

Union Calendar No. 56

111TH CONGRESS
1ST SESSION

H. R. 2352

[Report No. 111-112]

To amend the Small Business Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2009

Mr. SHULER (for himself, Mr. LUETKEMEYER, Ms. VELÁZQUEZ, Mr. THOMPSON of Pennsylvania, Mrs. DAHLKEMPER, Mr. BUCHANAN, Mr. NYE, Mr. SCHOCK, Mr. SESTAK, Mr. MOORE of Kansas, Ms. CLARKE, Mr. ALTMIRE, Mr. MICHAUD, Mrs. HALVORSON, and Mr. SCHRADER) introduced the following bill; which was referred to the Committee on Small Business

MAY 15, 2009

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 12, 2009]

A BILL

To amend the Small Business Act, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Job*
3 *Creation Through Entrepreneurship Act of 2009”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents for*
5 *this Act is as follows:*

Sec. 1. Short title; table of contents.

*TITLE I—ESTABLISHMENT OF VETERANS BUSINESS CENTER
PROGRAM*

Sec. 101. Veterans Business Center program.

Sec. 102. Reporting requirement for interagency task force.

*TITLE II—EDUCATING AND NETWORKING ENTREPRENEURS
THROUGH TODAY’S TECHNOLOGY*

Sec. 201. Educating entrepreneurs through technology.

TITLE III—ENHANCING NATIVE AMERICAN ENTREPRENEURSHIP

*Sec. 301. Office of Native American Affairs; Tribal Business Information Centers
program.*

*Sec. 302. Small Business Development Center assistance to Indian tribe members,
Alaska Natives, and Native Hawaiians.*

*TITLE IV—BROADENING THE WOMEN’S BUSINESS CENTER
PROGRAM*

Sec. 401. Notification of grants; publication of grant amounts.

Sec. 402. Communications.

Sec. 403. Funding.

Sec. 404. Performance and planning.

Sec. 405. National Women’s Business Council.

TITLE V—SCORE PROGRAM IMPROVEMENTS

Sec. 501. Expansion of volunteer representation and benchmark reports.

Sec. 502. Mentoring and networking.

Sec. 503. Name of program changed to SCORE.

Sec. 504. Authorization of appropriations.

TITLE VI—EXPANDING ENTREPRENEURSHIP

Sec. 601. Expanding entrepreneurship.

*TITLE VII—MODERNIZING THE SMALL BUSINESS DEVELOPMENT
CENTER PROGRAM*

Sec. 701. Small business development centers operational changes.

Sec. 702. Access to credit and capital.

Sec. 703. Procurement training and assistance.

Sec. 704. Green entrepreneurs training program.

Sec. 705. Main street stabilization.

Sec. 706. Prohibition on program income being used as matching funds.

Sec. 707. Authorization of appropriations.

1 **TITLE I—ESTABLISHMENT OF**
 2 **VETERANS BUSINESS CENTER**
 3 **PROGRAM**

4 **SEC. 101. VETERANS BUSINESS CENTER PROGRAM.**

5 *Section 32 of the Small Business Act (15 U.S.C. 657b)*
 6 *is amended—*

7 *(1) in subsection (f), by inserting “(other than*
 8 *subsections (g), (h), and (i))” after “this section”; and*

9 *(2) by adding at the end the following:*

10 *“(g) VETERANS BUSINESS CENTER PROGRAM.—*

11 *“(1) IN GENERAL.—The Administrator shall es-*
 12 *tablish a Veterans Business Center program within*
 13 *the Administration to provide entrepreneurial train-*
 14 *ing and counseling to veterans in accordance with*
 15 *this subsection.*

16 *“(2) DIRECTOR.—The Administrator shall ap-*
 17 *point a Director of the Veterans Business Center pro-*
 18 *gram, who shall implement and oversee such program*
 19 *and who shall report directly to the Associate Admin-*
 20 *istrator for Veterans Business Development.*

21 *“(3) DESIGNATION OF VETERANS BUSINESS CEN-*
 22 *TERS.—The Director shall establish by regulation an*
 23 *application, review, and notification process to des-*
 24 *ignate entities as veterans business centers for pur-*

1 *poses of this section. The Director shall make publicly*
2 *known the designation of an entity as a veterans*
3 *business center and the award of a grant to such cen-*
4 *ter under this subsection.*

5 *“(4) FUNDING FOR VETERANS BUSINESS CEN-*
6 *TERS.—*

7 *“(A) INITIAL GRANTS.—The Director is au-*
8 *thorized to make a grant (hereinafter in this sub-*
9 *section referred to as an ‘initial grant’) to each*
10 *veterans business center each year for not more*
11 *than 5 years in the amount of \$150,000.*

12 *“(B) GROWTH FUNDING GRANTS.—After a*
13 *veterans business center has received 5 years of*
14 *initial grants under subparagraph (A), the Di-*
15 *rector is authorized to make a grant (hereinafter*
16 *in this subsection referred to as a ‘growth fund-*
17 *ing grant’) to such center each year for not more*
18 *than 3 years in the amount of \$100,000. After*
19 *such center has received 3 years of growth fund-*
20 *ing grants, the Director shall require such center*
21 *to meet performance benchmarks established by*
22 *the Director to be eligible for growth funding*
23 *grants in subsequent years.*

24 *“(5) CENTER RESPONSIBILITIES.—Each veterans*
25 *business center receiving a grant under this subsection*

1 shall use the funds primarily on veteran entrepre-
2 neurial development, counseling of veteran-owned
3 small businesses through one-on-one instruction and
4 classes, and providing government procurement as-
5 sistance to veterans.

6 “(6) *MATCHING FUNDS.*—Each veterans business
7 center receiving a grant under this subsection shall be
8 required to provide a non-Federal match of 50 percent
9 of the Federal funds such center receives under this
10 subsection. The Director may issue to a veterans busi-
11 ness center, upon request, a waiver from all or a por-
12 tion of such matching requirement upon a determina-
13 tion of hardship.

14 “(7) *TARGETED AREAS.*—The Director shall give
15 priority to applications for designations and grants
16 under this subsection that will establish a veterans
17 business center in a geographic area, as determined
18 by the Director, that is not currently served by a vet-
19 erans business center and in which—

20 “(A) the population of veterans exceeds the
21 national median of such measure; or

22 “(B) the population of veterans of Oper-
23 ation Iraqi Freedom or Operation Enduring
24 Freedom exceeds the national median of such
25 measure.

1 “(8) *TRAINING PROGRAM.*—*The Director shall*
2 *develop and implement, directly or by contract, an*
3 *annual training program for the staff and personnel*
4 *of designated veterans business centers to provide edu-*
5 *cation, support, and information on best practices*
6 *with respect to the establishment and operation of*
7 *such centers. The Director shall develop such training*
8 *program in consultation with veterans business cen-*
9 *ters, the interagency task force established under sub-*
10 *section (c), and veterans service organizations.*

11 “(9) *INCLUSION OF OTHER ORGANIZATIONS IN*
12 *PROGRAM.*—*Upon the date of the enactment of this*
13 *subsection, each Veterans Business Outreach Center*
14 *established by the Administrator under the authority*
15 *of section 8(b)(17) and each center that received funds*
16 *during fiscal year 2006 from the National Veterans*
17 *Business Development Corporation established under*
18 *section 33 and that remains in operation shall be*
19 *treated as designated as a veterans business center for*
20 *purposes of this subsection and shall be eligible for*
21 *grants under this subsection.*

22 “(10) *AUTHORIZATION OF APPROPRIATIONS.*—
23 *There is authorized to be appropriated to carry out*
24 *this subsection \$10,000,000 for fiscal year 2010 and*
25 *\$12,000,000 for fiscal year 2011.*

1 “(h) *ADDITIONAL GRANTS AVAILABLE TO VETERANS*
2 *BUSINESS CENTERS.*—

3 “(1) *ACCESS TO CAPITAL GRANT PROGRAM.*—

4 “(A) *IN GENERAL.*—*The Director of the Vet-*
5 *erans Business Center program shall establish a*
6 *grant program under which the Director is au-*
7 *thorized to make, to veterans business centers*
8 *designated under subsection (g), grants for the*
9 *following:*

10 “(i) *Developing specialized programs*
11 *to assist veteran-owned small businesses to*
12 *secure capital and repair damaged credit.*

13 “(ii) *Providing informational seminars*
14 *on securing loans to veteran-owned small*
15 *businesses.*

16 “(iii) *Providing one-on-one counseling*
17 *to veteran-owned small businesses to im-*
18 *prove the financial presentations of such*
19 *businesses to lenders.*

20 “(iv) *Facilitating the access of veteran-*
21 *owned small businesses to both traditional*
22 *and non-traditional financing sources.*

23 “(B) *AWARD SIZE.*—*The Director may not*
24 *award a veterans business center more than*
25 *\$75,000 in grants under this paragraph.*

1 “(C) *AUTHORIZATION OF APPROPRIA-*
2 *TIONS.—There is authorized to be appropriated*
3 *to carry out this paragraph \$1,500,000 for each*
4 *of fiscal years 2010 and 2011.*

5 “(2) *PROCUREMENT ASSISTANCE GRANT PRO-*
6 *GRAM.—*

7 “(A) *IN GENERAL.—The Director shall es-*
8 *tablish a grant program under which the Direc-*
9 *tor is authorized to make, to veterans business*
10 *centers designated under subsection (g), grants*
11 *for the following:*

12 “(i) *Assisting veteran-owned small*
13 *businesses to identify contracts that are*
14 *suitable to such businesses.*

15 “(ii) *Preparing veteran-owned small*
16 *businesses to be ready as subcontractors and*
17 *prime contractors for contracts made avail-*
18 *able through the American Recovery and*
19 *Reinvestment Act of 2009 (Public Law 111–*
20 *5) through training and business advise-*
21 *ment, particularly with respect to the con-*
22 *struction trades.*

23 “(iii) *Providing veteran-owned small*
24 *businesses technical assistance with respect*
25 *to the Federal procurement process, includ-*

1 *ing assisting such businesses to comply with*
2 *Federal regulations and bonding require-*
3 *ments.*

4 *“(B) AWARD SIZE.—The Director may not*
5 *award a veterans business center more than*
6 *\$75,000 in grants under this paragraph.*

7 *“(C) AUTHORIZATION OF APPROPRIA-*
8 *TIONS.—There is authorized to be appropriated*
9 *to carry out this paragraph \$1,500,000 for each*
10 *of fiscal years 2010 and 2011.*

11 *“(3) SERVICE-DISABLED VETERAN-OWNED SMALL*
12 *BUSINESS GRANT PROGRAM.—*

13 *“(A) IN GENERAL.—The Director shall es-*
14 *tablish a grant program under which the Direc-*
15 *tor is authorized to make, to veterans business*
16 *centers designated under subsection (g), grants*
17 *for the following:*

18 *“(i) Developing outreach programs for*
19 *service-disabled veterans with respect to the*
20 *benefits of self-employment.*

21 *“(ii) Providing tailored training to*
22 *service-disabled veterans with respect to*
23 *business plan development, marketing,*
24 *budgeting, accounting, and merchandising.*

1 “(iii) *Assisting service-disabled vet-*
2 *eran-owned small businesses to locate and*
3 *secure business opportunities.*

4 “(B) *AWARD SIZE.—The Director may not*
5 *award a veterans business center more than*
6 *\$75,000 in grants under this paragraph.*

7 “(C) *AUTHORIZATION OF APPROPRIA-*
8 *TIONS.—There is authorized to be appropriated*
9 *to carry out this paragraph \$1,500,000 for each*
10 *of fiscal years 2010 and 2011.*

11 “(i) *VETERANS ENTREPRENEURIAL DEVELOPMENT*
12 *SUMMIT.—*

13 “(1) *IN GENERAL.—The Director of the Veterans*
14 *Business Center program is authorized to carry out*
15 *an event, once every two years, for the purpose of pro-*
16 *viding networking opportunities, outreach, education,*
17 *training, and support to veterans business centers*
18 *funded under this section, veteran-owned small busi-*
19 *nesses, veterans service organizations, and other enti-*
20 *ties as determined appropriate for inclusion by the*
21 *Director.*

22 “(2) *AUTHORIZATION OF APPROPRIATIONS.—*
23 *There is authorized to be appropriated to carry out*
24 *this subsection \$450,000 for fiscal years 2010 and*
25 *2011.*

1 “(j) *INCLUSION OF SURVIVING SPOUSES.*—For pur-
2 poses of subsections (g), (h), and (i) the following apply:

3 “(1) The term ‘veteran’ includes a surviving
4 spouse of the following:

5 “(A) A member of the Armed Forces, in-
6 cluding a reserve component thereof.

7 “(B) A veteran.

8 “(2) The term ‘veteran-owned small business’ in-
9 cludes a small business owned by a surviving spouse
10 of the following:

11 “(A) A member of the Armed Forces, in-
12 cluding a reserve component thereof.

13 “(B) A veteran.

14 “(k) *INCLUSION OF RESERVE COMPONENTS.*—For pur-
15 poses of subsections (g), (h), and (i) the following apply:

16 “(1) The term ‘veteran’ includes a member of the
17 reserve components of the armed forces as specified in
18 section 10101 of title 10, United States Code.

19 “(2) The term ‘veteran-owned small business’ in-
20 cludes a small business owned by a member of the re-
21 serve components of the armed forces as specified in
22 section 10101 of title 10, United States Code.”.

1 **SEC. 102. REPORTING REQUIREMENT FOR INTERAGENCY**
 2 **TASK FORCE.**

3 *Section 32(c) of the Small Business Act (15 U.S.C.*
 4 *657b(c)) is amended by adding at the end the following:*

5 *“(4) REPORT.—The Administrator shall submit*
 6 *to Congress biannually a report on the appointments*
 7 *made to and activities of the task force.”.*

8 **TITLE II—EDUCATING AND NET-**
 9 **WORKING ENTREPRENEURS**
 10 **THROUGH TODAY’S TECH-**
 11 **NOLOGY**

12 **SEC. 201. EDUCATING ENTREPRENEURS THROUGH TECH-**
 13 **NOLOGY.**

14 *The Small Business Act (15 U.S.C. 631 et seq.) is*
 15 *amended by redesignating section 44 as section 46 and by*
 16 *inserting the following new section after section 43:*

17 **“SEC. 44. EDUCATING AND NETWORKING ENTREPRENEURS**
 18 **THROUGH TECHNOLOGY.**

19 *“(a) PURPOSE.—The purpose of this section is to pro-*
 20 *vide high-quality distance learning and opportunities for*
 21 *the exchange of peer-to-peer technical assistance through on-*
 22 *line networking to potential and existing entrepreneurs*
 23 *through the use of technology.*

24 *“(b) DEFINITION.—As used in this section, the term*
 25 *‘qualified third-party vendor’ means an entity with experi-*
 26 *ence in distance learning content or communications tech-*

1 *nology, or both, with the ability to utilize on-line, satellite,*
2 *video-on-demand, and connected community-based organi-*
3 *zations to distribute and conduct distance learning and es-*
4 *tablish an online network for use by potential and existing*
5 *entrepreneurs to facilitate the exchange of peer-to-peer tech-*
6 *nical assistance related to entrepreneurship, credit manage-*
7 *ment, financial literacy, and Federal small business devel-*
8 *opment programs.*

9 “(c) *AUTHORITY.—The Administrator shall contract*
10 *with qualified third-party vendors for entrepreneurial*
11 *training content, the development of communications tech-*
12 *nology that can distribute content under this section*
13 *throughout the United States, and the establishment of a*
14 *nationwide, online network for the exchange of peer-to-peer*
15 *technical assistance. The Administrator shall contract with*
16 *at least 2 qualified third-party vendors to develop content.*

17 “(d) *CONTENT.—The Administrator shall ensure that*
18 *the content referred to in subsection (c) is timely and rel-*
19 *evant to entrepreneurial development and can be success-*
20 *fully communicated remotely to an audience through the*
21 *use of technology. The Administrator shall, to the maximum*
22 *extent practicable, promote content that makes use of tech-*
23 *nologies that allow for remote interaction by the content*
24 *provider with an audience. The Administrator shall ensure*

1 *that the content is catalogued and accessible to small busi-*
2 *nesses on-line or through other remote technologies.*

3 “(e) *COMMUNICATIONS TECHNOLOGY.*—*The Adminis-*
4 *trator shall ensure that the communications technology re-*
5 *ferred to in subsection (c) is able to distribute content*
6 *throughout all 50 States and the territories of the United*
7 *States to small business concerns, home-based businesses,*
8 *Small Business Development Centers, Women’s Business*
9 *Centers, Veterans Business Centers, and the Small Business*
10 *Administration and network entrepreneurs throughout all*
11 *50 States and the territories of the United States to allow*
12 *for peer-to-peer learning through the creation of a location*
13 *online that allows entrepreneurs and small business owners*
14 *the opportunity to exchange technical assistance through the*
15 *sharing of information. To the extent possible, the qualified*
16 *third-party vendor should deliver the content and facilitate*
17 *the networking using broadband technology.*

18 “(f) *REPORTS TO CONGRESS.*—*The Administrator*
19 *shall submit a report to Congress 6 months after the date*
20 *of the enactment of this section containing an analysis of*
21 *the Small Business Administration’s progress in imple-*
22 *menting this section. The Administrator shall submit a re-*
23 *port to Congress one year after the date of the enactment*
24 *of this section and annually thereafter containing the num-*
25 *ber of presentations made under this section, the number*

1 of small businesses served under this section, the extent to
2 which this section resulted in the establishment of new busi-
3 nesses, and feedback on the usefulness of this medium in
4 presenting entrepreneurial education and facilitating the
5 exchange of peer-to-peer technical assistance throughout the
6 United States.

7 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There
8 are authorized to be appropriated to carry out this section
9 \$2,000,000 for each of the fiscal years 2010 and 2011.”.

10 ***TITLE III—ENHANCING NATIVE***
11 ***AMERICAN ENTREPRENEURSHIP***

12 ***SEC. 301. OFFICE OF NATIVE AMERICAN AFFAIRS; TRIBAL***
13 ***BUSINESS INFORMATION CENTERS PRO-***
14 ***GRAM.***

15 (a) *ASSOCIATE ADMINISTRATOR.*—Section 4(b)(1) of
16 the Small Business Act (15 U.S.C. 633(b)(1)) is amended—

17 (1) by striking “five Associate Administrators”
18 and inserting “six Associate Administrators”; and

19 (2) by inserting after “vested in the Administra-
20 tion.” the following: “One such Associate Adminis-
21 trator shall be the Associate Administrator for Native
22 American Affairs, who shall administer the Office of
23 Native American Affairs established under section
24 45.”.

1 (b) *ESTABLISHMENT.*—*The Small Business Act (15*
2 *U.S.C. 631 et seq.) is amended by inserting after section*
3 *44, as added by section 201 of this Act, the following:*

4 **“SEC. 45. OFFICE OF NATIVE AMERICAN AFFAIRS AND TRIB-**
5 **AL BUSINESS INFORMATION CENTERS PRO-**
6 **GRAM.**

7 “(a) *OFFICE OF NATIVE AMERICAN AFFAIRS.*—

8 “(1) *ESTABLISHMENT.*—*There is established in*
9 *the Administration an Office of Native American Af-*
10 *fairs (hereinafter referred to in this subsection as the*
11 *‘Office’).*

12 “(2) *ASSOCIATE ADMINISTRATOR.*—*The Office*
13 *shall be administered by an Associate Administrator*
14 *appointed under section 4(b)(1).*

15 “(3) *RESPONSIBILITIES.*—*The Office shall have*
16 *the following responsibilities:*

17 “(A) *Developing and implementing tools*
18 *and strategies to increase Native American en-*
19 *trepreneurship.*

20 “(B) *Expanding the access of Native Amer-*
21 *ican entrepreneurs to business training, capital,*
22 *and Federal small business contracts.*

23 “(C) *Expanding outreach to Native Amer-*
24 *ican communities and aggressively marketing*

1 *entrepreneurial development services to such*
2 *communities.*

3 “(D) *Representing the Administration with*
4 *respect to Native American economic develop-*
5 *ment matters.*

6 “(4) *COORDINATION AND OVERSIGHT FUNC-*
7 *TION.—The Office shall provide oversight with respect*
8 *to and assist the implementation of all Administra-*
9 *tion initiatives relating to Native American entrepre-*
10 *neurial development.*

11 “(5) *AUTHORIZATION OF APPROPRIATIONS.—To*
12 *carry out this subsection, there is authorized to be ap-*
13 *propriated to the Administrator \$2,000,000 for each*
14 *of fiscal years 2010 and 2011.*

15 “(b) *TRIBAL BUSINESS INFORMATION CENTERS PRO-*
16 *GRAM.—*

17 “(1) *ESTABLISHMENT.—The Administrator is*
18 *authorized to operate, alone or in coordination with*
19 *other Federal departments and agencies, a Tribal*
20 *Business Information Centers program that provides*
21 *Native American populations with business training*
22 *and entrepreneurial development assistance.*

23 “(2) *DESIGNATION OF CENTERS.—The Adminis-*
24 *trator shall designate entities as centers under the*
25 *Tribal Business Information Centers program.*

1 “(3) *ADMINISTRATION SUPPORT.*—*The Administrator*
2 *may contribute agency personnel and resources*
3 *to the centers designated under paragraph (2) to*
4 *carry out this subsection.*

5 “(4) *GRANT PROGRAM.*—*The Administrator is*
6 *authorized to make grants of not more than \$300,000*
7 *to centers designated under paragraph (2) for the*
8 *purpose of providing Native Americans the following:*

9 “(A) *Business workshops.*

10 “(B) *Individualized business counseling.*

11 “(C) *Entrepreneurial development training.*

12 “(D) *Access to computer technology and*
13 *other resources to start or expand a business.*

14 “(5) *REGULATIONS.*—*The Administrator shall by*
15 *regulation establish a process for designating centers*
16 *under paragraph (2) and making the grants author-*
17 *ized under paragraph (4).*

18 “(6) *DEFINITION OF ADMINISTRATOR.*—*In this*
19 *subsection, the term ‘Administrator’ means the Ad-*
20 *ministrator, acting through the Associate Adminis-*
21 *trator administering the Office of Native American*
22 *Affairs.*

23 “(7) *AUTHORIZATION OF APPROPRIATIONS.*—*To*
24 *carry out this subsection, there is authorized to be ap-*

1 “(B) *ELIGIBLE STATES.*—*For purposes of*
2 *subparagraph (A), an eligible State is a State*
3 *that has a combined population of Indian tribe*
4 *members, Alaska Natives, and Native Hawaiians*
5 *that comprises at least 1 percent of the State’s*
6 *total population, as shown by the latest available*
7 *census.*

8 “(C) *GRANT APPLICATIONS.*—*An applicant*
9 *for a grant under subparagraph (A) shall submit*
10 *to the Administration an application that is in*
11 *such form as the Administration may require.*
12 *The application shall include information re-*
13 *garding the applicant’s goals and objectives for*
14 *the services to be provided using the grant, in-*
15 *cluding—*

16 “(i) *the capability of the applicant to*
17 *provide training and services to a rep-*
18 *resentative number of Indian tribe members,*
19 *Alaska Natives, and Native Hawaiians;*

20 “(ii) *the location of the Small Business*
21 *Development Center site proposed by the ap-*
22 *plicant;*

23 “(iii) *the required amount of grant*
24 *funding needed by the applicant to imple-*
25 *ment the program; and*

1 “(iv) the extent to which the applicant
2 has consulted with local tribal councils.

3 “(D) *APPLICABILITY OF GRANT REQUIRE-*
4 *MENTS.—An applicant for a grant under sub-*
5 *paragraph (A) shall comply with all of the re-*
6 *quirements of this section, except that the match-*
7 *ing funds requirements under paragraph (4)(A)*
8 *shall not apply.*

9 “(E) *MAXIMUM AMOUNT OF GRANTS.—No*
10 *applicant may receive more than \$300,000 in*
11 *grants under this paragraph for any fiscal year.*

12 “(F) *REGULATIONS.—After providing notice*
13 *and an opportunity for comment and after con-*
14 *sulting with the Association recognized by the*
15 *Administration pursuant to paragraph (3)(A)*
16 *(but not later than 180 days after the date of en-*
17 *actment of this paragraph), the Administration*
18 *shall issue final regulations to carry out this*
19 *paragraph, including regulations that estab-*
20 *lish—*

21 “(i) *standards relating to educational,*
22 *technical, and support services to be pro-*
23 *vided by Small Business Development Cen-*
24 *ters receiving assistance under this para-*
25 *graph; and*

1 “(i) standards relating to any work
2 plan that the Administration may require a
3 Small Business Development Center receiv-
4 ing assistance under this paragraph to de-
5 velop.

6 “(G) *ADVICE OF LOCAL TRIBAL ORGANIZA-*
7 *TIONS.—A Small Business Development Center*
8 *receiving a grant under this paragraph shall re-*
9 *quest the advice of a tribal organization on how*
10 *best to provide assistance to Indian tribe mem-*
11 *bers, Alaska Natives, and Native Hawaiians and*
12 *where to locate satellite centers to provide such*
13 *assistance.*

14 “(H) *DEFINITIONS.—In this paragraph, the*
15 *following definitions apply:*

16 “(i) *INDIAN LANDS.—The term ‘Indian*
17 *lands’ has the meaning given the term ‘In-*
18 *dian country’ in section 1151 of title 18,*
19 *United States Code, the meaning given the*
20 *term ‘Indian reservation’ in section 151.2 of*
21 *title 25, Code of Federal Regulations (as in*
22 *effect on the date of enactment of this para-*
23 *graph), and the meaning given the term*
24 *‘reservation’ in section 4 of the Indian*
25 *Child Welfare Act of 1978 (25 U.S.C. 1903).*

1 “(ii) *INDIAN TRIBE*.—The term ‘In-
2 dian tribe’ means any band, nation, or or-
3 ganized group or community of Indians lo-
4 cated in the contiguous United States, and
5 the Metlakatla Indian Community, whose
6 members are recognized as eligible for the
7 services provided to Indians by the Sec-
8 retary of the Interior because of their status
9 as Indians.

10 “(iii) *INDIAN TRIBE MEMBER*.—The
11 term ‘Indian tribe member’ means a mem-
12 ber of an Indian tribe (other than an Alas-
13 ka Native).

14 “(iv) *ALASKA NATIVE*.—The term
15 ‘Alaska Native’ has the meaning given the
16 term ‘Native’ in section 3(b) of the Alaska
17 Native Claims Settlement Act (43 U.S.C.
18 1602(b)).

19 “(v) *NATIVE HAWAIIAN*.—The term
20 ‘Native Hawaiian’ means any individual
21 who is—

22 “(I) a citizen of the United States;

23 and

24 “(II) a descendant of the aborigi-
25 nal people, who prior to 1778, occupied

1 *and exercised sovereignty in the area*
2 *that now constitutes the State of Ha-*
3 *waii.*

4 “(vi) *TRIBAL ORGANIZATION.*—*The*
5 *term ‘tribal organization’ has the meaning*
6 *given that term in section 4(l) of the Indian*
7 *Self-Determination and Education Assist-*
8 *ance Act (25 U.S.C. 450b(l)).*

9 “(I) *AUTHORIZATION OF APPROPRIA-*
10 *TIONS.*—*There is authorized to be appropriated*
11 *to carry out this paragraph \$7,000,000 for each*
12 *of fiscal years 2010 and 2011.*

13 “(J) *FUNDING LIMITATIONS.*—

14 “(i) *NONAPPLICABILITY OF CERTAIN*
15 *LIMITATIONS.*—*Funding under this para-*
16 *graph shall be in addition to the dollar pro-*
17 *gram limitations specified in paragraph*
18 *(4).*

19 “(ii) *LIMITATION ON USE OF FUNDS.*—
20 *The Administration may carry out this*
21 *paragraph only with amounts appropriated*
22 *in advance specifically to carry out this*
23 *paragraph.”.*

1 **TITLE IV—BROADENING THE**
2 **WOMEN’S BUSINESS CENTER**
3 **PROGRAM**

4 **SEC. 401. NOTIFICATION OF GRANTS; PUBLICATION OF**
5 **GRANT AMOUNTS.**

6 *Section 29 of the Small Business Act (15 U.S.C. 656)*
7 *is amended by adding at the end the following new sub-*
8 *section:*

9 *“(o) NOTIFICATION OF GRANTS; PUBLICATION OF*
10 *GRANT AMOUNTS.—The Administrator shall disburse funds*
11 *to a women’s business center not later than one month after*
12 *the center’s application is approved under this section. At*
13 *the end of each fiscal year the Administrator (acting*
14 *through the Office of Women’s Business ownership) shall*
15 *publish on the Administration’s website a report setting*
16 *forth the total amount of the grants made under this Act*
17 *to each women’s business center in the fiscal year for which*
18 *the report is issued, the total amount of such grants made*
19 *in each prior fiscal year to each such center, and the total*
20 *amount of private matching funds provided by each such*
21 *center over the lifetime of the center.”.*

22 **SEC. 402. COMMUNICATIONS.**

23 *Section 29 of the Small Business Act (15 U.S.C. 656),*
24 *as amended, is further amended by adding at the end the*
25 *following new subsection:*

1 “(p) *COMMUNICATIONS.*—*The Administrator shall es-*
2 *tablish, by rule, a standardized process to communicate*
3 *with women’s business centers regarding program adminis-*
4 *tration matters, including reimbursement, regulatory mat-*
5 *ters, and programmatic changes. The Administrator shall*
6 *notify each women’s business center of the opportunity for*
7 *notice and comment on the proposed rule.”.*

8 **SEC. 403. FUNDING.**

9 (a) *FORMULA.*—*Section 29(b) of the Small Business*
10 *Act (15 U.S.C. 656(b)) is amended to read as follows:*

11 “(b) *AUTHORITY.*—

12 “(1) *IN GENERAL.*—*The Administrator may pro-*
13 *vide financial assistance to private nonprofit organi-*
14 *zations to conduct projects for the benefit of small*
15 *business concerns owned and controlled by women.*

16 *The projects shall provide—*

17 “(A) *financial assistance, including train-*
18 *ing and counseling in how to apply for and se-*
19 *cure business credit and investment capital, pre-*
20 *paring and presenting financial statements, and*
21 *managing cash flow and other financial oper-*
22 *ations of a business concern;*

23 “(B) *management assistance, including*
24 *training and counseling in how to plan, orga-*
25 *nize, staff, direct, and control each major activ-*

1 *ity and function of a small business concern;*
2 *and*

3 *“(C) marketing assistance, including train-*
4 *ing and counseling in identifying and seg-*
5 *menting domestic and international market op-*
6 *portunities, preparing and executing marketing*
7 *plans, developing pricing strategies, locating*
8 *contract opportunities, negotiating contracts,*
9 *and utilizing varying public relations and ad-*
10 *vertising techniques.*

11 *“(2) TIERS.—The Administrator shall provide*
12 *assistance under paragraph (1) in 3 tiers of assist-*
13 *ance as follows:*

14 *“(A) The first tier shall be to conduct a 5-*
15 *year project in a situation where a project has*
16 *not previously been conducted. Such a project*
17 *shall be in a total amount of not more than*
18 *\$150,000 per year.*

19 *“(B) The second tier shall be to conduct a*
20 *3-year project in a situation where a first-tier*
21 *project is being completed. Such a project shall*
22 *be in a total amount of not more than \$100,000*
23 *per year.*

24 *“(C) The third tier shall be to conduct a 3-*
25 *year project in a situation where a second-tier*

1 *project is being completed. Such a project shall*
2 *be in a total amount of not more than \$100,000*
3 *per year. Third-tier grants shall be renewable*
4 *subject to established eligibility criteria as well*
5 *as criteria in subsection (b)(4).*

6 “(3) *ALLOCATION OF FUNDS.—Of the amounts*
7 *made available for assistance under this subsection,*
8 *the Administrator shall allocate—*

9 “(A) *at least 40 percent for first-tier*
10 *projects under paragraph (2)(A);*

11 “(B) *20 percent for second-tier projects*
12 *under paragraph (2)(B); and*

13 “(C) *the remainder for third-tier projects*
14 *under paragraph (2)(C).*

15 “(4) *BENCHMARKS FOR THIRD-TIER*
16 *PROJECTS.—In awarding third-tier projects under*
17 *paragraph (2)(C), the Administrator shall use bench-*
18 *marks based on socio-economic factors in the commu-*
19 *nity and on the performance of the applicant. The*
20 *benchmarks shall include—*

21 “(A) *the total number of women served by*
22 *the project;*

23 “(B) *the proportion of low income women*
24 *and socio-economic distribution of clients served*
25 *by the project;*

1 “(C) the proportion of individuals in the
2 community that are socially or economically dis-
3 advantaged (based on median income);

4 “(D) the future fund-raising and service co-
5 ordination plans;

6 “(E) the diversity of services provided; and

7 “(F) geographic distribution within and
8 across the 10 regions of the Small Business Ad-
9 ministration.”.

10 (b) *MATCHING*.—Subparagraphs (A) and (B) of sec-
11 tion 29(c)(1) of the Small Business Act (15 U.S.C.
12 656(c)(1)) are amended to read as follows:

13 “(A) For the first and second years of the
14 project, 1 non-Federal dollar for each 2 Federal
15 dollars.

16 “(B) Each year after the second year of the
17 project—

18 “(i) 1 non-Federal dollar for each Fed-
19 eral dollar; or

20 “(ii) if the center is in a community at
21 least 50 percent of the population of which
22 is below the median income for the State or
23 United States territory in which the center
24 is located, 1 non-Federal dollar for each 2
25 Federal dollars.”.

1 (c) *AUTHORIZATION.*—Section 20 of the *Small Busi-*
2 *ness Act (15 U.S.C. 631 note)* is amended by inserting the
3 *following new subsection after subsection (e):*

4 “(f) *WOMEN’S BUSINESS CENTERS.*—There is author-
5 ized to be appropriated for purposes of grants under section
6 29 to women’s business centers not more than \$20,000,000
7 in fiscal year 2010 and not more than \$22,000,000 in fiscal
8 year 2011.”.

9 **SEC. 404. PERFORMANCE AND PLANNING.**

10 (a) *IN GENERAL.*—Section 29(h)(1) of the *Small Busi-*
11 *ness Act (15 U.S.C. 656(h)(1))* is amended—

12 (1) by striking “and” at the end of subpara-
13 graph (A);

14 (2) by redesignating subparagraph (B) as sub-
15 paragraph (D); and

16 (3) by inserting the following new subparagraphs
17 after subparagraph (A):

18 “(B) establish performance measures, taking
19 into account the demographic differences of pop-
20 ulations served by women’s business centers,
21 which measures shall include—

22 “(i) outcome-based measures of the
23 amount of job creation or economic activity
24 generated in the local community as a re-

1 *sult of efforts made and services provided by*
2 *each women’s business center, and*

3 *“(ii) service-based measures of the*
4 *amount of services provided to individuals*
5 *and small business concerns served by each*
6 *women’s business center;*

7 *“(C) require each women’s business center*
8 *to submit an annual plan for the next year that*
9 *includes the center’s funding sources and*
10 *amounts, strategies for increasing outreach to*
11 *women-owned businesses, strategies for increas-*
12 *ing job growth in the community, and other con-*
13 *tent as determined by the Administrator; and”.*

14 *(b) CONFORMING AMENDMENT.—Section 29(h)(1) of*
15 *the Small Business Act (15 U.S.C. 656(h)(1)), as amended,*
16 *is further amended by adding the following at the end there-*
17 *of:*

18 *“The Administrator’s evaluation of each women’s*
19 *business center as required by this subsection shall be*
20 *in part based on the performance measures under*
21 *subparagraphs (B) and (C). These measures and the*
22 *Administrator’s evaluations thereof shall be made*
23 *publicly available.”.*

1 **SEC. 405. NATIONAL WOMEN’S BUSINESS COUNCIL.**

2 *The Women’s Business Ownership Act of 1988 is*
 3 *amended as follows:*

4 (1) *In section 409(a) (15 U.S.C. 7109(a)), by*
 5 *adding the following at the end thereof: “Such studies*
 6 *shall include a study on the impact of the 2008–2009*
 7 *financial markets crisis on women-owned businesses,*
 8 *and a study of the use of the Small Business Admin-*
 9 *istration’s programs by women-owned businesses.”.*

10 (2) *In section 410(a) (15 U.S.C. 7110(a)), by*
 11 *striking “2001 through 2003” and insert “2010 and*
 12 *2011”.*

13 **TITLE V—SCORE PROGRAM**
 14 **IMPROVEMENTS**

15 **SEC. 501. EXPANSION OF VOLUNTEER REPRESENTATION**
 16 **AND BENCHMARK REPORTS.**

17 (a) *EXPANSION OF VOLUNTEER REPRESENTATION.—*
 18 *Section 8(b)(1)(B) of the Small Business Act (15 U.S.C.*
 19 *637(b)(1)(B)) is amended—*

20 (1) *by inserting “(i)” after “(B)”;* and

21 (2) *by adding at the end the following:*

22 *“(ii) The Administrator shall ensure that*
 23 *SCORE, established under this subparagraph, carries*
 24 *out a plan to increase the proportion of mentors who*
 25 *are from socially or economically disadvantaged back-*
 26 *grounds and, on an annual basis, reports to the Ad-*

1 *ministrator on the implementation of this subpara-*
2 *graph.”.*

3 *(b) BENCHMARK REPORTS.—Section 8(b)(1)(B) of the*
4 *Small Business Act (15 U.S.C. 637(b)(1)(B)), as amended,*
5 *is further amended by adding at the end the following:*

6 *“(iii) The Administrator shall ensure that*
7 *SCORE, established under this subparagraph, estab-*
8 *lishes benchmarks for use in evaluating the perform-*
9 *ance of its activities and the performance of its volun-*
10 *teers. The benchmarks shall include benchmarks relat-*
11 *ing to the demographic characteristics and the geo-*
12 *graphic characteristics of persons assisted by SCORE,*
13 *benchmarks relating to the hours spent mentoring by*
14 *volunteers, and benchmarks relating to the perform-*
15 *ance of the persons assisted by SCORE. SCORE shall*
16 *report, on an annual basis, to the Administrator the*
17 *extent to which the benchmarks established under this*
18 *clause are being attained.”.*

19 **SEC. 502. MENTORING AND NETWORKING.**

20 *Section 8(b)(1)(B) of the Small Business Act (15*
21 *U.S.C. 637(b)(1)(B)), as amended, is further amended by*
22 *adding at the end the following:*

23 *“(iv) The Administrator shall ensure that*
24 *SCORE, established under this subparagraph, estab-*
25 *lishes a mentoring program for small business con-*

1 cerns that provides one-on-one advice to small busi-
2 ness concerns from qualified counselors. For purposes
3 of this clause, qualified counselors are counselors with
4 at least 10 years experience in the industry sector or
5 area of responsibility of the small business concern
6 seeking advice.

7 “(v) The Administrator shall carry out a net-
8 working program through SCORE, established under
9 this subparagraph, that provides small business con-
10 cerns with the opportunity to make business contacts
11 in their industry or geographic region.”.

12 **SEC. 503. NAME OF PROGRAM CHANGED TO SCORE.**

13 (a) *NAME CHANGE.*—The Small Business Act is
14 amended as follows:

15 (1) In section 8(b)(1)(B) (15 U.S.C.
16 637(b)(1)(B)), by striking “Executives (SCORE)”
17 and inserting “Executives (in this Act referred to as
18 ‘SCORE’)”.

19 (2) In section 7(m)(3)(A)(i)(VIII) (15 U.S.C.
20 636(m)(3)(A)(i)(VIII)), by striking “the Service
21 Corps of Retired Executives” and inserting
22 “SCORE”.

23 (3) In section 20 (15 U.S.C. 631 note)—

1 (A) in subsection (d)(1)(E), by striking “the
2 Service Corps of Retired Executives program”
3 and inserting “SCORE”; and

4 (B) in subsection (e)(1)(E), by striking “the
5 Service Corps of Retired Executives program”
6 and inserting “SCORE”.

7 (4) In section 33(b)(2) (15 U.S.C. 657c(b)(2)), by
8 striking “Service Corps of Retired Executives” and
9 inserting “SCORE”.

10 (b) *ELIMINATION OF ACE*.—Section 8(b)(1)(B) of the
11 *Small Business Act* (15 U.S.C. 637(b)(1)(B)), as amended,
12 is further amended by striking “and an Active Corps of Ex-
13 ecutive (ACE)”.

14 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 20 of the *Small Business Act* (15 U.S.C. 631
16 note), as amended by section 403(c) of this Act, is further
17 amended by inserting the following new subsection after
18 subsection (f):

19 “(g) *AUTHORIZATION OF APPROPRIATIONS FOR*
20 *SCORE*.—There is authorized to be appropriated
21 \$7,000,000 for *SCORE* under section 8(b)(1) for each of the
22 fiscal years 2010 and 2011.”

1 **TITLE VI—EXPANDING**
2 **ENTREPRENEURSHIP**

3 **SEC. 601. EXPANDING ENTREPRENEURSHIP.**

4 *Section 4 of the Small Business Act (15 U.S.C. 633)*
5 *is amended by adding at the end the following:*

6 “(g) *MANAGEMENT AND DIRECTION.—*

7 “(1) *PLAN FOR ENTREPRENEURIAL DEVELOP-*
8 *MENT AND JOB CREATION STRATEGY.—The Adminis-*
9 *trator shall develop and submit to Congress a plan,*
10 *in consultation with a representative from each of the*
11 *agency’s entrepreneurial development programs, for*
12 *using the Small Business Administration’s entrepre-*
13 *neurial development programs as a catalyst for job*
14 *creation for fiscal years 2009 and 2010. The plan*
15 *shall include the Administration’s plan for drawing*
16 *on existing programs, including Small Business De-*
17 *velopment Centers, Women’s Business Centers,*
18 *SCORE, Veterans Business Centers, Native American*
19 *Outreach, and other appropriate programs. The Ad-*
20 *ministrator shall identify a strategy for each Admin-*
21 *istration region to create or retain jobs through Ad-*
22 *ministration programs. The Administrator shall iden-*
23 *tify, in consultation with appropriate personnel from*
24 *entrepreneurial development programs, performance*
25 *measures and criteria, including job creation, job re-*

1 *tention, and job retraining goals, to evaluate the suc-*
2 *cess of the Administration’s actions regarding these*
3 *efforts.*

4 *“(2) DATA COLLECTION PROCESS.—The Admin-*
5 *istrator shall, after notice and opportunity for com-*
6 *ment, promulgate a rule to develop and implement a*
7 *consistent data collection process to cover all entrepre-*
8 *neurial development programs. Such data collection*
9 *process shall include data relating to job creation,*
10 *performance, and any other data determined appro-*
11 *priate by the Administrator with respect to the Ad-*
12 *ministration’s entrepreneurial development programs.*

13 *“(3) COORDINATION AND ALIGNMENT OF SBA EN-*
14 *TREPRENEURIAL DEVELOPMENT PROGRAMS.—The Ad-*
15 *ministrator shall submit annually to Congress, in*
16 *consultation with other Federal departments and*
17 *agencies as appropriate, a report on opportunities to*
18 *foster coordination, limit duplication, and improve*
19 *program delivery for Federal entrepreneurial develop-*
20 *ment programs.*

21 *“(4) DATABASE OF ENTREPRENEURIAL DEVEL-*
22 *OPMENT SERVICE PROVIDERS.—The Administrator*
23 *shall, after a period of 60 days for public comment,*
24 *establish a database of providers of entrepreneurial*
25 *development services and, make such database avail-*

1 *able through the Administration’s Web site. The data-*
2 *base shall be searchable by industry, geography, and*
3 *service required.*

4 “(5) *COMMUNITY SPECIALIST.—The Adminis-*
5 *trator shall designate not less than one staff member*
6 *in each Administration district office as a community*
7 *specialist who has as their full-time responsibility*
8 *working with local entrepreneurial development serv-*
9 *ice providers to increase coordination with Federal*
10 *resources. The Administrator shall develop bench-*
11 *marks for measuring the performance of community*
12 *specialists under this subsection.*

13 “(6) *ENTREPRENEURIAL DEVELOPMENT POR-*
14 *TAL.—The Administrator shall publish a design for a*
15 *Web-based portal to provide comprehensive informa-*
16 *tion on the Administration’s entrepreneurial develop-*
17 *ment programs. After a period of 60 days for public*
18 *comment, the Administrator shall establish such por-*
19 *tal and—*

20 “(A) *integrate under one Web portal, Small*
21 *Business Development Centers, Women’s Busi-*
22 *ness Centers, SCORE, Veterans Business Centers,*
23 *the Administration’s distance learning program,*
24 *and other programs as appropriate;*

1 “(B) revise the Administration’s primary
2 Web site so that the Web portal described in sub-
3 paragraph (A) is available as a link on the main
4 Web page of the Web site;

5 “(C) increase consumer-oriented content on
6 the Administration’s Web site and focus on pro-
7 moting access to business solutions, including
8 marketing, financing, and human resources
9 planning;

10 “(D) establish relevant Web content aggre-
11 gated by industry segment, stage of business de-
12 velopment, level of need, and include referral
13 links to appropriate Administration services, in-
14 cluding financing, training and counseling, and
15 procurement assistance; and

16 “(E) provide style guidelines and links for
17 visitors to the Administration’s Web site to be
18 able to comment on and evaluate the materials
19 in terms of their usefulness.

20 “(7) PILOT PROGRAMS.—The Administrator may
21 not conduct any pilot program for a period of greater
22 than 3 years if the program conflicts with, or uses the
23 resources of, any of the entrepreneurial development
24 programs authorized under section 8(b)(1)(B), 21, 29,
25 32, or any other provision of this Act.”.

1 **TITLE VII—MODERNIZING THE**
2 **SMALL BUSINESS DEVELOP-**
3 **MENT CENTER PROGRAM**

4 **SEC. 701. SMALL BUSINESS DEVELOPMENT CENTERS OPER-**
5 **ATIONAL CHANGES.**

6 (a) *ACCREDITATION REQUIREMENT.*—Section 21(a)(1)
7 of the Small Business Act (15 U.S.C. 648(a)(1)) is amended
8 as follows:

9 (1) In the proviso, by inserting before “institu-
10 tion” the following: “accredited”.

11 (2) In the sentence beginning “The Administra-
12 tion shall”, by inserting before “institutions” the fol-
13 lowing: “accredited”.

14 (3) By adding at the end the following new sen-
15 tence: “In this paragraph, the term ‘accredited insti-
16 tution of higher education’ means an institution that
17 is accredited as described in section 101(a)(5) of the
18 Higher Education Act of 1965 (20 U.S.C.
19 1001(a)(5)).”.

20 (b) *PROGRAM NEGOTIATIONS.*—Section 21(a)(3) of the
21 Small Business Act (15 U.S.C. 648(a)(3)) is amended in
22 the matter preceding subparagraph (A), by inserting before
23 “agreed” the following: “mutually”.

24 (c) *CONTRACT NEGOTIATIONS.*—Section 21(a)(3)(A) of
25 the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amend-

1 *ed by inserting after “uniform negotiated” the following:*
2 *“mutually agreed to”.*

3 *(d) SBDC HIRING.—Section 21(c)(2)(A) of the Small*
4 *Business Act (15 U.S.C. 648(c)(2)(A)) is amended by in-*
5 *serting after “full-time staff” the following: “, the hiring*
6 *of which shall be at the sole discretion of the center without*
7 *the need for input or approval from any officer or employee*
8 *of the Administration”.*

9 *(e) CONTENT OF CONSULTATIONS.—Section*
10 *21(a)(7)(A) of the Small Business Act (15 U.S.C.*
11 *648(a)(7)(A)) is amended in the matter preceding clause*
12 *(i) by inserting after “under this section” the following: “,*
13 *or the content of any consultation with such an individual*
14 *or small business concern,”.*

15 *(f) AMOUNTS FOR ADMINISTRATIVE EXPENSES.—Sec-*
16 *tion 21(a)(4)(C)(v)(I) of the Small Business Act (15 U.S.C.*
17 *648(a)(4)(C)(v)(I)) is amended to read as follows:*

18 *“(I) IN GENERAL.—Of the amounts*
19 *made available in any fiscal year to carry*
20 *out this section, not more than \$500,000*
21 *may be used by the Administration to pay*
22 *expenses enumerated in subparagraphs (B)*
23 *through (D) of section 20(a)(1).”.*

24 *(g) NON-MATCHING PORTABILITY GRANTS.—Section*
25 *21(a)(4)(C)(viii) of the Small Business Act (15 U.S.C.*

1 648(a)(4)(C)(viii)) is amended by adding at the end the fol-
2 lowing: “In the event of a disaster, the dollar limitation
3 in the preceding sentence shall not apply.”.

4 (h) *DISTRIBUTION TO SBDCs.*—Section 21(b) of the
5 *Small Business Act (15 U.S.C. 648(b))* is amended by add-
6 ing at the end the following new paragraph:

7 “(4) *LIMITATION ON DISTRIBUTION TO SMALL BUSI-*
8 *NESS DEVELOPMENT CENTERS.*—

9 (A) *IN GENERAL.*—Except as otherwise pro-
10 vided in this paragraph, the Administration shall not
11 distribute funds to a Small Business Development
12 Center if the State in which the Small Business De-
13 velopment Center is located is served by more than
14 one Small Business Development Center.

15 (B) *UNAVAILABILITY EXCEPTION.*—The Admin-
16 istration may distribute funds to a maximum of 2
17 Small Business Development Centers in any State if
18 no applicant has applied to serve the entire State.

19 (C) *GRANDFATHER CLAUSE.*—The limitations
20 in this paragraph shall not apply to any State in
21 which more than one Small Business Development
22 Center received funding prior to January 1, 2007.

23 (D) *DEFINITION.*—For the purposes of this
24 paragraph, the term ‘Small Business Development
25 Center’ means the entity selected by the Administra-

1 *tion to receive funds pursuant to the funding formula*
 2 *set forth in subsection (a)(4), without regard to the*
 3 *number of sites for service delivery such entity estab-*
 4 *lishes or funds.”.*

5 *(i) WOMEN’S BUSINESS CENTERS.—Section 21(a)(1)*
 6 *of the Small Business Act (15 U.S.C. 648(a)(1)), as amend-*
 7 *ed, is further amended—*

8 *(1) by striking “and women’s business centers*
 9 *operating pursuant to section 29”; and*

10 *(2) by striking “or a women’s business center op-*
 11 *erating pursuant to section 29”.*

12 **SEC. 702. ACCESS TO CREDIT AND CAPITAL.**

13 *Section 21 of the Small Business Act (15 U.S.C. 648)*
 14 *is amended by adding at the end the following new sub-*
 15 *section:*

16 *“(o) ACCESS TO CREDIT AND CAPITAL PROGRAM.—*

17 *“(1) IN GENERAL.—The Administration shall es-*
 18 *tablish a grant program for small business develop-*
 19 *ment centers in accordance with this subsection. To be*
 20 *eligible for the program, a small business development*
 21 *center must be in good standing and comply with the*
 22 *other requirements of this section. Funds made avail-*
 23 *able through the program shall be used to—*

1 “(A) develop specialized programs to assist
2 local small business concerns in securing capital
3 and repairing damaged credit;

4 “(B) provide informational seminars on se-
5 curing credit and loans;

6 “(C) provide one-on-one counseling with po-
7 tential borrowers to improve financial presen-
8 tations to lenders; and

9 “(D) facilitate borrowers’ access to non-tra-
10 ditional financing sources, as well as traditional
11 lending sources.

12 “(2) AWARD SIZE LIMIT.—The Administration
13 may not award an entity more than \$300,000 in
14 grant funds under this subsection.

15 “(3) AUTHORITY.—Subject to amounts approved
16 in advance in appropriations Acts and separate from
17 amounts approved to carry out the program estab-
18 lished in subsection (a)(1), the Administration may
19 make grants or enter into cooperative agreements to
20 carry out this subsection.

21 “(4) AUTHORIZATION.—There is authorized to be
22 appropriated not more than \$2,500,000 for the pur-
23 poses of carrying out this subsection for each of the
24 fiscal years 2010 and 2011.”.

1 **SEC. 703. PROCUREMENT TRAINING AND ASSISTANCE.**

2 *Section 21 of the Small Business Act (15 U.S.C. 648),*
3 *as amended, is further amended by adding at the end the*
4 *following new subsection:*

5 “(p) *PROCUREMENT TRAINING AND ASSISTANCE.—*

6 “(1) *IN GENERAL.—The Administration shall es-*
7 *tablish a grant program for small business develop-*
8 *ment centers in accordance with this subsection. To be*
9 *eligible for the program, a small business development*
10 *center must be in good standing and comply with the*
11 *other requirements of this section. Funds made avail-*
12 *able through the program shall be used to—*

13 “(A) *work with local agencies to identify*
14 *contracts that are suitable for local small busi-*
15 *ness concerns;*

16 “(B) *prepare small businesses to be ready as*
17 *subcontractors and prime contractors for con-*
18 *tracts made available under the American Recov-*
19 *ery and Reinvestment Act of 2009 (Public Law*
20 *111–5) through training and business advise-*
21 *ment, particularly in the construction trades;*
22 *and*

23 “(C) *provide technical assistance regarding*
24 *the Federal procurement process, including as-*
25 *sisting small business concerns to comply with*
26 *federal regulations and bonding requirements.*

1 “(2) *AWARD SIZE LIMIT.*—*The Administration*
2 *may not award an entity more than \$300,000 in*
3 *grant funds under this subsection.*

4 “(3) *AUTHORITY.*—*Subject to amounts approved*
5 *in advance in appropriations Acts and separate from*
6 *amounts approved to carry out the program estab-*
7 *lished in subsection (a)(1), the Administration may*
8 *make grants or enter into cooperative agreements to*
9 *carry out this subsection.*

10 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—
11 *There is authorized to be appropriated not more than*
12 *\$2,500,000 for the purposes of carrying out this sub-*
13 *section for each of the fiscal years 2010 and 2011.”.*

14 **SEC. 704. GREEN ENTREPRENEURS TRAINING PROGRAM.**

15 *Section 21 of the Small Business Act (15 U.S.C. 648),*
16 *as amended, is further amended by adding at the end the*
17 *following new subsection:*

18 “(q) *GREEN ENTREPRENEURS TRAINING PROGRAM.*—

19 “(1) *IN GENERAL.*—*The Administration shall es-*
20 *tablish a grant program for small business develop-*
21 *ment centers in accordance with this subsection. To be*
22 *eligible for the program, a small business development*
23 *center must be in good standing and comply with the*
24 *other requirements of this section. Funds made avail-*
25 *able through the program shall be used to—*

1 “(A) provide education classes and one-on-
2 one instruction in starting a business in the
3 fields of energy efficiency, green technology, or
4 clean technology;

5 “(B) coordinate such classes and instruc-
6 tion, to the extent practicable, with local commu-
7 nity colleges and local professional trade associa-
8 tions; and

9 “(C) assist and provide technical counseling
10 to individuals seeking to start a business in the
11 fields of energy efficiency, green technology, or
12 clean technology.

13 “(2) AWARD SIZE LIMIT.—The Administration
14 may not award an entity more than \$300,000 in
15 grant funds under this subsection.

16 “(3) AUTHORITY.—Subject to amounts approved
17 in advance in appropriations Acts and separate from
18 amounts approved to carry out the program estab-
19 lished in subsection (a)(1), the Administration may
20 make grants or enter into cooperative agreements to
21 carry out this subsection.

22 “(4) AUTHORIZATION OF APPROPRIATIONS.—
23 There is authorized to be appropriated not more than
24 \$2,500,000 for the purposes of carrying out this sub-
25 section for each of the fiscal years 2010 and 2011.”.

1 **SEC. 705. MAIN STREET STABILIZATION.**

2 *Section 21 of the Small Business Act (15 U.S.C. 648),*
3 *as amended, is further amended by adding the following*
4 *new subsection at the end thereof:*

5 “(r) **MAIN STREET STABILIZATION.**—

6 “(1) **IN GENERAL.**—*The Administration shall es-*
7 *tablish a grant program for small business develop-*
8 *ment centers in accordance with this subsection. To be*
9 *eligible for the program, a small business development*
10 *center must be in good standing and comply with the*
11 *other requirements of this section. Funds made avail-*
12 *able through the program shall be used to—*

13 “(A) *establish a statewide small business*
14 *helpline within every State and United States*
15 *territory to provide immediate expert informa-*
16 *tion and assistance to small business concerns;*

17 “(B) *develop a portfolio of online survival*
18 *and growth tools and resources that struggling*
19 *small business concerns can utilize through the*
20 *Internet;*

21 “(C) *develop business advisory capacity to*
22 *provide expert consulting and education to assist*
23 *small businesses at-risk of failure and to, in*
24 *areas of high demand, shorten the response time*
25 *of small business development centers, and, in*

1 *rural areas, support added outreach in remote*
2 *communities;*

3 “(D) *deploy additional resources to help*
4 *specific industry sectors with a high presence of*
5 *small business concerns, which shall be targeted*
6 *toward clusters of small businesses with similar*
7 *needs and build upon best practices from earlier*
8 *assistance;*

9 “(E) *develop a formal listing of financing*
10 *options for small business capital access; and*

11 “(F) *deliver services that help dislocated*
12 *workers start new businesses.*

13 “(2) *AWARD SIZE LIMIT.—The Administration*
14 *may not award an entity more than \$250,000 in*
15 *grant funds under this subsection.*

16 “(3) *AUTHORITY.—Subject to amounts approved*
17 *in advance in appropriations Acts and separate from*
18 *amounts approved to carry out the program estab-*
19 *lished in subsection (a)(1), the Administration may*
20 *make grants or enter into cooperative agreements to*
21 *carry out this subsection.*

22 “(4) *AUTHORIZATION.—There is authorized to be*
23 *appropriated not more than \$2,500,000 for the pur-*
24 *poses of carrying out this subsection for each of the*
25 *fiscal years 2010 and 2011.”.*

1 **SEC. 706. PROHIBITION ON PROGRAM INCOME BEING USED**
2 **AS MATCHING FUNDS.**

3 *Section 21(a)(4)(B) (15 U.S.C. 648(a)(4)(B)) is*
4 *amended by inserting after “Federal program” the fol-*
5 *lowing: “and shall not include any funds obtained through*
6 *the assessment of fees to small business clients”.*

7 **SEC. 707. AUTHORIZATION OF APPROPRIATIONS.**

8 *Section 20 of the Small Business Act (15 U.S.C. 631*
9 *note), as amended by sections 403(c) and 504 of this Act,*
10 *is further amended by inserting after subsection (g) the fol-*
11 *lowing new subsection:*

12 *“(h) SMALL BUSINESS DEVELOPMENT CENTERS.—*
13 *There is authorized to be appropriated to carry out the*
14 *Small Business Development Center Program under section*
15 *21 \$150,000,000 for fiscal year 2010 and \$160,000,000 for*
16 *fiscal year 2011.”.*

Union Calendar No. 56

11TH CONGRESS
1ST Session

H. R. 2352

[Report No. 111-112]

A BILL

To amend the Small Business Act, and for other purposes.

MAY 15, 2009

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed