

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

# H. R. 1680

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## AN ACT

To amend the Small Business Act to improve the women's  
business center program, 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.**

2 This Act may be cited as the “Women’s Business  
3 Centers Improvements Act of 2018”.

4 **SEC. 2. AMENDMENTS TO WOMEN’S BUSINESS CENTER**  
5 **PROGRAM.**

6 Section 29 of the Small Business Act (15 U.S.C. 656)  
7 is amended to read as follows:

8 **“SEC. 29. WOMEN’S BUSINESS CENTER PROGRAM.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) ASSISTANT ADMINISTRATOR.—The term  
11 ‘Assistant Administrator’ means the Assistant Ad-  
12 ministrator of the Office of Women’s Business Own-  
13 ership established under subsection (l).

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
15 tity’ means—

16 “(A) an organization described in section  
17 501(c) of the Internal Revenue Code of 1986  
18 and exempt from taxation under section 501(a)  
19 of such Code;

20 “(B) a State, regional, or local economic  
21 development organization, so long as the orga-  
22 nization certifies that grant funds received  
23 under this section will not be co-mingled with  
24 other funds;

25 “(C) an institution of higher education (as  
26 defined in section 101 of the Higher Education

1 Act of 1965 (20 U.S.C. 1001)), unless such in-  
2 stitution is currently receiving a grant under  
3 section 21;

4 “(D) a development, credit, or finance cor-  
5 poration chartered by a State, so long as the  
6 corporation certifies that grant funds received  
7 under this section will not be comingled with  
8 other funds; or

9 “(E) any combination of entities listed in  
10 subparagraphs (A) through (D).

11 “(3) SMALL BUSINESS CONCERN OWNED AND  
12 CONTROLLED BY WOMEN.—The term ‘small business  
13 concern owned and controlled by women’ has the  
14 meaning given under section 3(n).

15 “(4) WOMEN’S BUSINESS CENTER.—The term  
16 ‘women’s business center’ means the location at  
17 which counseling and training on the management,  
18 operations (including manufacturing, services, and  
19 retail), access to capital, international trade, Govern-  
20 ment procurement opportunities, and any other mat-  
21 ter that is needed to start, maintain, or expand a  
22 small business concern owned and controlled by  
23 women.

24 “(b) AUTHORITY.—

1           “(1) ESTABLISHMENT.—There is established a  
2 Women’s Business Center Program under which the  
3 Administrator may provide a grant to any eligible  
4 entity to operate one or more women’s business cen-  
5 ters for the benefit of small business concerns owned  
6 and controlled by women.

7           “(2) USE OF FUNDS.—The women’s business  
8 centers shall be designed to provide counseling and  
9 training that meets the needs of the small business  
10 concerns owned and controlled by women, especially  
11 socially or economically disadvantaged women, and  
12 shall provide—

13                 “(A) financial assistance, including train-  
14 ing and counseling in how to apply for and se-  
15 cure business credit and investment capital,  
16 preparing and presenting financial statements,  
17 and managing cash flow and other financial op-  
18 erations of a small business concern;

19                 “(B) management assistance, including  
20 training and counseling in how to plan, orga-  
21 nize, staff, direct, and control each major activ-  
22 ity and function of a small business concern;  
23 and

24                 “(C) marketing assistance, including train-  
25 ing and counseling in identifying and seg-

1           menting domestic and international market op-  
2           portunities, preparing and executing marketing  
3           plans, developing pricing strategies, locating  
4           contract opportunities, negotiating contracts,  
5           and utilizing varying public relations and adver-  
6           tising techniques.

7           “(3) TYPES OF GRANTS.—

8                   “(A) INITIAL GRANT.—The amount of an  
9           initial grant provided under this subsection to  
10          an eligible entity shall be not more than  
11          \$185,000 (as such amount is annually adjusted  
12          by the Administrator to reflect the change in  
13          inflation).

14                   “(B) ADDITIONAL GRANTS.—

15                   “(i) IN GENERAL.—With respect to an  
16          eligible entity that has received a grant,  
17          the Administrator may award an additional  
18          grant of up to \$65,000, to be dispersed  
19          after the expiration of the term of the ini-  
20          tial grant under this subsection if the Ad-  
21          ministrator determines that the eligible en-  
22          tity—

23                           “(I) has agreed to obtain, after  
24                           its application has been approved and  
25                           notice of award has been issued, cash

1 contributions from non-Federal  
2 sources of 1 non-Federal dollar for  
3 each Federal dollar;

4 “(II) is in good standing with the  
5 Women’s Business Center Program;  
6 and

7 “(III) has met performance goals  
8 for grant term of the initial grant, if  
9 applicable.

10 “(ii) LIMITATIONS.—The Adminis-  
11 trator may only award additional grants  
12 under clause (i)—

13 “(I) during the 3rd and 4th  
14 quarters of the grant term of the ini-  
15 tial grant; and

16 “(II) from unobligated amounts  
17 made available to the Administrator  
18 to carry out this section.

19 “(C) CONTINUATION GRANTS.—The Ad-  
20 ministrator may award a continuation grant of  
21 up to \$150,000 to an eligible entity that re-  
22 ceived an initial grant under subparagraph (A).  
23 There shall be no limitation on the number of  
24 continuation grants an eligible entity may re-  
25 ceive under this section.

1 “(c) APPLICATION.—

2 “(1) INITIAL GRANTS AND CONTINUATION  
3 GRANTS.—To receive an initial grant or continuation  
4 grant under this section, an eligible entity shall sub-  
5 mit an application to the Administrator in such  
6 form, in such manner, and containing such informa-  
7 tion as the Administrator may require, including—

8 “(A) a certification that the eligible enti-  
9 ty—

10 “(i) has designated an executive direc-  
11 tor or program manager, who may be com-  
12 pensated using grant funds awarded under  
13 this section or other sources, to manage  
14 the women’s business center for which a  
15 grant under subsection (b) is sought; and

16 “(ii) meets the accounting and report-  
17 ing requirements established under guid-  
18 ance issued by the Director of the Office of  
19 Management and Budget for the eligible  
20 entity;

21 “(B) information demonstrating the expe-  
22 rience and effectiveness of the eligible entity  
23 in—

24 “(i) provide counseling and training  
25 described under subsection (b)(2);

1           “(ii) providing training and services to  
2           a representative number of women who are  
3           socially or economically disadvantaged; and

4           “(iii) working with resource partners  
5           of the Administration and other entities;  
6           and

7           “(C) a 5-year plan that—

8           “(i) includes information relating to  
9           the assistance to be provided by the wom-  
10          en’s business center in the area in which  
11          the women’s business center is located;

12          “(ii) describes the ability of the eligi-  
13          ble entity to meet the needs of the market  
14          to be served by the women’s business cen-  
15          ter, including the ability to fundraise to ob-  
16          tain the matching funds required under  
17          subsection (e); and

18          “(iii) describes the ability of the eligi-  
19          ble entity to provide counseling and train-  
20          ing described under subsection (b)(2), in-  
21          cluding to a representative number of  
22          women who are socially or economically  
23          disadvantaged.

24          “(2) RECORD RETENTION.—



1           “(A) IN GENERAL.—The Administrator  
2 shall maintain a copy of each application sub-  
3 mitted under this subsection for not less than  
4 5 years.

5           “(B) PAPERWORK REDUCTION.—The Ad-  
6 ministrator shall take steps to reduce, to the  
7 maximum extent practicable, the paperwork  
8 burden associated with carrying out subpara-  
9 graph (A).

10       “(d) SELECTION OF ELIGIBLE ENTITIES.—

11           “(1) IN GENERAL.—In selecting recipients of  
12 initial grants, the Administrator shall consider—

13           “(A) the experience of the applicant in pro-  
14 viding entrepreneurial training;

15           “(B) the amount of time needed for the  
16 applicant to commence operation of a women’s  
17 business center;

18           “(C) the capacity of the applicant to meet  
19 the accreditation standards established under  
20 subsection (1)(4) in a timely manner;

21           “(D) the ability of the applicant to sustain  
22 operations, including its ability to obtain suffi-  
23 cient non-Federal funds, for a 5-year period;

24           “(E) the proposed location of a women’s  
25 business center to be operated by the applicant

1 eligible entity and its proximity to Veteran  
2 Business Outreach Centers and to recipients of  
3 grants under section 8(b)(1) or 21; and

4 “(F) the population density of the area to  
5 be served by the women’s business center oper-  
6 ated by the applicant eligible entity.

7 “(2) SELECTION CRITERIA.—

8 “(A) RULEMAKING.—The Administrator  
9 shall issue regulations to specify the criteria for  
10 review and selection of applicants under this  
11 subsection.

12 “(B) MODIFICATIONS PROHIBITED AFTER  
13 ANNOUNCEMENT.—With respect to a public an-  
14 nouncement of any opportunity to be awarded  
15 a grant under this section made by the Admin-  
16 istrator pursuant to subsection (j)(1), the Ad-  
17 ministrator may not modify regulations issued  
18 pursuant to subparagraph (A) with respect to  
19 such opportunity unless required to do so by an  
20 Act of Congress or an order of a Federal court.

21 “(C) RULE OF CONSTRUCTION.—Nothing  
22 in this clause may be construed as prohibiting  
23 the Administrator from modifying the regula-  
24 tions issued pursuant to subparagraph (A)  
25 (after providing an opportunity for notice and

1 comment) as such regulations apply to an op-  
2 portunity to be awarded a grant under this sec-  
3 tion that the Administrator has not yet publicly  
4 announced pursuant to subsection (j)(1).

5 “(e) MATCHING REQUIREMENTS.—

6 “(1) IN GENERAL.—Subject to paragraph (5),  
7 upon approval of an application submitted under  
8 subsection (c), the eligible entity shall agree to ob-  
9 tain contributions from non-Federal sources—

10 “(A) in the first and second year of the  
11 term of an initial grant, if applicable, 1 non-  
12 Federal dollar for each 2 Federal dollars; and

13 “(B) in each year of the term of an initial  
14 grant, if applicable, 1 non-Federal dollar for  
15 each Federal dollar.

16 “(2) FORM OF MATCHING FUNDS.—Not more  
17 than one-half of non-Federal matching funds de-  
18 scribed under paragraph (1) may be in the form of  
19 in-kind contributions that are budget line items only,  
20 including office equipment and office space.

21 “(3) DISBURSEMENT OF FUNDS.—The Admin-  
22 istrator may disburse an amount not greater than  
23 25 percent of the total amount of a grant awarded  
24 to an eligible entity before such eligible entity ob-

1 tains the non-Federal matching funds described  
2 under paragraph (1).

3 “(4) FAILURE TO OBTAIN MATCHING FUNDS.—

4 If an eligible entity fails to obtain the required  
5 matching funds described under paragraph (1), the  
6 eligible entity may not be eligible to receive advance  
7 disbursements pursuant to paragraph (3) during the  
8 remainder of the term, if applicable, of a grant  
9 awarded under this section. Before approving such  
10 eligible entity for an additional grant or continuation  
11 grant under this section, the Administrator shall  
12 make a written determination, including the reasons  
13 for such determination, of whether the Adminis-  
14 trator believes that the eligible entity will be able to  
15 obtain the requisite funding under paragraph (1) for  
16 such additional grant or continuation grant.

17 “(5) WAIVER OF NON-FEDERAL SHARE.—

18 “(A) IN GENERAL.—Upon request by an  
19 eligible entity, and in accordance with this para-  
20 graph, the Administrator may waive, in whole  
21 or in part, the requirement to obtain non-Fed-  
22 eral matching funds for a grant awarded under  
23 this section for the eligible entity for a fiscal  
24 year. The Administrator may not issue such a

1 waiver for more than a total of 2 consecutive  
2 fiscal years.

3 “(B) CONSIDERATIONS.—In determining  
4 whether to issue a waiver under this paragraph,  
5 the Administrator shall consider—

6 “(i) the economic conditions affecting  
7 the eligible entity;

8 “(ii) the impact the waiver would have  
9 on the credibility of the Women’s Business  
10 Center Program under this section;

11 “(iii) the demonstrated ability of the  
12 eligible entity to raise non-Federal funds;  
13 and

14 “(iv) the performance of the eligible  
15 entity under the initial grant.

16 “(C) LIMITATION.—The Administrator  
17 may not issue a waiver under this paragraph if  
18 granting the waiver would undermine the credi-  
19 bility of the Women’s Business Center Pro-  
20 gram.

21 “(6) EXCESS NON-FEDERAL DOLLARS.—The  
22 amount of non-Federal dollars obtained by an eligi-  
23 ble entity that is above the amount that is required  
24 to be obtained by the eligible entity under this sub-  
25 section shall not be subject to the requirements of

1 part 200 of title 2, Code of Federal Regulations, or  
2 any successor thereto, if such amount of non-Fed-  
3 eral dollars—

4 “(A) is not used as matching funds for  
5 purposes of implementing the Women’s Busi-  
6 ness Center Program; and

7 “(B) was not obtained using funds from  
8 the Women’s Business Center Program.

9 “(f) OTHER REQUIREMENTS.—

10 “(1) SEPARATION OF FUNDS.—An eligible enti-  
11 ty shall—

12 “(A) operate a women’s business center  
13 under this section separately from other  
14 projects, if any, of the eligible entity; and

15 “(B) separately maintain and account for  
16 any grants received under this section.

17 “(2) EXAMINATION OF ELIGIBLE ENTITIES.—

18 “(A) REQUIRED SITE VISIT.—Before re-  
19 ceiving an initial grant under this section, each  
20 applicant shall have a site visit by an employee  
21 of the Administration, in order to ensure that  
22 the applicant has sufficient resources to provide  
23 the services for which the grant is being pro-  
24 vided.

1           “(B) ANNUAL REVIEW.—An employee of  
2 the Administration shall—

3           “(i) conduct an annual review of the  
4 compliance of each eligible entity receiving  
5 an initial grant under this section with the  
6 grant agreement, including a financial ex-  
7 amination; and

8           “(ii) provide such review to the eligi-  
9 ble entity as required under subsection  
10 (j)(3).

11       “(3) REMEDIATION OF PROBLEMS.—

12           “(A) PLAN OF ACTION.—If a review of an  
13 eligible entity under paragraph (2)(B) identifies  
14 any problems, the eligible entity shall, within 45  
15 calendar days of receiving a copy of such re-  
16 view, provide the Assistant Administrator with  
17 a plan of action, including specific milestones,  
18 for correcting such problems.

19           “(B) PLAN OF ACTION REVIEW BY THE AS-  
20 SISTANT ADMINISTRATOR.—The Assistant Ad-  
21 ministrator shall review each plan of action sub-  
22 mitted under subparagraph (A) within 30 cal-  
23 endar days of receiving such plan. If the Assist-  
24 ant Administrator determines that such plan—

1           “(i) will bring the eligible entity into  
2 compliance with all the terms of the grant  
3 agreement, the Assistant Administrator  
4 shall approve such plan; or

5           “(ii) is inadequate to remedy the  
6 problems identified in the annual review to  
7 which the plan of action relates, the Assist-  
8 ant Administrator shall set forth such rea-  
9 sons in writing and provide such deter-  
10 mination to the eligible entity within 15  
11 calendar days of such determination.

12           “(C) AMENDMENT TO PLAN OF ACTION.—  
13 An eligible entity receiving a determination  
14 under subparagraph (B)(ii) shall have 30 cal-  
15 endar days from the receipt of the determina-  
16 tion to amend the plan of action to satisfy the  
17 problems identified by the Assistant Adminis-  
18 trator and resubmit such plan to the Assistant  
19 Administrator.

20           “(D) AMENDED PLAN REVIEW BY THE AS-  
21 SISTANT ADMINISTRATOR.—Within 15 calendar  
22 days of the receipt of an amended plan of ac-  
23 tion under subparagraph (C), the Assistant Ad-  
24 ministrator shall either approve or reject such



1 plan and provide such approval or rejection in  
2 writing to the eligible entity.

3 “(E) APPEAL OF ASSISTANT ADMINIS-  
4 TRATOR DETERMINATION.—

5 “(i) IN GENERAL.—If the Assistant  
6 Administrator rejects an amended plan  
7 under subparagraph (D), the eligible entity  
8 shall have the opportunity to appeal such  
9 decision to the Administrator, who may  
10 delegate such appeal to an appropriate of-  
11 ficer of the Administration.

12 “(ii) OPPORTUNITY FOR EXPLA-  
13 NATION.—Any appeal described under  
14 clause (i) shall provide an opportunity for  
15 the eligible entity to provide, in writing, an  
16 explanation of why the eligible entity’s  
17 amended plan remedies the problems iden-  
18 tified in the annual review conducted under  
19 paragraph (2)(B).

20 “(iii) NOTICE OF DETERMINATION.—  
21 The Administrator shall provide to the eli-  
22 gible entity a determination of the appeal,  
23 in writing, not later than 15 calendar days  
24 after the eligible entity files an appeal  
25 under this subparagraph.

1                   “(iv) EFFECT OF FAILURE TO ACT.—

2                   If the Administrator fails to act on an ap-  
3                   peal made under this subparagraph within  
4                   the 15-day period specified under clause  
5                   (iii), the eligible entity’s amended plan of  
6                   action submitted under subparagraph (C)  
7                   shall be deemed to be approved.

8                   “(4) TERMINATION OF GRANT.—

9                   “(A) IN GENERAL.—The Administrator  
10                  shall terminate a grant to an eligible entity  
11                  under this section if the eligible entity fails to  
12                  comply with—

13                  “(i) a plan of action approved by the  
14                  Assistant Administrator under paragraph  
15                  (3)(B)(i); or

16                  “(ii) an amended plan of action ap-  
17                  proved by the Assistant Administrator  
18                  under paragraph (3)(D) or approved on  
19                  appeal under paragraph (3)(E).

20                  “(B) APPEAL OF TERMINATION.—An eligi-  
21                  ble entity shall have the opportunity to chal-  
22                  lenge the termination of a grant under subpara-  
23                  graph (A) on the record and after an oppor-  
24                  tunity for a hearing.

1           “(C) FINAL AGENCY ACTION.—A deter-  
2           mination made pursuant to subparagraph (B)  
3           shall be considered final agency action for the  
4           purposes of chapter 7 of title 5, United States  
5           Code.

6           “(5) SOLICITATION.—Notwithstanding any  
7           other provision of law, an eligible entity may—

8                   “(A) solicit cash and in-kind contributions  
9                   from private individuals and entities to be used  
10                  to operate a women’s business center; and

11                   “(B) use amounts made available by the  
12                  Administrator under this section for the cost of  
13                  such solicitation and management of the con-  
14                  tributions received.

15           “(6) NOTICE AND COMMENT REQUIRED.—The  
16           Administrator may only make a change to the stand-  
17           ards by which an eligible entity obtains or maintains  
18           grants under this section, the standards for accredi-  
19           tation, or any other requirement for the operation of  
20           a women’s business center if the Administrator first  
21           provides notice and the opportunity for public com-  
22           ment, as set forth in section 553(b) of title 5,  
23           United States Code, without regard to any excep-  
24           tions provided for under such section.

25           “(g) PROGRAM EXAMINATION.—

1           “(1) IN GENERAL.—The Administration shall—

2                   “(A) develop and implement an annual  
3 programmatic and financial examination of  
4 each eligible entity, under which each such eligi-  
5 ble entity shall provide to the Administration—

6                           “(i) an itemized cost breakdown of ac-  
7 tual expenditures for costs incurred during  
8 the preceding year; and

9                           “(ii) documentation regarding the  
10 amount of matching assistance from non-  
11 Federal sources obtained and expended by  
12 the eligible entity during the preceding  
13 year in order to meet the requirements of  
14 subsection (e) and, with respect to any in-  
15 kind contributions described in subsection  
16 (e)(2) that were used to satisfy the re-  
17 quirements of subsection (e), verification of  
18 the existence and valuation of those con-  
19 tributions; and

20                   “(B) analyze the results of each such ex-  
21 amination and, based on that analysis, make a  
22 determination regarding the programmatic and  
23 financial viability of each women’s business cen-  
24 ter operated by the eligible entity.

1           “(2) CONDITIONS FOR CONTINUED FUNDING.—

2           In determining whether to award a continuation  
3           grant, the Administrator—

4                   “(A) shall consider the results of the most  
5                   recent examination of the eligible entity under  
6                   paragraph (1); and

7                   “(B) shall determine if—

8                           “(i) the eligible entity has failed to  
9                           provide, or provided inadequate, informa-  
10                          tion under paragraph (1)(A); or

11                           “(ii) the eligible entity has failed to  
12                           provide any information required to be pro-  
13                           vided by the women’s business center for  
14                           purposes of the management report under  
15                           subsection (k)(1), or the information pro-  
16                           vided by the center is inadequate.

17           “(h) CONTRACT AUTHORITY.—

18                   “(1) ELIGIBLE ENTITY.—An eligible entity that  
19                   receives a grant under this section may enter into a  
20                   contract with a Federal department or agency to  
21                   provide specific assistance to small business concerns  
22                   owned and controlled by women and other under-  
23                   served small business concerns, if performance of  
24                   such a contract does not hinder the ability of the eli-

1 gible entity to carry out the terms of a grant re-  
2 ceived under this section.

3 “(2) ADMINISTRATOR.—The authority of the  
4 Administrator to enter into contracts shall be in ef-  
5 fect for each fiscal year only to the extent and in the  
6 amounts as are provided in advance in appropria-  
7 tions Acts. After the Administrator has entered into  
8 a contract, either as a grant or a cooperative agree-  
9 ment, with any applicant under this section, the Ad-  
10 ministrator shall not suspend, terminate, or fail to  
11 renew or extend any such contract unless the Ad-  
12 ministrator provides the applicant with written noti-  
13 fication setting forth the reasons therefore and af-  
14 fords the applicant an opportunity for a hearing, ap-  
15 peal, or other administrative proceeding under chap-  
16 ter 5 of title 5, United States Code.

17 “(i) PRIVACY REQUIREMENTS.—

18 “(1) IN GENERAL.—A women’s business center  
19 may not disclose the name, address, or telephone  
20 number of any individual or small business concern  
21 receiving assistance under this section without the  
22 consent of such individual or small business concern,  
23 unless—

24 “(A) the Administrator is ordered to make  
25 such a disclosure by a court in any civil or

1 criminal enforcement action initiated by a Fed-  
2 eral or State agency; or

3 “(B) the Administrator considers such a  
4 disclosure to be necessary for the purpose of  
5 conducting a financial audit of a women’s busi-  
6 ness center, except that such a disclosure shall  
7 be limited to the information necessary for such  
8 audit.

9 “(2) ADMINISTRATION USE OF INFORMATION.—

10 This subsection shall not—

11 “(A) restrict Administration access to  
12 women’s business center data; or

13 “(B) prevent the Administration from  
14 using information about individuals who use  
15 women’s business centers (other than the infor-  
16 mation described in subparagraph (A)) to con-  
17 duct surveys of such individuals.

18 “(3) REGULATIONS.—The Administrator shall  
19 issue regulations to establish standards for dislo-  
20 sures for purposes of a financial audit under para-  
21 graph (1)(B).

22 “(j) NOTIFICATION REQUIREMENTS UNDER THE  
23 WOMEN’S BUSINESS CENTER PROGRAM.—The Adminis-  
24 trator shall provide the following:

1           “(1) A public announcement of any opportunity  
2           to be awarded grants under this section, to include  
3           the selection criteria under subsection (d) and any  
4           applicable regulations.

5           “(2) To any applicant for a grant under this  
6           section that failed to obtain such a grant, an oppor-  
7           tunity to debrief with the Administrator to review  
8           the reasons for the applicant’s failure.

9           “(3) To an eligible entity that receives an initial  
10          grant under this section, if a site visit or review of  
11          the eligible entity is carried out by an officer or em-  
12          ployee of the Administration (other than the Inspec-  
13          tor General), a copy of the site visit report or eval-  
14          uation, as applicable, within 30 calendar days of the  
15          completion of such visit or evaluation.

16          “(k) REPORTS.—

17                 “(1) MANAGEMENT REPORT.—

18                         “(A) IN GENERAL.—The Administrator  
19                         shall prepare and submit to the Committee on  
20                         Small Business of the House of Representatives  
21                         and the Committee on Small Business and En-  
22                         trepreneurship of the Senate a report on the ef-  
23                         fectiveness of women’s business centers oper-  
24                         ated through a grant awarded under this sec-  
25                         tion.



1           “(B) CONTENTS.—Each report submitted  
2 under paragraph (1) shall include information  
3 concerning, with respect to each women’s busi-  
4 ness center established pursuant to a grant  
5 awarded under this section—

6                   “(i) the number of individuals receiv-  
7 ing assistance;

8                   “(ii) the number of startup business  
9 concerns formed;

10                  “(iii) the gross receipts of assisted  
11 concerns;

12                  “(iv) the employment increases or de-  
13 creases of assisted concerns;

14                  “(v) to the maximum extent prac-  
15 ticable, increases or decreases in profits of  
16 assisted concerns; and

17                  “(vi) the most recent analysis, as re-  
18 quired under subsection (g)(1)(B), and the  
19 subsequent determination made by the Ad-  
20 ministration under that subsection.

21           “(2) STUDY AND REPORT ON REPRESENTATION  
22 OF WOMEN.—

23                   “(A) STUDY.—The Administrator shall pe-  
24 riodically conduct a study to identify industries,  
25 as defined under the North American Industry

1 Classification System, underrepresented by  
2 small business concerns owned and controlled  
3 by women.

4 “(B) REPORT.—Not later than 3 years  
5 after the date of enactment of this subsection,  
6 and every 5 years thereafter, the Administrator  
7 shall submit to the Committee on Small Busi-  
8 ness and Entrepreneurship of the Senate and  
9 the Committee on Small Business of the House  
10 of Representatives a report on the results of  
11 each study under paragraph (1) conducted dur-  
12 ing the 5-year period ending on the date of the  
13 report.

14 “(1) OFFICE OF WOMEN’S BUSINESS OWNERSHIP.—

15 “(1) ESTABLISHMENT.—There is established  
16 within the Administration an Office of Women’s  
17 Business Ownership, which shall be responsible for  
18 the administration of the Administration’s programs  
19 for the development of women’s business enterprises  
20 (as defined in section 408 of the Women’s Business  
21 Ownership Act of 1988 (15 U.S.C. 7108)). The Of-  
22 fice of Women’s Business Ownership shall be admin-  
23 istered by an Assistant Administrator, who shall be  
24 appointed by the Administrator.

1           “(2) ASSISTANT ADMINISTRATOR OF THE OF-  
2           FICE OF WOMEN’S BUSINESS OWNERSHIP.—

3           “(A) QUALIFICATION.—The position of As-  
4           sistant Administrator shall be a Senior Execu-  
5           tive Service position under section 3132(a)(2)  
6           of title 5, United States Code. The Assistant  
7           Administrator shall serve as a noncareer ap-  
8           pointee (as defined in section 3132(a)(7) of  
9           that title).

10          “(B) DUTIES.—The Assistant Adminis-  
11          trator shall administer the programs and serv-  
12          ices of the Office of Women’s Business Owner-  
13          ship and perform the following functions:

14               “(i) Recommend the annual adminis-  
15               trative and program budgets of the Office  
16               and eligible entities receiving a grant  
17               under the Women’s Business Center Pro-  
18               gram.

19               “(ii) Review the annual budgets sub-  
20               mitted by each eligible entity receiving a  
21               grant under the Women’s Business Center  
22               Program.

23               “(iii) Collaborate with other Federal  
24               departments and agencies, State and local  
25               governments, not-for-profit organizations,

1 and for-profit organizations to maximize  
2 utilization of taxpayer dollars and reduce  
3 (or eliminate) any duplication among the  
4 programs overseen by the Office of Wom-  
5 en’s Business Ownership and those of  
6 other entities that provide similar services  
7 to women entrepreneurs.

8 “(iv) Maintain a clearinghouse to pro-  
9 vide for the dissemination and exchange of  
10 information between women’s business cen-  
11 ters.

12 “(v) Serve as the vice chairperson of  
13 the Interagency Committee on Women’s  
14 Business Enterprise and as the liaison for  
15 the National Women’s Business Council.

16 “(3) MISSION.—The mission of the Office of  
17 Women’s Business Ownership shall be to assist  
18 women entrepreneurs to start, grow, and compete in  
19 global markets by providing quality support with ac-  
20 cess to capital, access to markets, job creation,  
21 growth, and counseling by—

22 “(A) fostering participation of women en-  
23 trepreneurs in the economy by overseeing a net-  
24 work of women’s business centers throughout  
25 States and territories;

1           “(B) creating public-private partnerships  
2 to support women entrepreneurs and conduct  
3 outreach and education to small business con-  
4 cerns owned and controlled by women; and

5           “(C) working with other programs of the  
6 Administrator to—

7                   “(i) ensure women are well-rep-  
8 resented in those programs and being  
9 served by those programs; and

10                   “(ii) identify gaps where participation  
11 by women in those programs could be in-  
12 creased.

13           “(4) ACCREDITATION PROGRAM.—

14                   “(A) ESTABLISHMENT.—Not later than  
15 270 days after the date of enactment of this  
16 paragraph, the Administrator shall publish  
17 standards for a program to accredit eligible en-  
18 tities that receive a grant under this section.

19                   “(B) PUBLIC COMMENT; TRANSITION.—  
20 Before publishing the standards under subpara-  
21 graph (A), the Administrator—

22                           “(i) shall provide a period of not less  
23 than 60 days for public comment on such  
24 standards; and

1                   “(ii) may not terminate a grant under  
2                   this section absent evidence of fraud or  
3                   other criminal misconduct by the recipient.

4                   “(C) CONTRACTING AUTHORITY.—The Ad-  
5                   ministrators may provide financial assistance, by  
6                   contract or otherwise, to a relevant national  
7                   women’s business center representative associa-  
8                   tion to provide assistance in establishing the  
9                   standards required under subparagraph (A) or  
10                  for carrying out an accreditation program pur-  
11                  suant to such standards.

12                  “(m) AUTHORIZATION OF APPROPRIATIONS.—

13                  “(1) IN GENERAL.—There are authorized to be  
14                  appropriated to the Administration to carry out this  
15                  section, to remain available until expended,  
16                  \$21,750,000 for each of fiscal years 2019 through  
17                  2022.

18                  “(2) USE OF AMOUNTS.—

19                  “(A) IN GENERAL.—Except as provided in  
20                  subparagraph (B), amounts made available  
21                  under this subsection for fiscal year 2018, and  
22                  each fiscal year thereafter, may only be used for  
23                  grant awards and may not be used for costs in-  
24                  curred by the Administration in connection with

1 the management and administration of the pro-  
2 gram under this section.

3 “(B) EXCEPTIONS.—Of the amount made  
4 available under this subsection for a fiscal year,  
5 the following amounts shall be available:

6 “(i) For the first fiscal year beginning  
7 after the date of the enactment of this sub-  
8 paragraph, 2.65 percent.

9 “(ii) For the second fiscal year begin-  
10 ning after the date of the enactment of  
11 this subparagraph and each fiscal year  
12 thereafter through fiscal year 2022, 2.5  
13 percent.

14 “(3) EXPEDITED ACQUISITION.—Notwith-  
15 standing any other provision of law, the Adminis-  
16 trator may use such expedited acquisition methods  
17 as the Administrator determines to be appropriate to  
18 carry out this section, except that the Administrator  
19 shall ensure that all small business sources are pro-  
20 vided a reasonable opportunity to submit pro-  
21 posals.”.

22 **SEC. 3. EFFECT ON EXISTING GRANTS.**

23 (a) TERMS AND CONDITIONS.—A nonprofit organiza-  
24 tion receiving a grant under section 29(m) of the Small  
25 Business Act (15 U.S.C. 656(m)), as in effect on the day

1 before the date of enactment of this Act, shall continue  
2 to receive the grant under the terms and conditions in ef-  
3 fect for the grant on the day before the date of enactment  
4 of this Act, except that the nonprofit organization may  
5 not apply for a continuation of the grant under section  
6 29(m)(5) of the Small Business Act (15 U.S.C.  
7 656(m)(5)), as in effect on the day before the date of en-  
8 actment of this Act.

9 (b) **LENGTH OF CONTINUATION GRANT.**—The Ad-  
10 ministrator of the Small Business Administration may  
11 award a grant under section 29(m) of the Small Business  
12 Act, as amended by this Act, to a nonprofit organization  
13 receiving a grant under section 29(m) of the Small Busi-  
14 ness Act (15 U.S.C. 656(m)), as in effect on the day be-  
15 fore the date of enactment of this Act, for the period—

16 (1) beginning on the day after the last day of  
17 the grant agreement under such section 29(m); and

18 (2) ending at the end of the third fiscal year be-  
19 ginning after the date of enactment of this Act.

20 **SEC. 4. REGULATIONS.**

21 Not later than 270 days after the date of the enact-  
22 ment of this Act, the Administrator of Small Business Ad-  
23 ministration shall publish in the Federal Register such  
24 regulations as are necessary to carry out section 29 of the  
25 Small Business Act (15 U.S.C. 656), as amended by this



1 Act. The Administrator shall accept public comments on  
2 such proposed regulations for a period of not less than  
3 60 days.

Passed the House of Representatives May 8, 2018.

Attest:

*Clerk.*

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

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**H. R. 1680**

**AN ACT**

To amend the Small Business Act to improve the women's business center program, and for other purposes.