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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend section 9 of the Small Business Act to require the Administrator of the Small Business Administration to establish training on Phase III acquisitions for the acquisition workforce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CISNEROS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 9 of the Small Business Act to require the Administrator of the Small Business Administration to establish training on Phase III acquisitions for the acquisition workforce, 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 “SBIR Commercializa-
5 tion Improvement Act”.

1 **SEC. 2. PHASE III AWARD EDUCATION.**

2 Section 9(r) of the Small Business Act (15 U.S.C.
3 638(r)) is amended by adding at the end the following new
4 paragraph:

5 “(5) WORKFORCE TRAINING.—

6 “(A) IN GENERAL.—The Administrator, in
7 coordination with the Secretary of Defense, the
8 Administrator of the General Services Adminis-
9 tration, and the head of any such other Federal
10 agency that the Administrator determines ap-
11 propriate, shall establish training activities for
12 contracting officers and agency acquisition
13 workforce of Federal agencies to ensure that
14 such individuals are fully aware of all aspects of
15 Phase III acquisitions under the SBIR and
16 STTR programs, as applicable.

17 “(B) TRAINING TOPICS.—The training ac-
18 tivities required under subparagraph (A) shall
19 include training on—

20 “(i) the missions, goals, and authori-
21 ties of the SBIR and STTR programs;

22 “(ii) the use of Phase III agreement;

23 “(iii) Phase III data rights; and

24 “(iv) the execution of Phase III sole
25 source award contracts.

26 “(C) DEFINITIONS.—In this paragraph:

1 “(i) AGENCY ACQUISITION WORK-
2 FORCE.—The term ‘agency acquisition
3 workforce’ means the employees of a Fed-
4 eral agency that have procurement or ac-
5 quisition responsibilities, including—

6 “(I) employees described in sec-
7 tion 1703 of title 41, United States
8 Code; and

9 “(II) individuals that are part of
10 the acquisition workforce (as such
11 term is defined in section 101(a) of
12 title 10, United States Code).

13 “(ii) PHASE III ACQUISITION.—The
14 term ‘Phase III acquisition’ means the ac-
15 quisition of a good or service from a par-
16 ticipant in Phase III that such participant
17 has commercialized or is seeking to com-
18 mercialize as such a participant.”.

19 **SEC. 3. PHASE III IMPROVEMENTS.**

20 (a) PROCUREMENT CENTER REPRESENTATIVE DI-
21 RECTIVES.—

22 (1) IN GENERAL.—Section 9(j)(4) of the Small
23 Business Act (15 U.S.C. 638(j)(4)) is amended by
24 inserting before the period at the end the following:

25 “, and advocate for the maximum practicable use

1 and transition of products, services, and technologies
2 developed under SBIR or STTR programs to Phase
3 III by means of Phase III awards to small business
4 concerns”.

5 (2) MODIFICATION DEADLINE.—Not later than
6 one year after the date of the enactment of this Act,
7 the Administrator of the Small Business Administra-
8 tion shall modify the policy directives issues pursu-
9 ant to subsection (j) of section 9 of the Small Busi-
10 ness Act (15 U.S.C. 638(j)) in accordance with
11 paragraph (4) of such subsection, as amended by
12 paragraph (1).

13 (b) PHASE III AWARD SIMPLIFICATION.—Section
14 9(r)(4) of the Small Business Act (15 U.S.C. 638(r)(4))
15 is amended—

16 (1) in subparagraph (A), by striking “and” at
17 the end;

18 (2) in subparagraph (B), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following new sub-
21 paragraphs:

22 “(C) report to the Administrator on the
23 actions taken by the Federal agency or Federal
24 prime contractor to develop simplified and
25 standardized procedures and model contracts

1 for Phase I, Phase II, and Phase III SBIR
2 awards; and

3 “(D) shall issue standardized solicitation
4 provisions and contract clauses which provide
5 clear guidance on the information that small
6 business concerns participating in SBIR or
7 STTR programs can be expected to provide as
8 part of market research or as part of a proposal
9 by such small business concern to establish eli-
10 gibility for Phase III awards.”.

11 **SEC. 4. PHASE III AND SOLE-SOURCE AWARDS.**

12 Section 9(r) of the Small Business Act (15 U.S.C.
13 638) is amended—

14 (1) in the heading, by inserting “SOLE SOURCE
15 AND OTHER” after “JUSTIFICATION FOR”; and

16 (2) in the heading for paragraph (4), by insert-
17 ing “SOLE SOURCE AND OTHER” after “JUSTIFICA-
18 TION FOR”.