



U.S. Small Business  
Administration

## Advisory Committee on Veterans Business Affairs (ACVBA) Meeting Minutes September 14, 2023

### Members Present:

- Rebecca Aguilera-Gardiner, CEO, Veterans In Business Network
- Robert Bailey, Chairman, ACVBA; President, Bailey Information Technology Consultants, LLC
- Dan Clare, Chief Communications & Outreach Officer, Disabled American Veterans
- Glenett Hannah, CEO/President, Hannah Innovative Solutions
- Scott Jensen, Executive Director, National Veteran Small Business Coalition
- Charles McCaffrey, Director, Veterans Career Program, Paralyzed Veterans of America
- Jorge Rodriguez, CEO, Steri-Tech Medical Innovations, LLC.
- Melissa Washington, CEO & Founder, Women Veterans Alliance

1. **Call To Order** – The regular meeting of the ACVBA was called to order at 9:00 AM ET on September 14, 2023, by Stan Kurtz.
2. **Welcoming Remarks** – Timothy Green, Acting Associate Administrator, Office of Veterans Business Development (OVBD), and Designated Federal Official, welcomed committee members and the public and Introduced SBA Deputy Administrator Dilawar Syed.
3. **Opening Comments by ACVBA Chairman** - Rob Bailey welcomed Deputy Administrator Syed and members of the public attending the meeting. He reminded everyone the focus of the subcommittees is Access to Capital, Rule of Two, Subcontracting Plans, and Strategic Policy as it revolves around veteran owned businesses. Mr. Bailey reiterated that the industrial base is shrinking, challenges exist revolving around category management, and that subcontracting plans aren't being executed based on how solicitations were submitted. Mr. Bailey hopes that the Committee's annual report will give clarity to Congress and the Administration regarding moving forward with ACVBA's concerns.
4. **Presentation #1 Timothy Green, OVBD Updates and Upcoming Engagements/Events:**
  - a. **May 1, 2023 – Expansion of Veterans Business Outreach Centers (VBOC)** – SBA opened six new VBOCs across the United States. Four VBOC locations, The Citadel in Charleston, SC; Omaha, NE; Colorado Springs, CO, and Alaska held grand opening ceremonies. Additional opening ceremonies are planned around National Veterans Small Business Week for the California and Nevada VBOC Centers.

- b. **Military Spouse Pathway to Business Program** – OVBD introduced the new Pathway to Business Program for military spouses. Mr. Green states that military spouses are a population that serves alongside veterans. The White House issued Executive Order 14100, which strengthens economic opportunity for military spouses. The Executive Order recommends that the SBA start programs, like Pathway to Business, for military spouses. OVBD began developing military-spouse tailored curriculum before the Executive Order was announced.
- c. **National Veteran Small Business Week (NVSBW)** – It is OVBD’s 10th year conducting NVSBW which will take place on October 30 – November 3, 2023. The purpose of this event is to highlight our veteran-owned small businesses, create new partnerships, and grow our existing collaboration. There will be over 200 events going on during NVSBW, many of which are conducted through SBA district offices and field staff. Those who are interested in hosting an event, getting the word out, or attending an event, should visit <https://www.sba.gov/national-veterans-small-business-week>.

**5. Presentation #2 Dr. Donna Peebles, Associate Administrator, Office of Business**

**Development Update:**

- a. **SBA 8(a) Business Development Program (8(a) Program)** – The U.S District Court issued a ruling in the Ultima Services Corporation vs the Department of Agriculture. This ruling had effects on SBA’s 8(a) Program. Prior to this ruling, certain individuals in the program could demonstrate social advantage by indicating their membership in one of the identified groups, Asian-Pacific Americans, Black Americans, Hispanic Americans, Subcontinent Asian Americans, and Native Americans. This practice is called the rebuttable presumption of social disadvantage or presumption of social disadvantage. In the ruling, SBA cannot presume individuals to be socially disadvantaged based on their membership in one of these identified groups. The ruling also requires SBA to immediately stop using the presumption of social disadvantage to administer their 8(a) program. SBA must now require 8(a) Program participants, whose program eligibility was based on one or more owners using the presumption of social disadvantage, to now establish social disadvantage through submitting a narrative. The 8(a) Program remains open and federal agencies continue to contract with 8(a) firms and other socioeconomic small businesses. Webinars were conducted and additional information and guides were provided to 8(a) Program participants so that they understand how to best meet this narrative process. For additional resources and information, go to [www.Certify.SBA.gov](http://www.Certify.SBA.gov).

**6. Presentation # 3 John Perkins, Supervisory Program Specialist, Office of Government Contracting and Business Development (GCBD), Updates:**

- a. **VetCert Program** – Mr. Perkins noted that SBA Administrator Isabella Guzman issued three directives regarding the transferring of the Department of Veterans Affairs (VA) Center for Verification and Evaluation (CVE) Program to the SBA (renamed to the VetCert Program). They were: 1) Simplify the preparation and submission of certification documentation and data; 2) Streamline the certification review process

without compromising due diligence; and 3) Shift resource and funding from certification activities to training and growth activities. All three directives were met.

- b. **The National Defense Authorization Act (NDAA) 2021-** Directed that as of January 1, 2023, the certification program will be moved over to the SBA. The first application under the certification program was approved on January 9, 2023. Since then, the SBA has completed over 7,000 approvals.
- c. **The Certification System** - There is still a government-wide goal that 3 percent of federal contracts are set aside for Service-Disabled Veteran Owned Small Business (SDVOSB). The agency can still rely on self-certification for goaling purposes. For more information on certification goals, please visit [www.sba.gov/vetcert](http://www.sba.gov/vetcert).
- d. **VA Acquisition-** To be eligible for set aside VA contracts, VOSBs will need to be certified for sole source and set-aside contracts from the VA under the VA's Vets First authority. The VOSB or firm cannot self-certify, then try to get a VA contract. VOSBs would need prior CVE certification that carried over to the SBA or have a current SBA VetCert certification in the system to get contracts.
- e. **Joint Ventures** – Are no longer a separate certification process. It is recommended that businesses claim joint venture status after they get certified through VetCert.
- f. **Reciprocal** – SBA provides reciprocal certification for businesses with remaining eligibility in the Women Owned Small Business (WOSB) and 8(a) programs.
- g. **One Year Extension** - Companies that were verified by the VA CVE prior to January 1, 2023, have automatically received a 1- year extension to their program term (4 years vs. 3 years)
- h. **One Year Grace Period** - Companies may self-certify through 2023 but must also submit an application to SBA for a final determination.
- i. **Surplus Property Program** - Open to VOSB & SDVOSB businesses.
- j. **Transfer of VA Verified Businesses to SBA** - The transfer of VA verification to the SBA requires nothing from the business owner. The SBA is accepting all businesses verified by the VA as SBA-certified. Business owners should verify that their email used to register a VetCert account is the same email used prior to their previous CVE verification account. If it is different, they should contact VetCert Customer Service, 1-800- 862-8088.

**7. Presentation # 4 Sharon Ridley, Executive Director, Office of Small Disadvantage Business Utilization (OSDBU), Department of Veterans Affairs (VA) Updates:**

- a. **Removing Barriers** - The VA OSDBU is working to enhance access and remove barriers for small businesses in VA contracting.
- b. **VA Procurement Goals** – The VA total procurement through August 31, was \$44.6 billion. When compared to a year ago, and the total procurement is up around \$13 billion. The VA ended the fiscal year 2022 with a record high dollar amount awarded to small businesses - over \$11.2 billion.
- c. **National Veteran Small Business Engagement event** – Will be held on November 7-9, 2023, in Orlando, FL at the Gaylord Convention Center. This event is an important

part of VA efforts to open doors and remove barriers. This event provides veteran-owned small businesses with the opportunity to meet procurement decision-makers, to learn about upcoming opportunities, and how you can position yourself to be ready to compete for contracts. Participants also receive an opportunity to meet other business owners and explore potential business options for partnerships and subcontracting. Registration for this event is now open. Visit <https://vetbiz.va.gov/nvsbe/2023/> to register.

- d. **Acquisition Workforce Innovation Symposium (AWIS)**– The VA’s Chief Acquisition Officer sponsored this major training session at the beginning of August. The session helps contracting officers complete their training requirements for continuous learning, like VA’s upcoming National Veteran Small Business Engagement event. Ms. Ridley stated that they want to ensure contracting officers are knowledgeable and ready to work with business owners, and AWIS is a valuable opportunity to do just that.
- e. **GSA Acquisition Gateway** – The GSA Acquisition Gateway and along with the VA’s Forecasting System, went live on August 31, 2023. The Veteran Benefits Administration (VBA) was the first pilot group. They have uploaded four separate categories that capture over 114 potential contracts.
- f. **National Cemetery** -The OSDBU is working with the National Cemetery Administration and Construction and Facilities Management to upload their forecasts before the end of September. The Veteran Health Administration (VHA) is also underway. For more information, please call 1(866) 584-2344 or go to [www.va.gov/osdbu](http://www.va.gov/osdbu).

**8. Presentation # 5 Dave Busigo, Senior Advisor, Office of Small Business Programs, (OSBP) Department of Defense (DoD) Update:**

- a. **Issues Affecting the Small Business Community** – In January 2023, the DoD Secretary signed off on a strategy regarding how the DoD would improve the status of participation in the small business community. DoD increased the amount of funding they provide for the small business communities in 2023. The DoD previously had a funding reduction of about 40 percent in this area over the last 10 years, due to a variety of issues, such as COVID-19.
- b. **APEX Accelerators** - The APEX Accelerators (formally PTACs) transitioned over to the OSBP in January 2023. The DoD transformed from questioning clients’ requirements to doing follow-ups to get a better understanding of clients’ needs. APEX Accelerators play a critical role in the Department’s efforts to identify and help a wide range of businesses enter and participate in the defense supply chain.
- c. **The Rapid Innovation Fund Program (RIF)** – The program originally started in FY 2011 but was made permanent in FY 2017. Mr. Busigo stated the program has been unfunded since Fiscal Year 2020 due to not meeting congressional mandates. The DoD plans to revisit the funding request in Fiscal Year 2025.

- d. **Rapid Integrated Scalable Enterprise (RISE)** – The RISE program is a collection of data in the small business community. The RISE Program is an adaptive technology transition program enabling military and defense partners to collaborate with small businesses or non-traditional entities. Examples include the non-traditional academia, laboratories, Federally Funded Research and Development Centers (FFRDCs), development centers, and prime integrators. Mr. Busigo said that they are looking for anyone and everyone out there that has technology or a service/ a product that can be of use to the DoD.
  - e. **Project SPECTRUM** – The DoD launched Project SPECTRUM Program, which performs readiness check monitors the cybersecurity dashboard, and analyses risk assessments. This program will also have cyber curriculum development, tools of use, and secure collaboration platforms. The DoD continues to establish workforce development training courses, cybersecurity training courses, and education webinars within Project SPECTRUM. The DoD will hand this technology over to small businesses to help guide their technology safely through the system. The DoD is also conducting policy guidance and violation reviews so that people can understand what they are responsible for in the security system plan.
9. **Presentation # 6 Legislative Updates by the Madison Services Group, Elizabeth Sullivan, Madison Services Group, Inc. & Women Veterans Business Coalition.**
- a. **What’s Happening in Washington:**
    - i. **FY2024 National Defense Authorization Act (NDAA)**
      - The House passed their version on July 14th.
      - The Senate passed their version on July 27th.
    - ii. **FY 2024 Government Funding**
      - House capped at FY2022 levels.
      - Senate capped at FY2023 levels.
      - Negotiations ongoing
  - b. **Small Business Committee Actions:**
    - i. **House Committee Markup (July 18) –**
      - ***H.R. 4670, Small Business Contracting Transparency Act of 2023*** – Requires SBA to report the number of contracts and total dollar amount awarded in SBA Contracting Programs.
      - ***H.R. 4671, The Corrective Action Report Oversight and Accountability Act*** – Strengthens corrective actions that are required to be taken by agencies when they fail to meet their small business goals. Agencies who fail to meet their goals will submit a corrective action report to SBA and explain the reason for not meeting their goals.
      - ***H.R.4480, Successful Entrepreneurship for Reservists and Veterans (SERV) Act***- Requires that the SBA Interagency Task Force develop an action plan for outreach and promotion of SBA’s Veterans Programs. It also asks that GAO

report on access to capital, credit for veteran-owned businesses, reservists, and military spouses.

ii. **Senate Committee Actions –**

- July 19 markup: S. 38, Veteran Entrepreneurship Training Act
- Markup on contracting legislation expected in September/October
- ACCESS for Small Businesses Act

iii. **House Committee September Schedule –**

- **September 13th: Subcommittee on Economic Growth, Tax, and Capital Access Hearing: Examining the Competitive Landscape for Small Businesses –** Details of the hearing were regulations, different tax provisions (that small businesses deem harmful), and interest rates.
- **September 14th: Markup Concluded**
- **September 27th: Pandemic Loan Funds and Fraud Hearing –** Looked at PPP and EIDL and all pandemic programs at SBA.

iv. **Senate Committee September Schedule -**

- July 2023 – The Senate had an eleven-bill markup that focused on access to capital and entrepreneurial development.

v. **S.38 Veteran Entrepreneurship Training Act of 2023** - This bill, which was co-led by Senators Duckworth (D) Illinois, and Ranking Member of the Committee, Joni Ernst (R) Iowa, codifies SBA's Boots to Business program. This bill has been marked up and passed by the Senate committee. The full Senate will vote on the bill.

vi. **ACCESS for Small Businesses Act –** Introduced on September 5, 2023.

- This act makes subcontracting plan performance for prime contractors a more important factor in evaluation for winning future work.
- Codifies the Court of Federal Claims ruling in the Tolliver case that was also focused on the rule of two. The bill codifies the ruling by applying the rule of two to all federal acquisitions, including multiple-award contracts.

vii. **Changes to the SBA Procurement Scorecard –**

- If an award is made as an 8(a) set-aside, and someone is both 8(a), Veteran and SDVOSB, an agency can count that award towards both their SDVOSB and their SDB goal.
- The bill creates a new section in the scorecard requiring SBA to report some metrics, including the number of small businesses as a factor in the agency scorecards and grading.
- If agencies do not receive an A, the bill states that they will be required to appear before the Small Business Committee and provide improvement plans.
- The bill aligns OSDBU and Procurement Center Representative (PCR) collaboration on bundled or consolidated contracts.

- The bill requires solicitations on [www.SAM.gov](http://www.SAM.gov) to be written in understandable in plain language and to include keywords in the searchable fields to eliminate confusion in searching for solicitations.

**c. Senate FY24 NDDAA Small Business Provisions:**

- i. 900 amendments were submitted and 121 were adopted.
  - Raises sole-source threshold limits for veterans, women owned, HUBZones, individually owned 8(a)s from the current 4.5 and 7 million to 8 and 10 million over the life of the contract.
  - Eliminates Self-Certification for SDVOSBs.
  - Increases the SDVOSB prime contracting goal from the current 3 percent to 5 percent.
  - Adds the Administrator of the SBA to the FAR Council.
  - Requires prime contractors to pay subcontractors within 30 days (instead of 90 days) of receiving payment.
  - Repeals the bona fide office rule for 8(a) contracts at the DoD.

**d. Agency Actions of Interest:**

**General Services Administration –**

- i. Updates to Upcoming Solicitations – OASIS+, Polaris, and Alliant 3
- ii. MAS Contractors to Transition to FAS Catalog Platform (FCP)

**FAR Council -**

- i. Small Disadvantaged Business Threshold Changes - [Final Rule](#)
- ii. Contracting Officers Required to Provide Explanations to Unsuccessful Offerors – [Proposed Rule](#)

**Department of Defense –**

- i. CMMC Moves Forward in [Rulemaking Process](#)

**10. Next meeting:** December 7, 2023, at 9:00 A.M. ET.

**11. Adjournment:** The meeting was adjourned at 12:13 P.M. EST by Stan Kurtz

*All SBA programs and services are extended to the public on a nondiscriminatory basis.*