

117TH CONGRESS
2D SESSION

S. 4863

To amend the Small Business Act to improve the Women’s Business Center Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2022

Mr. CARDIN (for himself, Ms. DUCKWORTH, Ms. HIRONO, Mrs. SHAHEEN, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Women’s Business
5 Centers Improvement Act of 2022”.

6 **SEC. 2. AMENDMENTS TO WOMEN’S BUSINESS CENTER**
7 **PROGRAM.**

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

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

2 “(a) DEFINITIONS.—In this section:

3 “(1) ASSISTANT ADMINISTRATOR.—The term
4 ‘Assistant Administrator’ means the Assistant Ad-
5 ministrator of the Office of Women’s Business Own-
6 ership established under subsection (j).

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

9 “(A) an organization described in section
10 501(c) of the Internal Revenue Code of 1986
11 and exempt from taxation under section 501(a)
12 of such Code;

13 “(B) a State, regional, or local economic
14 development organization, if the organization
15 certifies that grant funds received under this
16 section will not be commingled with other
17 funds;

18 “(C) an institution of higher education, as
19 defined in section 101 of the Higher Education
20 Act of 1965, unless the institution is receiving
21 a grant under section 21;

22 “(D) a development, credit, or finance cor-
23 poration chartered by a State, if the corpora-
24 tion certifies that grant funds received under
25 this section will not be commingled with other
26 funds; or

1 “(E) any combination of entities listed in
2 subparagraphs (A) through (D).

3 “(3) RELEVANT ORGANIZATIONS.—The term
4 ‘relevant organizations’ means—

5 “(A) organizations that advocate for or
6 work with women entrepreneurs, women’s busi-
7 ness ownership, or women’s business centers;
8 and

9 “(B) other organizations as the Adminis-
10 trator determines appropriate.

11 “(4) RESOURCE PARTNERS.—The term ‘re-
12 source partners’ means small business development
13 centers, chapters of the Service Corps of Retired Ex-
14 ecutives established under section 8(b)(1)(B), and
15 Veteran Business Outreach Centers described in sec-
16 tion 32.

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

1 “(6) WOMEN’S BUSINESS CENTER ORGANIZA-
2 TION.—The term ‘Women’s Business Center Organi-
3 zation’ means a membership organization formed by
4 women’s business centers to pursue matters of com-
5 mon concern.

6 “(b) AUTHORITY.—

7 “(1) ESTABLISHMENT.—There is established a
8 Women’s Business Center Program under which the
9 Administrator may enter into a cooperative agree-
10 ment with an eligible entity to provide a grant to the
11 eligible entity to operate 1 or more women’s business
12 centers for the benefit of small business concerns
13 owned and controlled by women.

14 “(2) USE OF FUNDS.—A women’s business cen-
15 ter established using funds made available under
16 this section shall be designed to provide entrepre-
17 neurial counseling and training that meets the needs
18 of the small business concerns owned and controlled
19 by women, especially concerns owned and controlled
20 by women who are both socially and economically
21 disadvantaged, as defined in section 8(a), and shall
22 provide—

23 “(A) financial assistance, including coun-
24 seling and training on how to—

1 “(i) apply for and secure business
2 credit and investment capital;

3 “(ii) prepare and present financial
4 statements; and

5 “(iii) manage cash flow and other fi-
6 nancial operations of a small business con-
7 cern;

8 “(B) management assistance, including
9 counseling and training on how to plan, orga-
10 nize, staff, direct, and control each major activ-
11 ity and function of a small business concern;

12 “(C) marketing assistance, including coun-
13 seling and training on how to—

14 “(i) identify and segment domestic
15 and international market opportunities;

16 “(ii) prepare and execute marketing
17 plans;

18 “(iii) develop pricing strategies;

19 “(iv) locate contract opportunities;

20 “(v) negotiate contracts; and

21 “(vi) use various public relations and
22 advertising techniques; and

23 “(D) other services, as needed, in order to
24 meet the changing and evolving needs of the
25 small business community.

1 “(3) TYPES OF GRANTS.—

2 “(A) INITIAL GRANT.—The amount of an
3 initial grant, which shall be for a 5-year term,
4 provided under this section to an eligible entity
5 shall be not more than \$300,000 annually (as
6 that amount is annually adjusted by the Admin-
7 istrator to reflect the change in inflation).

8 “(B) CONTINUATION GRANTS.—

9 “(i) IN GENERAL.—The Administrator
10 may award a continuation grant, which
11 shall be for a 5-year term, of not more
12 than \$300,000 annually (as that amount is
13 annually adjusted by the Administrator to
14 reflect the change in inflation) to an eligi-
15 ble entity that received an initial grant
16 under subparagraph (A).

17 “(ii) NO LIMITATION.—There shall be
18 no limitation on the number of continu-
19 ation grants an eligible entity may receive
20 under this section.

21 “(c) APPLICATION.—

22 “(1) INITIAL GRANTS AND CONTINUATION
23 GRANTS.—To receive an initial grant or continuation
24 grant under this section, an eligible entity shall sub-
25 mit an application to the Administrator in such

1 form, in such manner, and containing such informa-
2 tion as the Administrator may require, including—

3 “(A) a certification that the eligible enti-
4 ty—

5 “(i) has designated an executive direc-
6 tor or program manager, who may be com-
7 pensated using grant funds awarded under
8 this section or other sources, to manage
9 each women’s business center for which a
10 grant under subsection (b) is sought; and

11 “(ii) meets accounting and reporting
12 requirements established by the Director of
13 the Office of Management and Budget;

14 “(B) information demonstrating the expe-
15 rience and effectiveness of the eligible entity
16 in—

17 “(i) providing entrepreneurial coun-
18 seling and training described in subsection
19 (b)(2);

20 “(ii) providing training and services to
21 a representative number of women who are
22 both socially and economically disadvan-
23 taged; and

24 “(iii) working with resource partners,
25 offices of the Administration, and other

1 public and private entities engaging in en-
2 trepreneurial and small business develop-
3 ment; and

4 “(C) a 5-year plan that—

5 “(i) includes information relating to
6 the assistance to be provided by each wom-
7 en’s business center in the area in which
8 each center is located;

9 “(ii) describes the ability of the eligi-
10 ble entity to meet the needs of the market
11 to be served by each women’s business cen-
12 ter;

13 “(iii) describes the ability of the eligi-
14 ble entity to obtain the matching funds re-
15 quired under subsection (e); and

16 “(iv) describes the ability of the eligi-
17 ble entity to provide entrepreneurial coun-
18 seling and training described in subsection
19 (b)(2), including to a representative num-
20 ber of women who are both socially and
21 economically disadvantaged.

22 “(2) RECORD RETENTION.—

23 “(A) IN GENERAL.—The Administrator
24 shall maintain a copy of each application sub-

1 mitted under this subsection for not less than
2 5 years.

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

8 “(d) SELECTION OF ELIGIBLE ENTITIES.—

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

11 “(A) the experience of the applicant in pro-
12 viding entrepreneurial counseling and training;

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

16 “(C) the capacity of the applicant to meet
17 the accreditation standards established under
18 subsection (j)(4) in a timely manner and the
19 likelihood that the recipient will become accred-
20 ited;

21 “(D) the ability of the applicant to sustain
22 operations, including the applicant’s ability to
23 obtain matching funds under subsection (e), for
24 a 5-year period;

1 “(E) the proposed location of a women’s
2 business center to be operated by the applicant
3 and the location’s proximity to Veteran Busi-
4 ness Outreach Centers and to recipients of
5 grants under section 8(b)(1) or 21;

6 “(F) the counsel of a Women’s Business
7 Center Organization or another relevant organi-
8 zation on the level of unmet need in the area
9 where the women’s business center is to be lo-
10 cated; and

11 “(G) whether the applicant has received
12 trainings conducted by, utilized services pro-
13 vided by, or engaged with a Women’s Business
14 Center Organization or another relevant organi-
15 zation in the preparation of the application.

16 “(2) SELECTION CRITERIA.—

17 “(A) RULEMAKING.—The Administrator
18 shall issue regulations to specify the criteria for
19 review and selection of applicants under this
20 subsection.

21 “(B) EFFECT OF REGULATIONS AT TIME
22 OF APPLICATION.—Unless otherwise required
23 by an Act of Congress or an order of a Federal
24 court, any application for an opportunity to
25 award a grant under this section shall be gov-

1 erned by the regulations issued pursuant to
2 subparagraph (A) that are in effect at the time
3 of the public announcement of such opportunity
4 made by the Administrator pursuant to sub-
5 section (k)(1).

6 “(C) RULE OF CONSTRUCTION.—Nothing
7 in this paragraph may be construed as prohib-
8 iting the Administrator from modifying the reg-
9 ulations issued pursuant to subparagraph (A)
10 as the regulations apply to an opportunity to be
11 awarded a grant under this section that the Ad-
12 ministrator has not yet publicly announced pur-
13 suant to subsection (k)(1).

14 “(e) MATCHING REQUIREMENTS.—

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

19 “(A) in the first and second year of the
20 term of an initial grant, if applicable, 1 non-
21 Federal dollar for every 2 Federal dollars; and

22 “(B) in each subsequent year of the term
23 of an initial grant, if applicable, or for the term
24 of a continuation grant, 1 non-Federal dollar
25 for each Federal dollar.

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

6 “(3) 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 solicitation and management of the contribu-
14 tions received, subject to the limitations set by
15 the Administrator.

16 “(4) DISBURSEMENT OF FUNDS.—The Admin-
17 istrator may disburse an amount not greater than
18 25 percent of the total amount of a grant awarded
19 to an eligible entity before the eligible entity obtains
20 the matching funds described in paragraph (1).

21 “(5) FAILURE TO OBTAIN MATCHING FUNDS.—

22 “(A) IN GENERAL.—If an eligible entity
23 fails to obtain the required matching funds de-
24 scribed in paragraph (1), the eligible entity may
25 not be eligible to receive advance disbursements

1 pursuant to paragraph (4) during the remain-
2 der of the term, if applicable, of an initial grant
3 awarded under this section.

4 “(B) CONTINUATION GRANT.—Before ap-
5 proving the eligible entity for a continuation
6 grant under this section, the Administrator
7 shall make a written determination, including
8 the reasons for the determination, of whether
9 the Administrator believes that the eligible enti-
10 ty will be able to obtain the requisite matching
11 funding under paragraph (1) for the continu-
12 ation grant.

13 “(6) WAIVER OF NON-FEDERAL SHARE.—

14 “(A) IN GENERAL.—Upon request by an
15 eligible entity and in accordance with this para-
16 graph, the Administrator may waive, in whole
17 or in part, the requirement to obtain matching
18 funds under paragraph (1) for a grant awarded
19 under this section for the eligible entity for a 1-
20 year term of the grant.

21 “(B) CONSIDERATIONS.—In determining
22 whether to issue a waiver under this paragraph,
23 the Administrator shall consider—

24 “(i) the economic conditions affecting
25 the eligible entity;

1 “(ii) the demonstrated ability of the
2 eligible entity to raise non-Federal funds;
3 and

4 “(iii) the performance of the eligible
5 entity under the initial grant.

6 “(C) LIMITATION.—The Administrator
7 may not issue a waiver under this paragraph if
8 the Administrator determines that granting the
9 waiver would undermine the credibility of the
10 Women’s Business Center Program.

11 “(7) EXCESS NON-FEDERAL DOLLARS.—The
12 amount of non-Federal dollars obtained by an eligi-
13 ble entity that is greater than the amount that is re-
14 quired to be obtained by the eligible entity under
15 this subsection shall not be subject to the require-
16 ments of part 200 of title 2, Code of Federal Regu-
17 lations, or any successor thereto, if the amount of
18 non-Federal dollars—

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

22 “(B) was not obtained by using funds
23 granted under the Women’s Business Center
24 Program.

1 “(8) CARRYOVER.—An eligible entity may use
2 excess non-Federal dollars described in paragraph
3 (7) to satisfy the matching funds requirement under
4 paragraph (1) for the subsequent 1-year grant term,
5 if applicable, except that the amounts shall be sub-
6 ject to the requirements of part 200 of title 2, Code
7 of Federal Regulations, or any successor thereto.

8 “(f) OTHER REQUIREMENTS.—

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

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

14 “(B) separately maintain and account for
15 any grant funds received under this section.

16 “(2) EXAMINATION OF ELIGIBLE ENTITIES.—

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

24 “(B) ANNUAL REVIEW.—An employee of
25 the Administration shall—

1 “(i) conduct an annual programmatic
2 and financial examination of each eligible
3 entity, as described in subsection (g); and

4 “(ii) provide the results of the exam-
5 ination to the eligible entity.

6 “(3) REMEDIATION OF PROBLEMS.—

7 “(A) PLAN OF ACTION.—If an examination
8 of an eligible entity conducted under paragraph
9 (2)(B) identifies any problems, the eligible enti-
10 ty shall, not later than 45 calendar days after
11 receiving a copy of the results of the examina-
12 tion, provide the Assistant Administrator with a
13 plan of action, including specific milestones, for
14 correcting those problems.

15 “(B) PLAN OF ACTION REVIEW BY THE AS-
16 SISTANT ADMINISTRATOR.—Not later than 30
17 days after receipt of the plan of action, the As-
18 sistant Administrator shall review the plan of
19 action submitted under subparagraph (A), and
20 if the Assistant Administrator determines that
21 the plan—

22 “(i) will bring the eligible entity into
23 compliance with all the terms of a coopera-
24 tive agreement described in subsection (b),

1 the Assistant Administrator shall approve
2 the plan; or

3 “(ii) is inadequate to remedy the
4 problems identified in the annual examina-
5 tion to which the plan of action relates, the
6 Assistant Administrator shall set forth the
7 reasons in writing and provide the deter-
8 mination to the eligible entity not later
9 than 15 calendar days after the date of de-
10 termination.

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

19 “(D) AMENDED PLAN REVIEW BY THE AS-
20 SISTANT ADMINISTRATOR.—Not later than 15
21 calendar days after receipt of an amended plan
22 of action under subparagraph (C), the Assistant
23 Administrator shall approve or reject the plan
24 and provide the approval or rejection in writing
25 to the eligible entity.

1 “(E) APPEAL OF ASSISTANT ADMINIS-
2 TRATOR DETERMINATION.—

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

10 “(ii) OPPORTUNITY FOR EXPLA-
11 NATION.—Any appeal described in clause
12 (i) shall provide an opportunity for the eli-
13 gible entity to provide, in writing, an expla-
14 nation of why the amended plan of action
15 of the eligible entity remedies the problems
16 identified in the annual examination con-
17 ducted under paragraph (2)(B).

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

24 “(iv) EFFECT OF FAILURE TO ACT.—
25 If the Administrator fails to act on an ap-

1 peal made under this subparagraph within
2 the 15-day period specified under clause
3 (iii), the amended plan of action of the eli-
4 gible entity submitted under subparagraph
5 (C) shall be deemed to be approved.

6 “(4) TERMINATION OF GRANT.—

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

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

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

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

23 “(C) FINAL AGENCY ACTION.—A deter-
24 mination made pursuant to subparagraph (B)
25 shall be considered final agency action for the

1 purposes of chapter 7 of title 5, United States
2 Code.

3 “(5) ENGAGEMENT WITH MAJORITY WOMEN’S
4 BUSINESS CENTER ORGANIZATION, WOMEN’S BUSI-
5 NESS CENTERS, AND OTHER RELEVANT ORGANIZA-
6 TIONS.—If, on the date of enactment of the Wom-
7 en’s Business Centers Improvement Act of 2022, a
8 majority of women’s business centers that are oper-
9 ating pursuant to agreements with the Administra-
10 tion are members of an individual Women’s Business
11 Center Organization, the Administrator shall—

12 “(A) recognize the existence and activities
13 of the Organization; and

14 “(B) consult with the Organization, and to
15 the extent practicable, women’s business centers
16 and other relevant organizations, on the devel-
17 opment of documents with respect to—

18 “(i) announcing the annual scope of
19 activities pursuant to this section;

20 “(ii) requesting proposals to deliver
21 assistance as provided in this section; and

22 “(iii) the governance, general oper-
23 ations, and administration of the Women’s
24 Business Center Program, including gen-
25 eral best practices in the operation of that

1 Program and the development of regula-
2 tions and financial examinations under
3 that Program.

4 “(6) ENFORCEMENT.—

5 “(A) GRANTS.—The Assistant Adminis-
6 trator shall develop policies and procedures to
7 minimize the possibility of awarding a grant to
8 an eligible entity that will operate a women’s
9 business center that likely will not remain in
10 compliance with program and financial require-
11 ments.

12 “(B) INDIVIDUAL COOPERATIVE AGREE-
13 MENTS.—The Assistant Administrator shall en-
14 force the terms of any individual cooperative
15 agreement described in paragraph (5)(B)(iii).

16 “(g) PROGRAM EXAMINATION.—

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

18 “(A) develop and implement an annual
19 programmatic and financial examination of
20 each eligible entity receiving a grant under this
21 section, under which each eligible entity shall
22 provide to the Administration—

23 “(i) an itemized cost breakdown of ac-
24 tual expenditures for costs incurred during
25 the preceding year; and

1 “(ii) documentation regarding the
2 amount of matching assistance from non-
3 Federal sources obtained and expended by
4 the eligible entity during the preceding
5 year in order to meet the requirements of
6 subsection (e) and, with respect to any in-
7 kind contributions described in subsection
8 (e)(2) that were used to satisfy the re-
9 quirements of subsection (e), verification of
10 the existence and valuation of those con-
11 tributions; and

12 “(B) analyze the results of each examina-
13 tion and, based on that analysis, make a deter-
14 mination regarding the programmatic and fi-
15 nancial viability of each women’s business cen-
16 ter operated by the eligible entity.

17 “(2) CONDITIONS FOR CONTINUED FUNDING.—
18 In determining whether to award a continuation
19 grant to an eligible entity, the Administrator shall—

20 “(A) consider the results of the most re-
21 cent examination of the eligible entity under
22 paragraph (1);

23 “(B) determine if—

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

4 “(ii) the eligible entity has failed to
5 provide any information required to be pro-
6 vided by a women’s business center for
7 purposes of the management report under
8 subsection (l)(1), or the information pro-
9 vided by the center is inadequate; and

10 “(C) consider the accreditation status as
11 described in subsection (j)(4).

12 “(h) CONTRACT AUTHORITY.—

13 “(1) ELIGIBLE ENTITY.—An eligible entity that
14 receives a grant under this section may enter into a
15 contract with a Federal department or agency to
16 provide specific assistance to small business concerns
17 owned and controlled by women and other under-
18 served small business concerns, if performance of
19 that contract does not hinder the ability of the eligi-
20 ble entity to carry out the terms of a grant received
21 under this section.

22 “(2) ADMINISTRATOR.—

23 “(A) IN GENERAL.—The authority of the
24 Administrator to enter into contracts shall be in
25 effect for each fiscal year only to the extent and

1 in the amounts as are provided in advance in
2 appropriations Acts.

3 “(B) ADVERSE CONTRACT ACTION.—After
4 the Administrator has entered into a contract,
5 either as a grant or a cooperative agreement,
6 with any applicant under this section, the Ad-
7 ministrator shall not suspend, terminate, or fail
8 to renew or extend the contract unless the Ad-
9 ministrator provides the applicant with written
10 notification setting forth the reasons therefore
11 and affords the applicant an opportunity for a
12 hearing, appeal, or other administrative pro-
13 ceeding under chapter 5 of title 5, United
14 States Code.

15 “(i) PRIVACY REQUIREMENTS.—

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

22 “(A) the Administrator orders the disclo-
23 sure after the Administrator is ordered to make
24 a disclosure by a court in any civil or criminal

1 enforcement action initiated by a Federal or
2 State agency; or

3 “(B) the Administrator considers a disclo-
4 sure to be necessary for the purpose of con-
5 ducting a financial audit of a women’s business
6 center, except that the disclosure shall be lim-
7 ited to the information necessary for the audit.

8 “(2) ADMINISTRATION USE OF INFORMATION.—
9 This subsection shall not—

10 “(A) restrict the access of the Administra-
11 tion to women’s business center data; or

12 “(B) prevent the Administration from
13 using information about individuals who use
14 women’s business centers to conduct surveys of
15 those individuals.

16 “(3) REGULATIONS.—The Administrator shall
17 issue regulations to establish standards for disclo-
18 sures for purposes of a financial audit described in
19 paragraph (1)(B).

20 “(j) OFFICE OF WOMEN’S BUSINESS OWNERSHIP.—

21 “(1) ESTABLISHMENT.—There is established
22 within the Administration an Office of Women’s
23 Business Ownership, which shall be—

24 “(A) responsible for the administration of
25 the Administration’s programs for the develop-

1 ment of women’s business enterprises, as de-
2 fined in section 408 of the Women’s Business
3 Ownership Act of 1988 (15 U.S.C. 7108); and

4 “(B) administered by an Assistant Admin-
5 istrator, who shall be appointed by the Adminis-
6 trator.

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

9 “(A) QUALIFICATION.—The position of As-
10 sistant Administrator shall be—

11 “(i) a Senior Executive Service posi-
12 tion under section 3132(a)(2) of title 5,
13 United States Code; and

14 “(ii) a noncareer appointee, as defined
15 in section 3132(a)(7) of that title.

16 “(B) DUTIES.—The Assistant Adminis-
17 trator shall administer the programs and serv-
18 ices of the Office of Women’s Business Owner-
19 ship and perform the following functions:

20 “(i) Recommend the annual adminis-
21 trative and program budgets of the Office
22 and eligible entities receiving a grant
23 under the Women’s Business Center Pro-
24 gram.

1 “(ii) Review the annual budgets sub-
2 mitted by each eligible entity receiving a
3 grant under the Women’s Business Center
4 Program.

5 “(iii) Collaborate with other Federal
6 departments and agencies, State and local
7 governments, nonprofit organizations, and
8 for-profit organizations to maximize utili-
9 zation of taxpayer dollars and reduce or
10 eliminate any duplication among the pro-
11 grams overseen by the Office of Women’s
12 Business Ownership and those of other en-
13 tities that provide similar services to
14 women entrepreneurs.

15 “(iv) Maintain a clearinghouse to pro-
16 vide for the dissemination and exchange of
17 information between women’s business cen-
18 ters.

19 “(v) Serve as the vice chairperson of
20 the Interagency Committee on Women’s
21 Business Enterprise and as the liaison for
22 the National Women’s Business Council.

23 “(3) MISSION.—The mission of the Office of
24 Women’s Business Ownership shall be to assist
25 women entrepreneurs to start, grow, and compete in

1 global markets by providing quality support with ac-
2 cess to capital, access to markets, job creation,
3 growth, and counseling by—

4 “(A) fostering participation of women en-
5 trepreneurs in the economy by overseeing a net-
6 work of women’s business centers throughout
7 States and territories;

8 “(B) creating public-private partnerships
9 to support women entrepreneurs and conduct
10 outreach and education to small business con-
11 cerns owned and controlled by women; and

12 “(C) working with other programs of the
13 Administrator to—

14 “(i) ensure women are well-rep-
15 resented in those programs and being
16 served by those programs; and

17 “(ii) identify gaps where participation
18 by women in those programs could be in-
19 creased.

20 “(4) ACCREDITATION PROGRAM.—

21 “(A) ESTABLISHMENT.—Not later than
22 270 days after the date of enactment of the
23 Women’s Business Centers Improvement Act of
24 2022, the Administrator shall publish standards

1 for a program to accredit eligible entities that
2 receive a grant under this section.

3 “(B) PUBLIC COMMENT; TRANSITION.—
4 Before publishing the standards under subpara-
5 graph (A), the Administrator—

6 “(i) shall provide a period of not less
7 than 60 days for public comment on the
8 standards; and

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

12 “(C) CONTRACTING AUTHORITY.—The Ad-
13 ministrator may provide financial support, by
14 contract or otherwise, to a Women’s Business
15 Center Organization to provide assistance in es-
16 tablishing the standards required under sub-
17 paragraph (A) or for carrying out an accredita-
18 tion program pursuant to those standards.

19 “(5) CONTINUATION GRANT CONSIDER-
20 ATIONS.—

21 “(A) IN GENERAL.—In determining wheth-
22 er to award a continuation grant under this sec-
23 tion, the Administrator shall consider the re-
24 sults of the annual programmatic and financial

1 examination conducted under subsection (g)
2 and the accreditation program.

3 “(B) ACCREDITATION REQUIREMENT.—On
4 and after the date that is 2 years after the date
5 of enactment of the Women’s Business Centers
6 Improvement Act of 2022, the Administration
7 may not award a continuation grant under this
8 section unless the applicable eligible entity has
9 been approved under the accreditation program
10 conducted pursuant to this subsection, except
11 that the Assistant Administrator for the Office
12 of Women’s Business Ownership may waive the
13 accreditation requirement, in the discretion of
14 the Assistant Administrator, upon a showing
15 that the eligible entity is making a good faith
16 effort to obtain accreditation.

17 “(6) ANNUAL CONFERENCE.—

18 “(A) IN GENERAL.—Each women’s busi-
19 ness center shall participate in annual profes-
20 sional development at an annual conference fa-
21 cilitated by the Administrator.

22 “(B) COLLABORATION.—The Adminis-
23 trator shall collaborate with 1 or more Women’s
24 Business Center Organizations, women’s busi-
25 ness centers, or other relevant organizations in

1 carrying out the responsibilities of the Adminis-
2 trator under subparagraph (A).

3 “(k) NOTIFICATION REQUIREMENTS UNDER THE
4 WOMEN’S BUSINESS CENTER PROGRAM.—The Adminis-
5 trator shall provide the following:

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

10 “(2) To any applicant for a grant under this
11 section that failed to obtain a grant, an opportunity
12 to debrief with the Administrator to review the rea-
13 sons for the failure of the applicant.

14 “(3) To an eligible entity that receives an initial
15 grant under this section, if a site visit or review of
16 the eligible entity is carried out by an officer or em-
17 ployee of the Administration (other than the Inspec-
18 tor General), a copy of the site visit report or eval-
19 uation, as applicable, not later than 30 calendar
20 days after the completion of the visit or evaluation.

21 “(l) ANNUAL MANAGEMENT REPORT.—

22 “(1) IN GENERAL.—The Administrator shall
23 prepare and submit to the Committee on Small
24 Business and Entrepreneurship of the Senate and
25 the Committee on Small Business of the House of

1 Representatives an annual report on the effective-
2 ness of women’s business centers operated through
3 a grant awarded under this section.

4 “(2) INFORMATION FOR REPORT.—Each wom-
5 en’s business center shall, annually and upon re-
6 quest, provide the Administrator with sufficient in-
7 formation to complete the report required under
8 paragraph (1), including the information described
9 in paragraph (3).

10 “(3) CONTENTS.—Each report submitted under
11 paragraph (1) shall summarize—

12 “(A) information concerning, with respect
13 to each women’s business center established
14 pursuant to a grant awarded under this section,
15 the most recent analysis of the annual pro-
16 grammatic and financial examination of the ap-
17 plicable eligible entity, as required under sub-
18 section (g)(1)(B), and the subsequent deter-
19 mination made by the Administration under
20 that subsection;

21 “(B) the total number of individuals and
22 the number of unique individuals counseled or
23 trained through the Women’s Business Center
24 Program;

1 “(C) the total number of hours of coun-
2 seling and training services provided through
3 the Program;

4 “(D) to the extent practicable, the demo-
5 graphics of Program participants to include the
6 gender, race, ethnicity, and age of each partici-
7 pant;

8 “(E) the number of Program participants
9 who are veterans;

10 “(F) the number of new businesses started
11 by participants in the Program;

12 “(G) to the extent practicable, the number
13 of jobs supported, created, or retained with as-
14 sistance from women’s business centers;

15 “(H) the total amount of capital secured
16 by participants in the Program, including
17 through loans and equity investment of the Ad-
18 ministration;

19 “(I) the number of participants in the Pro-
20 gram receiving financial assistance, including
21 the type and dollar amount, under a loan pro-
22 gram of the Administration;

23 “(J) an estimate of gross receipts, includ-
24 ing to the extent practicable a description of

1 any change in revenue of small business con-
 2 cerns assisted through the Program;

3 “(K) the number of referrals of individuals
 4 to other resources and programs of the Admin-
 5 istration;

6 “(L) the results of satisfaction surveys of
 7 participants, including a summary of any com-
 8 ments received from those participants; and

9 “(M) any recommendations by the Admin-
 10 istrator to improve the delivery of services by
 11 women’s business centers.

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 \$31,500,000 for each of fiscal years 2023 through
 17 2026.

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 2023, 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 for the fiscal year beginning after the date of
6 enactment of the Women’s Business Centers
7 Improvement Act of 2022 and each fiscal year
8 thereafter through fiscal year 2026, 2.6 percent
9 shall be available for costs incurred by the Ad-
10 ministration in connection with the manage-
11 ment and administration of the program under
12 this section.

13 “(C) ACCREDITATION AND ANNUAL CON-
14 FERENCE.—Of the amounts made available in
15 any fiscal year to carry out this section, not
16 more than \$250,000 may be used by the Ad-
17 ministration to pay for expenses related to car-
18 rying out paragraphs (4) and (6) of subsection
19 (j).

20 “(3) EXPEDITED ACQUISITION.—Notwith-
21 standing any other provision of law, the Adminis-
22 trator may use expedited acquisition methods as the
23 Administrator determines to be appropriate to carry
24 out this section, except that the Administrator shall

1 ensure that all small business concerns are provided
2 a reasonable opportunity to submit proposals.”.

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

4 (a) **TERMS AND CONDITIONS.**—A nonprofit organiza-
5 tion receiving a grant under section 29(m) of the Small
6 Business Act (15 U.S.C. 656(m)), as in effect on the day
7 before the date of enactment of this Act, shall continue
8 to receive the grant under the terms and conditions in ef-
9 fect for the grant on the day before the date of enactment
10 of this Act, except that the nonprofit organization may
11 not apply for a continuation of the grant under section
12 29(m)(5) of the Small Business Act (15 U.S.C.
13 656(m)(5)), as in effect on the day before the date of en-
14 actment of this Act.

15 (b) **LENGTH OF CONTINUATION GRANT.**—The Ad-
16 ministrator of the Small Business Administration may
17 award a grant under section 29 of the Small Business Act
18 (15 U.S.C. 656), as amended by this Act, to a nonprofit
19 organization receiving a grant under section (m) of such
20 section 29, as in effect on the day before the date of enact-
21 ment of this Act, for the period—

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

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

1 **SEC. 4. REGULATIONS.**

2 Not later than 270 days after the date of enactment
3 of this Act, the Administrator of Small Business Adminis-
4 tration shall issue rules as are necessary to carry out sec-
5 tion 29 of the Small Business Act (15 U.S.C. 656), as
6 amended by this Act, and ensure that a period of public
7 comment for those rules is not less than 60 days.

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