

Public Law 108-183
108th Congress

An Act

To amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes. <<NOTE: Dec. 16, 2003 - [H.R. 2297]>>

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, <<NOTE: Veterans Benefits Act of 2003.>>

SEC. 301. EXPANSION OF MONTGOMERY GI BILL EDUCATION BENEFITS FOR CERTAIN SELF-EMPLOYMENT TRAINING.

(a) Definition of Training Establishment.--Section 3452(e) is amended by striking ``means any'' and all that follows and inserting ``means any of the following:

``(1) An establishment providing apprentice or other on-job training, including those under the supervision of a college or university or any State department of education.

``(2) An establishment providing self-employment on-job training consisting of full-time training for a period of less than six months that is needed or accepted for purposes of obtaining licensure to engage in a self-employment occupation or required for ownership and operation of a franchise that is the objective of the training.

``(3) A State board of vocational education.

``(4) A Federal or State apprenticeship registration agency.

``(5) A joint apprenticeship committee established pursuant to the Act of August 16, 1937, popularly known as the `National Apprenticeship Act' (29 U.S.C. 50 et seq.).

``(6) An agency of the Federal Government authorized to supervise such training.''.

(b) Effective <<NOTE: Applicability. 38 USC 3452 note.>> Date.--The amendment made by subsection (a) shall take effect on the date that is six months after the date of the enactment of this Act and shall apply to self-employment on-job training approved and pursued on or after that date.

SEC. 308. PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by redesignating section 36 <<NOTE: 15 USC 631 note.>> as section 37 and by inserting after section 35 the following new section:

``SEC. 36. <<NOTE: 15 USC 657f.>> PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

``(a) Sole Source Contracts.--In accordance with this section, a

contracting officer may award a sole source contract to any small business concern owned and controlled by service-disabled veterans if--

``(1) such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by service-disabled veterans will submit offers for the contracting opportunity;

``(2) the anticipated award price of the contract (including options) will not exceed--

``(A) \$5,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

``(B) \$3,000,000, in the case of any other contract opportunity; and

``(3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

``(b) Restricted Competition.--In accordance with this section, a contracting officer may award contracts on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if the contracting officer has a reasonable expectation that not less than 2 small business concerns owned and controlled by service-disabled veterans will submit offers and that the award can be made at a fair market price.

``(c) Relationship to Other Contracting Preferences.--A procurement may not be made from a source on the basis of a preference provided under subsection (a) or (b) if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.).

``(d) Enforcement; <<NOTE: Applicability.>> Penalties.--Rules similar to the rules of paragraphs (5) and (6) of section 8(m) shall apply for purposes of this section.

``(e) Contracting Officer.--For purposes of this section, the term 'contracting officer' has the meaning given such term in section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5)).''.