

119TH CONGRESS
1ST SESSION

H. R. 3239

To improve commercialization activities in the SBIR and STTR programs,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2025

Ms. HOULAHAN (for herself and Mr. BALDERSON) introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committees on Science, Space, and Technology, and the Judiciary, 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

A BILL

To improve commercialization activities in the SBIR and
STTR programs, 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 “Research Advancing
5 to Market Production for Innovators Act”.

1 **SEC. 2. IMPROVEMENTS TO COMMERCIALIZATION SELEC-**
2 **TION.**

3 (a) IN GENERAL.—Section 9 of the Small Business
4 Act (15 U.S.C. 638) is amended—

5 (1) in subsection (g)—

6 (A) in paragraph (4)(B)(i), by striking “1
7 year” and inserting “180 days”;

8 (B) in paragraph (16), by striking “and”
9 at the end;

10 (C) in paragraph (17), by striking the pe-
11 riod at the end and inserting “; and”; and

12 (D) by adding at the end the following:

13 “(18) with respect to peer review carried out
14 under the SBIR program, to the extent practicable,
15 include in the peer review—

16 “(A) the likelihood of commercialization in
17 addition to scientific and technical merit and
18 feasibility; and

19 “(B) not less than 1 reviewer with com-
20 mercialization expertise who is capable of as-
21 sessing the likelihood of commercialization.”;
22 and

23 (2) in subsection (o)—

24 (A) in paragraph (4)(B)(i), by striking “1
25 year” and inserting “180 days”;

1 (B) in paragraph (20), by striking “and”
2 at the end;

3 (C) in paragraph (21), by striking the pe-
4 riod at the end and inserting “; and”; and

5 (D) by adding at the end the following:

6 “(22) with respect to peer review carried out
7 under the STTR program, to the extent practicable,
8 include in the peer review—

9 “(A) the likelihood of commercialization in
10 addition to scientific and technical merit and
11 feasibility; and

12 “(B) not less than 1 reviewer with com-
13 mercialization expertise who is capable of as-
14 sessing the likelihood of commercialization.”.

15 **SEC. 3. IMPROVEMENTS TO PHASE FLEXIBILITY.**

16 (a) IN GENERAL.—Section 9(cc) of the Small Busi-
17 ness Act (15 U.S.C. 638(cc)) is amended—

18 (1) by striking “During fiscal years 2012
19 through 2025, the National Institutes of Health, the
20 Department of Defense, and the Department of
21 Education may each” and inserting the following:

22 “(1) IN GENERAL.—During fiscal years 2025,
23 2026, and 2027, each Federal agency with an SBIR
24 or STTR program may”; and

25 (2) by adding at the end the following:

1 “(2) LIMITATION.—The total value of awards
2 provided by a Federal agency under this subsection
3 in a fiscal year shall be—

4 “(A) except as provided in subparagraph
5 (B) and (C), not more than 10 percent of the
6 total funds allocated to the SBIR and STTR
7 programs of the Federal agency during that fis-
8 cal year;

9 “(B) with respect to the National Insti-
10 tutes of Health, not more than 30 percent of
11 the total funds allocated to the SBIR and
12 STTR programs of the National Institutes of
13 Health during that fiscal year; and

14 “(C) The limitation under subparagraph
15 (A) shall not apply with respect to the Depart-
16 ment of Defense.”.

17 (b) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Administrator of the Small
19 Business Administration shall provide a briefing to the
20 Committee on Small Business and Entrepreneurship of
21 the Senate and the Committee on Small Business of the
22 House of Representatives regarding the authority provided
23 under section 9(cc) of the Small Business Act (15 U.S.C.
24 638(cc)), as amended by paragraph (1).

1 **SEC. 4. TECHNOLOGY COMMERCIALIZATION OFFICIAL.**

2 Section 9 of the Small Business Act (15 U.S.C. 638)
3 is amended by adding at the end the following:

4 “(aaa) TECHNOLOGY COMMERCIALIZATION OFFI-
5 CIAL.—Each Federal agency participating in the SBIR or
6 STTR program shall—

7 “(1) designate an existing official within the
8 Federal agency as the Technology Commercialization
9 Official of the Federal agency, who shall—

10 “(A) have sufficient commercialization ex-
11 perience;

12 “(B) provide guidance to SBIR and STTR
13 program awardees in commercializing and
14 transitioning technologies;

15 “(C) identify and advocate for SBIR and
16 STTR program technologies with sufficient
17 technology and commercialization readiness to
18 advance to Phase III awards or other non-
19 SBIR or STTR program contracts;

20 “(D) coordinate with the Administration
21 and Technology Commercialization Officials of
22 other Federal agencies to identify additional
23 markets and commercialization pathways for
24 promising SBIR and STTR program tech-
25 nologies;

“(E) submit to the Administration an annual report on the number of technologies from the SBIR or STTR program that have advanced commercialization activities, including information required in the commercialization impact assessment under subsection (ccc);

“(F) submit to the Administration an annual report on actions taken by the Federal agency, and the results of those actions, to simplify, standardize, and expedite the application process and requirements, procedures, and contracts as required under subsection (hh); and

“(G) carry out such other duties as the Federal agency determines necessary; or

“(2) identify an official carrying out substantially similar responsibilities as those described in paragraph (1).”.

SEC. 5. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A)—

(A) by striking “may enter into an agreement with 1 or more vendors selected under

1 paragraph (2)(A) to provide small business con-
2 cerns engaged in SBIR or STTR projects with
3 technical and business assistance services” and
4 inserting “shall authorize recipients of awards
5 under the SBIR or STTR program to select, if
6 desired, technical and business assistance pro-
7 vided under subparagraph (A), (B), or (C) of
8 paragraph (2) with respect to SBIR or STTR
9 projects”;

10 (B) by inserting “cybersecurity assist-
11 ance,” after “intellectual property protections,”;
12 and

13 (C) by striking “such concerns” and in-
14 serting “such recipients”;

15 (2) in paragraph (2), by adding at the end the
16 following:

17 “(C) STAFF.—A small business concern
18 may, by contract or otherwise, use funding pro-
19 vided under this section to hire new staff, aug-
20 ment staff, or direct staff to conduct or partici-
21 pate in training activities consistent with the
22 goals listed in paragraph (1).”;

23 (3) in paragraph (3), by striking subparagraphs
24 (A) and (B) and inserting the following:

1 “(A) PHASE I.—A Federal agency de-
2 scribed in paragraph (1) shall authorize a re-
3 cipient of a Phase I SBIR or STTR award to
4 utilize not more than \$6,500 per project, in-
5 cluded as part of the award of the recipient or
6 in addition to the amount of the award of the
7 recipient as determined appropriate by the head
8 of the Federal agency, for the services described
9 in paragraph (1)—

10 “(i) provided through a vendor se-
11 lected under paragraph (2)(A);

12 “(ii) provided through a vendor other
13 than a vendor selected under paragraph
14 (2)(A);

15 “(iii) achieved through the activities
16 described in paragraph (2)(C); or

17 “(iv) provided or achieved through
18 any combination of clauses (i), (ii), and
19 (iii).

20 “(B) PHASE II.—A Federal agency de-
21 scribed in paragraph (1) shall authorize a re-
22 cipient of a Phase II SBIR or STTR award to
23 utilize not more than \$50,000 per project, in-
24 cluded as part of the award of the recipient or
25 in addition to the amount of the award of the

recipient as determined appropriate by the head of the Federal agency, for the services described in paragraph (1)—

“(i) provided through a vendor selected under paragraph (2)(A);

“(ii) provided through a vendor other than a vendor selected under paragraph (2)(A);

“(iii) achieved through the activities described in paragraph (2)(C); or

“(iv) provided or achieved through any combination of clauses (i), (ii), and (iii).”; and

(4) by adding at the end the following:

“(5) TARGETED REVIEW.—A Federal agency may perform targeted reviews of technical and business assistance funding as described in subsection (mm)(1)(F).”.

SEC. 6. I-CORPS PARTICIPATION.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by section 4, is amended by adding at the end the following:

“(bbb) I-CORPS PARTICIPATION.—

“(1) IN GENERAL.—Each Federal agency that is required to conduct an SBIR or STTR program

1 with an Innovation Corps (commonly known as ‘I-
2 Corps’) program shall—

3 “(A) provide an option for participation in
4 an I-Corps teams course by recipients of an
5 award under the SBIR or STTR program; and

6 “(B) authorize the recipients described in
7 subparagraph (A) to use an award provided
8 under subsection (q) to provide additional tech-
9 nical assistance for participation in the I-Corps
10 teams course.

11 “(2) COST OF PARTICIPATION.—The cost of
12 participation by a recipient described in paragraph
13 (1)(A) in an I-Corps course may be provided by—

14 “(A) an I-Corps team grant;

15 “(B) funds awarded to the recipient under
16 subsection (q);

17 “(C) the participating teams or other
18 sources as appropriate; or

19 “(D) any combination of sources described
20 in subparagraphs (A), (B), and (C).”.

21 **SEC. 7. COMMERCIALIZATION IMPACT ASSESSMENT.**

22 Section 9 of the Small Business Act (15 U.S.C. 638),
23 as amended by sections 4 and 6, is amended by adding
24 at the end the following:

25 “(ccc) COMMERCIALIZATION IMPACT ASSESSMENT.—

1 “(1) IN GENERAL.—The Administrator shall co-
2 ordinate with each Federal agency with an SBIR or
3 STTR program to develop an annual commercializa-
4 tion impact assessment report, which shall measure,
5 for each small business concern that has received
6 not less than 50 Phase II awards on or after Octo-
7 ber 1 of the ninth fiscal year before the fiscal year
8 in which the report is submitted—

9 “(A) total dollar value of Federal awards,
10 contracts, and subcontracts, other than SBIR
11 or STTR awards, received by the small business
12 concern over the preceding 9 fiscal years;

13 “(B) the total dollar value of all SBIR and
14 STTR Phase I and Phase II awards received by
15 the small business concern over the preceding 9
16 fiscal years;

17 “(C) the average annual gross revenue of
18 the small business concern over the preceding 9
19 fiscal years;

20 “(D) total revenue from the sale or licens-
21 ing of new products and services resulting from
22 the research conducted under the awards re-
23 ceived in the preceding 9 fiscal years;

24 “(E) additional investment from any
25 source other than Phase I or Phase II SBIR or

1 STTR awards, to further the research and de-
2 velopment conducted under the awards received
3 in the preceding 9 fiscal years;

4 “(F) mergers and acquisitions of award re-
5 cipients during or after the completion of a
6 Phase II award;

7 “(G) new, unique spin-out companies re-
8 sulting from research conducted under the
9 awards received in the preceding 9 fiscal years;

10 “(H) patents acquired as a result of re-
11 search conducted under the awards received in
12 the preceding 9 fiscal years;

13 “(I) the year of first Phase II award and
14 the total number of employees at the time of
15 first Phase II award;

16 “(J) the number of employees, as of the
17 end of the most recent fiscal year; and

18 “(K) the total number and value of Phase
19 III awards received.

20 “(2) PUBLICATION.—The commercialization im-
21 pact assessment report described in paragraph (1)
22 shall be—

23 “(A) included in the annual report sub-
24 mitted under subsection (b)(7); and

25 “(B) submitted to—

1 “(i) the Committee on Small Business
 2 and Entrepreneurship of the Senate; and
 3 “(ii) the Committee on Science,
 4 Space, and Technology and the Committee
 5 on Small Business of the House of Rep-
 6 resentatives.”.

7 **SEC. 8. PATENT ASSISTANCE.**

8 Section 9 of the Small Business Act (15 U.S.C. 638),
 9 as amended by sections 4, 6, and 7, is amended by adding
 10 at the end the following:

11 “(ddd) PATENT ASSISTANCE.—

12 “(1) DEFINITIONS.—In this subsection—

13 “(A) the term ‘Director’ means the Under
 14 Secretary of Commerce for Intellectual Property
 15 and Director of the USPTO; and

16 “(B) the term ‘USPTO’ means the United
 17 States Patent and Trademark Office.

18 “(2) ASSISTANCE.—The Administrator shall
 19 enter into an interagency agreement with the Direc-
 20 tor under which the Director shall assist recipients
 21 of an award under the SBIR or STTR program (in
 22 this paragraph referred to as ‘SBIR and STTR re-
 23 cipients’) relating to intellectual property protection
 24 by establishing a prioritized patent examination pro-
 25 gram for SBIR and STTR recipients.

1 “(3) OUTREACH.—The Administrator shall co-
2 ordinate with the Director to provide outreach re-
3 garding the Pro Se Assistance Program of, and
4 scam prevention services provided by, the USPTO.”.

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