

AMENDMENT TO H.R. 1425
OFFERED BY MR. BROUN OF GEORGIA

Page 50, strike lines 24 and 25 and insert the following:

1 “(v) the names and titles of the key
2 individuals that will carry out the project,
3 the position each key individual holds in
4 the small business concern, and contact in-
5 formation for each key individual;

Page 53, strike lines 22 through 24 and insert the following:

6 program that has been—
7 “(i) convicted of a fraud-related crime
8 involving funding received under the SBIR
9 program or STTR program; or
10 “(ii) found civilly liable for a fraud-re-
11 lated violation involving funding received
12 under the SBIR program or STTR pro-
13 gram.”; and

Page 57, strike line 12 and all that follows through page 58, line 6, and insert the following:

1 “(A) continue the most recent study under
2 this section relating to the issues described in
3 subparagraphs (A), (B), (C), and (E) of sub-
4 section (a)(1);

5 “(B) make recommendations with respect
6 to the issues described in subparagraphs (A),
7 (D), and (E) of subsection (a)(2); and

Page 62, line 7, strike “the waste,” and all that follows through “2011” on line 11 and insert “waste, fraud, and abuse prevention activities”.

Page 63, line 16, strike the quotation marks and the second period and insert the following:

8 “(4) COORDINATION WITH IG.—Each Federal
9 agency shall coordinate the activities funded under
10 subparagraph (E), (F), or (G) of paragraph (1) with
11 their respective Inspectors General, when appropriate, and each Federal agency that allocates more
12 than \$50,000,000 to the SBIR program of the Federal
13 agency for a fiscal year may share such funding
14 with its Inspector General when the Inspector General performs such activities.”.

Page 66, strike lines 18 through 20 and insert the following:

1 (1) AMENDMENTS REQUIRED FOR FRAUD,
2 WASTE, AND ABUSE PREVENTION.—Not later

Page 67, strike line 3 and all that follows through page 69, line 6, and insert the following:

3 (2) CONTENT OF AMENDMENTS.—The amend-
4 ments required under paragraph (1) shall include—
5 (A) definitions or descriptions of fraud,
6 waste, and abuse;
7 (B) guidelines for the monitoring and over-
8 sight of applicants to and recipients of awards
9 under the SBIR program or the STTR pro-
10 gram;
11 (C) a requirement that each Federal agen-
12 cy that participates in the SBIR program or
13 STTR program include information concerning
14 the method established by the Inspector Gen-
15 eral of the Federal agency to report fraud,
16 waste, and abuse (including any telephone hot-
17 line or Web-based platform)—
18 (i) on the website of the Federal agen-
19 cy; and

1 (ii) in any solicitation or notice of
2 funding opportunity issued by the Federal
3 agency for the SBIR program or the
4 STTR program; and

5 (D) a requirement that each applicant for
6 and small business concern that receives fund-
7 ing under the SBIR program or the STTR pro-
8 gram shall certify whether the applicant or
9 small business concern is in compliance with the
10 laws relating to the SBIR program and the
11 STTR program and the conduct guidelines es-
12 tablished under the SBIR Policy Directive and
13 the STTR Policy Directive.

14 (3) CONSULTATION.—The Administrator shall
15 develop the certification required under paragraph
16 (2)(D) in cooperation with the Council of Inspectors
17 General on Integrity and Efficiency and the Office
18 of Advocacy of the Administration.

19 (4) INSPECTORS GENERAL.—The Inspector
20 General of each Federal agency that participates in
21 the SBIR program or STTR program shall cooper-
22 ate to prevent fraud, waste, and abuse in the SBIR
23 program and the STTR program by—

24 (A) establishing fraud detection indicators;

1 (B) reviewing regulations and operating
2 procedures of the Federal agency;

3 (C) coordinating information sharing be-
4 tween Federal agencies, to the extent otherwise
5 permitted under Federal law; and

6 (D) improving the education and training
7 of, and outreach to—

8 (i) administrators of the SBIR pro-
9 gram and the STTR program of the Fed-
10 eral agency;

11 (ii) applicants to the SBIR program
12 or the STTR program; and

13 (iii) recipients of awards under the
14 SBIR program or the STTR program.

Page 69, beginning on line 8, strike “, and every 3 years thereafter,” and insert “to establish a baseline of changes made to the program to fight fraud, waste, and abuse, and every 3 years thereafter to evaluate the effectiveness of the agency strategies,”.

Page 70, strike lines 12 through 18 and insert the following:

15 (F) the extent to which the Inspector Gen-
16 eral of each Federal agency that participates in
17 the SBIR and STTR program effectively con-

1 ducts investigations, audits, inspections, and
2 outreach relating to the SBIR and STTR pro-
3 grams of the Federal agency; and

Page 72, between lines 6 and 7, insert the following:

4 **SEC. 314. REDUCING FRAUD, WASTE, AND ABUSE.**

5 Not later than 4 years after the date of enactment
6 of this Act, and every 4 years thereafter, the Comptroller
7 General of the United States shall—

8 (1) conduct a study of the effectiveness of the
9 government and public databases described in sec-
10 tion 9(k) of the Small Business Act (15 U.S.C.
11 638(k)) in reducing vulnerabilities of the SBIR pro-
12 gram and the STTR program to fraud, waste, and
13 abuse, particularly with respect to Federal agencies
14 funding duplicative proposals and business concerns
15 falsifying information in proposals;

16 (2) make recommendations with respect to the
17 issues described in paragraph (1); and

18 (3) submit to the head of each agency described
19 in section 108(a) of the Small Business Reauthoriza-
20 tion Act of 2000 (15 U.S.C. 638 note), the Com-
21 mittee on Small Business and Entrepreneurship of
22 the Senate, and the Committee on Small Business
23 and the Committee on Science, Space, and Tech-

1 nology of the House of Representatives a report re-
2 garding the study conducted under paragraph (1)
3 and containing the recommendations described in
4 paragraph (2).

