

## TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsecs. (a) and (b) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and pages 17 and 34 of House Document No. 103-7.

**§ 631c. Small Business Manufacturing Task Force****(a) Establishment**

The Administrator of the Small Business Administration (referred to in this subtitle<sup>1</sup> as the “Administrator”) shall establish a Small Business Manufacturing Task Force (referred to in this section as the “Task Force”) to address the concerns of small manufacturers.

**(b) Chair**

The Administrator shall assign a member of the Task Force to serve as chair of the Task Force.

**(c) Duties**

The Task Force shall—

- (1) evaluate and identify whether programs and services are sufficient to serve the needs of small manufacturers;
- (2) actively promote the programs and services of the Small Business Administration that serve small manufacturers; and
- (3) identify and study the unique conditions facing small manufacturers and develop and propose policy initiatives to support and assist small manufacturers.

**(d) Meetings****(1) Frequency**

The Task Force shall meet not less than 4 times per year, and more frequently if necessary to perform its duties.

**(2) Quorum**

A majority of the members of the Task Force shall constitute a quorum to approve recommendations or reports.

**(e) Personnel matters****(1) Compensation of members**

Each member of the Task Force shall serve without compensation in addition to that received for services rendered as an officer or employee of the United States.

**(2) Detail of SBA employees**

Any employee of the Small Business Administration may be detailed to the Task Force without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

**(f) Report**

Not later than 1 year after December 8, 2004, and annually thereafter, the Task Force shall submit a report containing the findings and recommendations of the task force to—

- (1) the President;
- (2) the Committee on Small Business and Entrepreneurship of the Senate; and
- (3) the Committee on Small Business of the House of Representatives.

(Pub. L. 108-447, div. K, title I, § 147, Dec. 8, 2004, 118 Stat. 3455.)

<sup>1</sup> See References in Text note below.

## REFERENCES IN TEXT

This subtitle, referred to in subsec. (a), is subtitle D (§§ 141-147) of title I of div. K of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3453, which enacted this section, amended sections 637, 648, 657b, and 657c of this title, enacted provisions set out as note under section 637 of this title, and amended provisions set out as a note under section 657b of this title. For complete classification of subtitle D to the Code, see Tables.

## CODIFICATION

Section was enacted as part of the Small Business Reauthorization and Manufacturing Assistance Act of 2004, and also as part of the Consolidated Appropriations Act, 2005, and not as part of the Small Business Act which comprises this chapter.

**§ 632. Small-business concern****(a) Criteria**

(1) For the purposes of this chapter, a small-business concern, including but not limited to enterprises that are engaged in the business of production of food and fiber, ranching and raising of livestock, agriculture, and all other farming and agricultural related industries, shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation: *Provided*, That notwithstanding any other provision of law, an agricultural enterprise shall be deemed to be a small business concern if it (including its affiliates) has annual receipts not in excess of \$750,000.

**(2) ESTABLISHMENT OF SIZE STANDARDS.—**

(A) **IN GENERAL.**—In addition to the criteria specified in paragraph (1), the Administrator may specify detailed definitions or standards by which a business concern may be determined to be a small business concern for the purposes of this chapter or any other Act.

(B) **ADDITIONAL CRITERIA.**—The standards described in paragraph (1) may utilize number of employees, dollar volume of business, net worth, net income, a combination thereof, or other appropriate factors.

(C) **REQUIREMENTS.**—Unless specifically authorized by statute, no Federal department or agency may prescribe a size standard for categorizing a business concern as a small business concern, unless such proposed size standard—

(i) is proposed after an opportunity for public notice and comment;

(ii) provides for determining—

(I) the size of a manufacturing concern as measured by the manufacturing concern’s average employment based upon employment during each of the manufacturing concern’s pay periods for the preceding 12 months;

(II) the size of a business concern providing services on the basis of the annual average gross receipts of the business concern over a period of not less than 3 years;

(III) the size of other business concerns on the basis of data over a period of not less than 3 years; or

(IV) other appropriate factors; and

(iii) is approved by the Administrator.

(3) When establishing or approving any size standard pursuant to paragraph (2), the Administrator shall ensure that the size standard var-