

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4549

To authorize the Administrator of the Small Business Administration to make grants to small business concerns to assist the commercialization of research developed with funds received under the second phase of the Small Business Innovation Research Program.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2010

Mr. TONKO introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize the Administrator of the Small Business Administration to make grants to small business concerns to assist the commercialization of research developed with funds received under the second phase of the Small Business Innovation Research Program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Inno-  
5 vation to Job Creation Act of 2010”.

1 **SEC. 2. COMMERCIALIZATION GRANTS TO SMALL BUSI-**  
2 **NESSES RECEIVING SBIR SECOND PHASE**  
3 **FUNDS.**

4 (a) **ESTABLISHMENT.**—The Administrator of the  
5 Small Business Administration is authorized to make  
6 grants on a competitive basis to small business concerns  
7 to assist the commercialization of research developed by  
8 such small business concerns with funds received under  
9 the second phase of the Small Business Innovation Re-  
10 search Program.

11 (b) **ELIGIBILITY.**—The Administrator may only  
12 award a grant under this section to a small business con-  
13 cern that—

14 (1) received second phase funds during fiscal  
15 year 2007 or 2008, or both;

16 (2) continues to meet the criteria for receiving  
17 second phase funds at the time the grant is award-  
18 ed, except for any such criteria that the Adminis-  
19 trator determines are no longer applicable;

20 (3) has obtained from the Federal agency from  
21 which the small business concern received second  
22 phase funds a recommendation that the small busi-  
23 ness concern be made a grant under this section;

24 (4) has not previously received a grant under  
25 this section for the commercialization of the same  
26 research; and

1           (5) submits an application at such time and in  
2           such form as the Administrator may require, includ-  
3           ing—

4                   (A) a description of the commercialization  
5           project for which the small business concern  
6           will use the grant funds;

7                   (B) the budget for such project; and

8                   (C) a certification that the small business  
9           concern meets the criteria described in para-  
10          graph (2).

11          (c) GRANT AMOUNT.—A grant under this section  
12          shall be in an amount the Administrator, in consultation  
13          with the Federal agency from which the small business  
14          concern received second phase funds, considers appro-  
15          priate, but such grant shall not exceed the amount of the  
16          second phase funds received by such small business con-  
17          cern with respect to the research involved.

18          (d) DEFINITIONS.—In this section—

19                   (1) the term “Administrator” means the Ad-  
20          ministrator of the Small Business Administration;  
21          and

22                   (2) the terms “Federal agency”, “research”,  
23          “second phase”, and “Small Business Innovation  
24          Research Program” have the meanings given such

1 terms in section 9(e) of the Small Business Act (15  
2 U.S.C. 638(e)).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated to carry out this section  
5 \$2,000,000,000 for fiscal year 2011.

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