled veteran, for such status purposes, a former member of the Armed Forces who is retired or separated due to physical disability. Directs: (1) the Secretary of Veterans Affairs (VA) to verify such status, and (2) the head of a federal agency awarding a sole source contract to such business to use the appropriate database to verify such status. Provides for small business debarment and suspension for violations. Requires the Administrator for Federal Procurement Policy and the Secretary to ensure the appropriate sharing of database information for such purposes. Requires the Secretary, if unable to determine the service-disabled status of the owners of a small business within one year after the enactment of this Act, to submit to the congressional small business and veterans committees an estimate of the date of such determination.

(Sec. 5) Amends the 8(a) (SBA general small business loan) program to direct the Comptroller General, every three years, to evaluate the 8(a) program and report evaluation results to the small business committees. Requires related 8(a) program oversight by the SBA Administrator.

(Sec. 6) Directs the Administrator to: (1) ensure the accuracy and appropriate revision of HUBZone (heavily underutilized business zone) maps, (2) ensure that only small businesses determined to be qualified to participate in HUBZone programs are participating, (3) report to the small business committees on HUBZone small business applications or recertifications, and (4) develop measures and implement plans to assess the effectiveness of the HUBZone program.

Revises the definition of "redesignated area" for HUBZone designation purposes to extend the time period during which a census tract or nonmetropolitan county that loses its HUBZone status due to the 2010 census may be so designated.

(Sec. 7) Requires an annual report from the Administrator to the small business committees on suspensions, debarments, and prosecutions related to unauthorized participation in, or misrepresentation under, SBA programs.

Actions Timeline

- **Sep 22, 2011:** Received in the House.
- **Sep 22, 2011:** Message on Senate action sent to the House.
- **Sep 22, 2011:** Referred to the House Committee on Small Business.
- **Sep 21, 2011:** Senate Committee on Small Business and Entrepreneurship discharged by Unanimous Consent.
- **Sep 21, 2011:** Measure laid before Senate by unanimous consent. (consideration: CR S5846-5848)
- **Sep 21, 2011:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.(text: CR S5846-5848)
- **Sep 21, 2011:** Passed Senate with amendments by Unanimous Consent. (text: CR S5846-5848)
- **Mar 17, 2011:** Introduced in Senate
- **Mar 17, 2011:** Sponsor introductory remarks on measure. (CR S1843)
- **Mar 17, 2011:** Read twice and referred to the Committee on Small Business and Entrepreneurship. (text of measure as introduced: CR S1843-1845)