

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6368

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2018

Received; read twice and referred to the Committee on Small Business and  
Entrepreneurship

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## AN ACT

To encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protege program, to promote the use of interagency contracts, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Encouraging Small  
3 Business Innovators”.

4 **SEC. 2. INCLUDING TESTING AND EVALUATION IN THE**  
5 **DEFINITION OF R&D.**

6 Section 9(e)(5) of the Small Business Act (15 U.S.C.  
7 638(e)(5)) is amended—

8 (1) by redesignating subparagraphs (A), (B),  
9 and (C) as clauses (i), (ii), and (iii), respectively;

10 (2) by striking “means any activity” and insert-  
11 ing the following: “means—

12 “(A) any activity”; and

13 (3) by adding at the end the following: “and

14 “(B) any testing or evaluation in connec-  
15 tion with such an activity;”.

16 **SEC. 3. ENCOURAGING PARTICIPATION IN THE MENTOR-**  
17 **PROTEGE PROGRAM.**

18 Section 9 of the Small Business Act (15 U.S.C. 638)  
19 is amended by adding at the end the following:

20 “(tt) ENCOURAGING PARTICIPATION IN THE MEN-  
21 TOR-PROTEGE PROGRAM.—The Administrator shall pro-  
22 vide an increase to the past performance rating of any  
23 small business concern that has participated in the SBIR  
24 or STTR program that serves as a mentor under section  
25 45 to a small business concern that seeks to participate  
26 in the SBIR or STTR program.”.

1 **SEC. 4. PROMOTING THE USE OF GOVERNMENT-WIDE AND**  
2 **OTHER INTERAGENCY CONTRACTS.**

3 (a) PROMOTING INTERAGENCY ACQUISITIONS.—Sec-  
4 tion 865 of the Duncan Hunter National Defense Author-  
5 ization Act for Fiscal Year 2009 (Public Law 110–417)  
6 is amended—

7 (1) in subsection (b)(1)—

8 (A) by striking “all interagency acquisi-  
9 tions”;

10 (B) in subparagraph (A)—

11 (i) by adding “all interagency assisted  
12 acquisitions” before “include”; and

13 (ii) by adding “and” at the end;

14 (C) by striking subparagraph (B);

15 (D) by redesignating subparagraph (C) as  
16 subparagraph (B);

17 (E) in subparagraph (B), as so redesign-  
18 ated, by adding “all interagency assisted ac-  
19 quisitions” before “include”; and

20 (2) in subsection (d), by adding at the end the  
21 following:

22 “(5) The term ‘assisted acquisition’ means a  
23 type of interagency acquisition where a servicing  
24 agency performs acquisition activities on a request-  
25 ing agency’s behalf, such as awarding and admin-  
26 istering a contract, task order, or delivery order.”.

1 (b) GSA ASSISTANCE WITH CERTAIN SMALL BUSI-  
2 NESS CONTRACT AWARDS.—

3 Section 9 of the Small Business Act (15 U.S.C.  
4 638), as amended by section 4, is further amended  
5 by adding at the end the following:

6 “(uu) GSA ASSISTANCE WITH CERTAIN SMALL  
7 BUSINESS CONTRACT AWARDS.—The Administrator of  
8 the General Services Administration may assist another  
9 agency with the process of awarding a contract to a small  
10 business concern under the SBIR or STTR program or  
11 under a small business set-aside.”.

Passed the House of Representatives September 25,  
2018.

Attest:

KAREN L. HAAS,

*Clerk.*