

.....
(Original Signature of Member)

112TH CONGRESS
2D SESSION

H. R. _____

To amend the Small Business Act with respect to small business concern size standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WALSH of Illinois introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Small Business Act with respect to small business concern size standards, 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 “Small Business Protec-
5 tion Act of 2012”.

6 **SEC. 2. SMALL BUSINESS CONCERN SIZE STANDARDS.**

7 Section 3 of the Small Business Act (15 U.S.C. 632)
8 is amended—

1 (1) by inserting after the section enumerator
2 the following: “**DEFINITIONS.**”; and

3 (2) in subsection (a)—

4 (A) by striking the subsection enumerator
5 and inserting the following:

6 “(a) **SMALL BUSINESS CONCERNS.—**”;

7 (B) in paragraph (1) by striking “(1) For
8 the purposes” and inserting the following:

9 “(1) **IN GENERAL.—**For the purposes”;

10 (C) in paragraph (3) by striking “(3)
11 When establishing” and inserting the following:

12 “(3) **VARIATION BY INDUSTRY AND CONSIDER-**
13 **ATION OF OTHER FACTORS.—**When establishing”;

14 (D) by moving paragraph (5), including
15 each subparagraph and clause therein, 2 ems to
16 the right; and

17 (E) by adding at the end the following:

18 “(6) **COMMON SIZE STANDARDS.—**In carrying
19 out this subsection, the Administrator may establish
20 or approve a single size standard for a grouping of
21 four digit North American Industrial Classification
22 codes only if the Administrator makes publicly avail-
23 able, not later than the date on which such size
24 standard is established or approved, a justification
25 demonstrating that such size standard is appropriate

1 for each individual industry classification included in
2 the grouping.

3 “(7) PROPOSED RULE MAKING.—In conducting
4 rulemaking to revise, modify or establish size stand-
5 ards pursuant to this section, the Administrator
6 shall consider and address the following:

7 “(A) a detailed description of the of the in-
8 dustry for which the new size standard is pro-
9 posed;

10 “(B) an analysis of the competitive envi-
11 ronment for that industry;

12 “(C) the approach the Administrator used
13 to develop the proposed standard including the
14 source of all data used to develop the proposed
15 rulemaking; and

16 “(D) the anticipated effect of the proposed
17 rulemaking on the industry, including the num-
18 ber of concerns not currently considered small
19 that would be considered small under the pro-
20 posed rulemaking and the number of concerns
21 currently considered small that would be
22 deemed other than small under the proposed
23 rulemaking.”.