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Small Business Administration HUBZone Program

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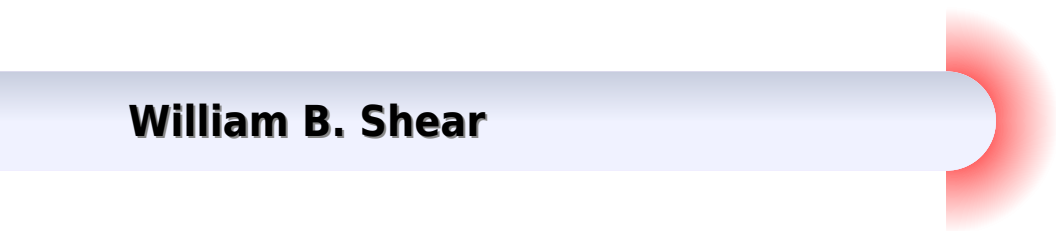
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Small Business Administration Hubzone Program Crs Reports

William B. Shear



Small Business Administration Hubzone Program Crs Reports:

Small Business Administration Hubzone Program Congressional Research Service,2015-02-11 The Small Business Administration SBA administers several programs to support small businesses including the Historically Underutilized Business Zone Empowerment Contracting HUBZone program The HUBZone program is a small business federal contracting assistance program whose primary objective is job creation and increasing capital investment in distressed communities It provides participating small businesses located in areas with low income high poverty rates or high unemployment rates with contracting opportunities in the form of set asides sole source awards and price evaluation preferences Firms must be certified by the SBA to participate in the HUBZone program On February 11 2015 there were 5 553 certified HUBZone small businesses In FY2013 the federal government awarded 64 912 contracts valued at 6 54 billion to HUBZone certified businesses with about 1 87 billion of that amount awarded through a HUBZone set aside sole source or price evaluation preference award The program s FY2013 administrative cost was about 10 0 million Its FY2015 appropriation is 3 0 million with the additional cost of administering the program provided by the SBA s appropriation for general administrative expenses Congressional interest in the HUBZone program has increased in recent years primarily due to U S Government Accountability Office GAO reports of fraud in the program Some Members have called for the program s termination Others have recommended that the SBA continue its efforts to improve its administration of the program especially its efforts to prevent fraud This report examines arguments both for and against targeting assistance to geographic areas with specified characteristics such as low income high poverty or high unemployment as opposed to providing assistance to people or businesses with specified characteristics It then assesses the arguments both for and against the continuation of the HUBZone program

Small Business Administration (SBA) Robert Jay Dilger,2011-05 The SBA administers several programs to support small bus SB incl the Historically Underutilized Bus Zone Empowerment Contracting HUBZone program The HUBZone program is a SB fed contracting assist program whose objective is job creation and increasing capital investment in distressed communities It provides SB located in areas with low income high poverty rates or high unemployment rates with contracting opportunities in the form of setasides sole source awards and price eval preferences Contents of this report The HUBZone Program Targeting Assist to Geographic Areas HUBZone Areas Defined HUBZone Bus Defined HUBZone Fed Contracting Goals Program Admin Performance Measures Illus This is a print on demand report **Alabama**

Small Business Assistance and Programs Handbook - Strategic, Practical Information, Contacts IBP USA,2013-08 2011 Updated Reprint Updated Annually Alabama Small Business Assistance and Programs Handbook **Closing the Wealth Gap** United States. Congress. Senate. Committee on Small Business and Entrepreneurship,2014 Location-Based Preferences in Federal and Federally Funded Contracting: An Overview of the Law , *Small Business Sourcebook* ,2004

The Evolving Congress Library of Congress. Congressional Research Service,2014 *GAO Bid Protests: An Overview of*

Timeframes and Procedures , *Small Business Administration Hubzone Program* Congressional Research Service, 2017-07-20 The Historically Underutilized Business Zone Empowerment Contracting HUBZone program provides participating small businesses located in areas with low income high poverty or high unemployment with contracting opportunities in the form of set asides sole source awards and price evaluation preferences Its primary objectives are job creation and increased capital investment in distressed communities Firms must be certified by the SBA to participate in the program As of June 8 2017 the SBA s Dynamic Small Business Search database included 5 654 firms with active HUBZone certifications In FY2016 the federal government awarded 86 600 contracts valued at 7 13 billion to HUBZone certified businesses with about 1 69 billion of that amount awarded through open competition with other firms 1 65 billion awarded through a HUBZone set aside 33 5 million through a HUBZone sole source award and 5 2 million with a HUBZone price evaluation preference The remaining contracts about 3 75 billion were awarded with another small business preference e g set asides and sole source awards for small business generally and for 8 a women owned and service disabled veteran owned small businesses The program s anticipated administrative cost for FY2017 is about 8 4 million Its FY2017 appropriation is 3 0 million with the additional cost of administering the program provided by the SBA s appropriation for salaries and general administrative expenses Congressional interest in the HUBZone program has increased in recent years primarily due to U S Government Accountability Office GAO reports of fraud in the program Some Members have called for the program s termination This report examines arguments both for and against targeting assistance to geographic areas with specified characteristics as opposed to providing assistance to people or businesses with specified characteristics It then assesses the arguments both for and against the continuation of the HUBZone program The report also discusses the HUBZone program s structure and operation focusing on the definition of HUBZone areas and small businesses and the program s performance relative to goals It includes an analysis of the SBA s administration of the program and SBA s performance measures This report also examines the Small Business Jobs Act of 2010 which removed certain language from the Small Business Act that had prompted federal courts and GAO to find that HUBZone set asides have precedence over other small business set asides The National Defense Authorization Act for Fiscal Year 2016 includes a provision that expands the definition of a Base Realignment and Closure Act BRAC military base closure area to make it easier for businesses located in those areas to meet the HUBZone program s requirement that at least 35% of its employees reside in a HUBZone area It also extends BRAC base closure area HUBZone eligibility to eight years The Invest in Rural Small Business Act of 2017 which would among other provisions reduce the percentage of a HUBZone firm s employees that must reside in a HUBZone to 33% from 35% and authorize governors to petition the SBA to designate rural areas in their state that have a population of 50 000 or fewer as a HUBZone if those areas meet specified unemployment criteria The Growing and Reviving Rural Economies Through Transitioning HUBZone Redesignation Act of 2017 and the HUBZone Investment Protection Act which would extend the

eligibility of redesignated HUBZones to seven years from three years The Expanding the Impact of the HUBZone Program Act of 2017 which would among other provisions extend HUBZone eligibility to not more than 10 years and require the SBA within one year of the bill's enactment to publish performance metrics designed to measure the success of the HUBZone program in meeting the program's objective of promoting economic development in economically distressed areas *Small Business United States. General Accounting Office,2001* Small Business Administration William B. Shear,2009 The SBA Historically Underutilized Business Zone HUBZone program provides fed contracting assistance to small firms located in economically distressed areas with the intent of stimulating economic dev t Questions have been raised about whether the program is targeting the locations and bus that Congress intended to assist This report examines 1 the criteria and processes that SBA uses to identify and map HUBZone areas and the economic characteristics of such areas 2 the mechanisms SBA uses to ensure that only eligible small bus participate in the program and 3 the actions SBA has taken to assess the results of the program and the extent to which fed agencies have met their HUBZone contracting goals Tables *Small Business Administration: Additional Actions are Needed to Certify and Monitor HUBZone Business and Assess Program Results* William B. Shear,2009 The Small Business Admin's SBA Historically Underutilized Business Zone HUBZone program provides fed contracting assistance to small firms located in economically distressed areas with the intent of stimulating economic dev t Questions have been raised about whether the program is targeting the locations and businesses that Congress intended to assist This testimony focuses on 1 the criteria and process that SBA uses to identify and map HUBZone areas 2 the mechanisms SBA uses to ensure that only eligible small businesses participate in the program and 3 the actions SBA has taken to assess the results of the program and the extent to which fed agencies have met HUBZone contracting goals Includes recommend Illus Small Business Administration: Undercover Tests Show HUBZone Program Remains Vulnerable to Fraud and Abuse Gregory D. Kutz,2010-11 The SBA's Historically Underutilized Business Zone HUBZone program provides federal contracting assistance to small firms located in economically distressed areas with the intent of stimulating economic development In 2008 and 2009 there were reports on substantial vulnerabilities to fraud and abuse in the HUBZone application and monitoring process Ten HUBZone firms in the Wash D C area and 19 firms in 4 other metro areas in Alabama California and Texas made fraudulent or inaccurate representations to get into or remain in the HUBZone program This report 1 performed additional testing of SBA's HUBZone certification process and 2 determined whether SBA has taken any actions against the 29 firms identified in a previous report Small Business Programs William B. Shear,2011 Economic development programs can contribute to the well being of the economy at the least cost to taxpayers Such programs can encompass small business SB development and contracting To encourage such contracting Congress created programs such as the Historically Underutilized Bus Zone service disabled vet owned SB and 8 a Bus Development programs that give contracting preferences to some SB in economically distressed communities to those owned by service disabled vets

and to those with eligible socially and economically disadvantaged owners This testimony addresses 1 potential duplication in economic development programs and 2 internal controls weaknesses in 3 SB programs Illus A print on demand report

Commerce Business Daily ,2001-06 **Crs Report for Congress** Congressional Research Service: The Libr,Kate M. Manuel,2013-11 This report discusses what constitutes a disadvantaged small business for purposes of federal and federally funded contracting programs and how firms are certified or otherwise designated as such Three primary categories of disadvantaged small businesses are currently eligible for various contracting programs 1 small businesses participating in the Small Business Administration s SBA s Minority Small Business and Capital Ownership Development Program commonly known as the 8 a Program 8 a participants 2 small disadvantaged businesses SDBs and 3 disadvantaged business enterprises DBEs These firms are characterized as disadvantaged because they are at least 51% owned by one or more socially and economically disadvantaged individuals or groups However social and economic disadvantage is defined somewhat differently for each program Members of certain racial and ethnic groups are presumed to be socially disadvantaged for purposes of the 8 a and SDB programs while women are also presumed to be socially disadvantaged for purposes of the DBE program Similarly individuals net worth must be 250 000 or less for entry into the 8 a Program while net worth can be as high as 750 000 for newly designated SDBs or DBEs The programs for the various types of firms also differ in their operation The 8 a Program is open only The 8(a) Program for Small Businesses Owned and Controlled by the Socially and Economically Disadvantaged Congressional Research Congressional Research Service,2014-11-26 Commonly known as the 8 a Program the Minority Small Business and Capital Ownership Development Program is one of several federal contracting programs for small businesses The 8 a Program provides participating small businesses with training technical assistance and contracting opportunities in the form of set asides and sole source awards A set aside is an acquisition in which only certain contractors may compete while a sole source award is a contract awarded or proposed for award without competition In FY2013 the federal government spent 14 billion on contracts and subcontracts with 8 a firms Other programs provide similar assistance to other types of small businesses e g women owned HUBZone Eligibility for the 8 a Program is generally limited to small businesses unconditionally owned and controlled by one or more socially and economically disadvantaged individuals who are of good character and citizens of the United States that demonstrate potential for success Each of these terms is further defined by the Small Business Act regulations promulgated by the Small Business Administration SBA and judicial and administrative decisions A business is generally a for profit entity that has a place of business located in the United States and operates primarily within the United States or makes a significant contribution to the U S economy by paying taxes or using American products materials or labor A business is small if it is independently owned and operated is not dominant in its field of operations and meets any definitions or standards established by the Administrator of Small Business Ownership is unconditional when it is not subject to any conditions precedent or subsequent executory agreements

or similar limitations Control is not the same as ownership and includes both strategic policy setting and day to day administration of business operations Members of certain racial and ethnic groups are presumed to be socially disadvantaged although individuals who do not belong to these groups may prove they are also socially disadvantaged To be economically disadvantaged an individual must have a net worth of less than 250 000 excluding ownership in the 8 a firm and equity in one s primary residence at the time of entry into the program This amount increases to 750 000 for continuing eligibility In determining whether an applicant has good character SBA looks for criminal conduct violations of SBA regulations or debarment or suspension from federal contracting For a firm to have potential for success it generally must have been in business in the field of its primary industry classification for two years immediately prior to applying to the program However small businesses owned by Indian tribes Alaska Native Corporations Native Hawaiian Organizations and Community Development Corporations are eligible for the 8 a Program under somewhat different terms The 8 a Program has periodically been challenged on the grounds that the presumption that members of certain racial and ethnic groups are disadvantaged violates the constitutional guarantee of equal protection The outcomes in early challenges to the program varied with some courts finding that plaintiffs lacked standing because they were not economically disadvantaged Most recently a federal district court found that the program is not unconstitutional on its face because breaking down barriers to minority business development created by discrimination constitutes a compelling government interest and the government had a strong basis in evidence for concluding that race based action was necessary to further this interest However the court found that the program was unconstitutional as applied in the military simulation and training industry because there was no evidence of discrimination in this industry

Sba Surety Bond Guarantee Program Congressional Research Congressional Research Service,2014-12-05 The Small Business Administration s SBA s Surety Bond Guarantee Program is designed to increase small businesses access to federal state and local government contracting as well as private sector contracts by guaranteeing bid performance and payment bonds for small businesses that cannot obtain surety bonds through regular commercial channels The program guarantees individual contracts of up to 6 5 million and up to 10 million if a federal contracting officer certifies that such a guarantee is necessary The SBA s guarantee ranges from 70% to 90% of the surety s loss if a default occurs In FY2014 the SBA guaranteed 12 384 bid and final surety bonds with a total contract value of about 6 4 billion A surety bond is a three party instrument between a surety who agrees to be responsible for the debt or obligation of another a contractor and a project owner The agreement binds the contractor to comply with the contract s terms and conditions If the contractor is unable to successfully perform the contract the surety assumes the contractor s responsibilities and ensures that the project is completed Surety bonds are viewed as a means to encourage project owners to contract with small businesses that may not have the credit history or prior experience of larger businesses and are considered to be at greater risk of failing to comply with the contract s terms and conditions P L 112 239 the National Defense Authorization Act for Fiscal Year 2013

increased the program's bond limit which had been 2 million since 2000 and was temporarily increased from February 17 2009 through September 30 2010 to 5 million and up to 10 million if a federal contracting officer certified in writing that a guarantee in excess of 5 million was necessary. Advocates of raising the program's bond limit argued that doing so would increase contracting opportunities for small businesses and bring the limit more in line with limits of other small business programs such as the 8(a) Minority Small Business and Capital Ownership Development Program and the Historically Underutilized Business Zone (HUBZone) Program. Opponents argued that raising the limit could lead to higher amounts being guaranteed by the SBA and as a result increase the risk of program losses. This report examines the program's origin and development including the decisions to 1) supplement the original Prior Approval Program with the Preferred Surety Bond Guarantee Program that provides a lower guarantee rate not to exceed 70% than the Prior Approval Program not to exceed 80% or 90% depending on the size of the contract and the type of small business in exchange for allowing preferred sureties to issue SBA guaranteed surety bonds without the SBA's prior approval and 2) increase the program's bond limit.

Small Business: HUBZone Program Suffers From Reporting and Implementation Difficulties, 2001. The Historically Underutilized Business Zone (HUBZone) Act of 1997 established a program to provide assistance in securing federal contracts to small businesses located in HUBZones. HUBZones are metropolitan area census tracts or nonmetropolitan counties in which low income levels or high unemployment rates qualify them as economically distressed. Also all federally recognized Indian reservations are HUBZones. The purpose of the HUBZone program is to increase employment opportunities investment and economic development in these areas. The HUBZone Act established 1) eligibility requirements that firms must meet to participate in the program 2) contracting preferences that federal agencies can use to award contracts to firms certified by SBA as qualified HUBZone firms and 3) goals for program participation by HUBZone firms as a percent of the total value of prime contract awards. The act identified ten federal agencies for initial participation in the program through the end of fiscal year 2000 and three more agencies were added in November 1999. See appendix I for a list of the 13 agencies. Currently the HUBZone program applies to all federal agencies. 3) SBA must certify that a firm qualifies for participation before federal agencies can award a contract under the program. To be qualified the firm must apply with SBA and meet the following requirements: The firm must be a small business owned and controlled by one or more U.S. citizens. 4) The firm's principal office must be located in a HUBZone. Finally at least 35 percent of the firm's employees must reside in a HUBZone. Once SBA has certified that a firm is qualified SBA adds the firm's name address and certification date to its list of Qualified HUBZone Small Business Concerns maintained on SBA's World Wide Web site. In addition SBA adds this certification to the firm's profile in SBA's on-line PRO Net database which contains information supplied by over 200,000 small businesses.

Small Business Administration United States. Government Accountability Office, 2010. HUBZone program provides Federal contracting preferences to small businesses that locate in and employ residents of economically disadvantaged urban or rural

areas that are designated as historically underutilized business zones

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