

Suspend the Rules and Pass the Bill, H.R. 1702, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 1702

To amend the Small Business Act to improve the small business development centers program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2017

Mr. EVANS (for himself and Mrs. RADEWAGEN) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to improve the small business development centers 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 subtitle may be cited as the “Small Business
5 Development Centers Improvement Act of 2018”.

1 **SEC. 2. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOP-**
2 **MENT PROGRAMS.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
4 amended—

5 (1) by redesignating section 47 as section 48;

6 and

7 (2) by inserting after section 46 the following
8 new section:

9 **“SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOP-**
10 **MENT PROGRAMS.**

11 **“(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—**

12 **“(1) IN GENERAL.—**Notwithstanding any other
13 provision of law, the Administrator shall only deliver
14 entrepreneurial development services, entrepreneurial
15 education, support for the development and mainte-
16 nance of clusters, or business training through a
17 program authorized under—

18 **“(A)** section 7(j), 7(m), 8(a), 8(b)(1), 21,
19 22, 29, or 32 of this Act; or

20 **“(B)** sections 358 or 389 of the Small
21 Business Investment Act of 1958.

22 **“(2) EXCEPTION.—**This section shall not apply
23 to services provided to assist small business concerns
24 owned by an Indian tribe (as such term is defined
25 in section 8(a)(13)).

1 “(b) ANNUAL REPORT.—Beginning on the first De-
2 cember 1 after the date of the enactment of this sub-
3 section, the Administrator shall annually report to the
4 Committee on Small Business of the House of Representa-
5 tives and the Committee on Small Business and Entrepre-
6 neurship of the Senate on all entrepreneurial development
7 activities undertaken in the current fiscal year through a
8 program described in subsection (a). Such report shall in-
9 clude—

10 “(1) a description and operating details for
11 each program and activity;

12 “(2) operating circulars, manuals, and standard
13 operating procedures for each program and activity;

14 “(3) a description of the process used to award
15 grants under each program and activity;

16 “(4) a list of all awardees, contractors, and ven-
17 dors (including organization name and location) and
18 the amount of awards for the current fiscal year for
19 each program and activity;

20 “(5) the amount of funding obligated for the
21 current fiscal year for each program and activity;

22 and

23 “(6) the names and titles for those individuals
24 responsible for each program and activity.”.

1 **SEC. 3. MARKETING OF SERVICES.**

2 Section 21 of the Small Business Act (15 U.S.C. 648)
3 is amended by adding at the end the following:

4 “(o) NO PROHIBITION OF MARKETING OF SERV-
5 ICES.—The Administrator shall not prohibit applicants re-
6 ceiving grants under this section from marketing and ad-
7 vertising their services to individuals and small business
8 concerns.”.

9 **SEC. 4. DATA COLLECTION.**

10 (a) IN GENERAL.—Section 21(a)(3)(A) of the Small
11 Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

12 (1) by striking “as provided in this section
13 and” and inserting “as provided in this section,”;
14 and

15 (2) by inserting before the period at the end the
16 following: “, and (iv) governing data collection ac-
17 tivities related to applicants receiving grants under
18 this section”.

19 (b) ANNUAL REPORT ON DATA COLLECTION.—Sec-
20 tion 21 of the Small Business Act (15 U.S.C. 648), as
21 amended by section 3 of this Act, is further amended by
22 adding at the end the following:

23 “(p) ANNUAL REPORT ON DATA COLLECTION.—The
24 Administrator shall report annually to the Committee on
25 Small Business of the House of Representatives and the
26 Committee on Small Business and Entrepreneurship of

1 the Senate on any data collection activities related to the
2 Small Business Development Center Program.”.

3 (c) WORKING GROUP TO IMPROVE DATA COLLEC-
4 TION.—

5 (1) ESTABLISHMENT AND STUDY.—The Admin-
6 istrator of the Small Business Administration shall
7 establish a group to be known as the “Data Collec-
8 tion Working Group” consisting of members from
9 entrepreneurial development grant recipients asso-
10 ciations and organizations and officials from the
11 Small Business Administration, to carry out a study
12 to determine the best way to capture data collection
13 and create or revise existing systems dedicated to
14 data collection.

15 (2) REPORT.—Not later than the end of the
16 180-day period beginning on the date of the enact-
17 ment of this Act, the Data Collection Working
18 Group shall issue a report to the Committee on
19 Small Business of the House of Representatives and
20 the Committee on Small Business and Entrepre-
21 neurship of the Senate containing the findings and
22 determinations made in carrying out the study re-
23 quired under paragraph (1), including—

24 (A) recommendations for revising existing
25 data collection practices; and

1 (B) a proposed plan for the Small Busi-
2 ness Administration to implement such rec-
3 ommendations.

4 **SEC. 5. FEES FROM PRIVATE PARTNERSHIPS AND CO-**
5 **SPONSORSHIPS.**

6 Section 21(a)(3) of the Small Business Act (15
7 U.S.C. 648(a)(3)(C)), as amended by section 4, is further
8 amended by adding at the end the following:

9 “(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-
10 SPONSORSHIPS.—A small business development center
11 that participates in a private partnership or cosponsorship
12 with the Administration shall not be prohibited from col-
13 lecting fees or other income related to the operation of
14 such a private partnership or cosponsorship.”.

15 **SEC. 6. EQUITY FOR SMALL BUSINESS DEVELOPMENT CEN-**
16 **TERS.**

17 Subclause (I) of section 21(a)(4)(C)(v) of the Small
18 Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to
19 read as follows:

20 “(I) IN GENERAL.—Of the
21 amounts made available in any fiscal
22 year to carry out this section, not
23 more than \$600,000 may be used by
24 the Administration to pay expenses

1 enumerated in subparagraphs (B)
2 through (D) of section 20(a)(1).”.

3 **SEC. 7. CONFIDENTIALITY REQUIREMENTS.**

4 Section 21(a)(7)(A) of the Small Business Act (15
5 U.S.C. 648(a)(7)(A)) is amended by inserting after
6 “under this section” the following: “to any State, local,
7 or Federal agency, or to any third party”.

8 **SEC. 8. LIMITATION ON AWARD OF GRANTS TO SMALL
9 BUSINESS DEVELOPMENT CENTERS.**

10 (a) IN GENERAL.—Section 21 of the Small Business
11 Act (15 U.S.C. 648), as amended by section 4, is further
12 amended—

13 (1) in subsection (a)(1), by striking “any wom-
14 en’s business center operating pursuant to section
15 29,”; and

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

17 “(q) LIMITATION ON AWARD OF GRANTS.—Except
18 for not-for-profit institutions of higher education, and not-
19 withstanding any other provision of law, the Administrator
20 may not award grants (including contracts and coopera-
21 tive agreements) under this section to any entity other
22 than those that received grants (including contracts and
23 cooperative agreements) under this section prior to the
24 date of the enactment of this subsection, and that seek

1 to renew such grants (including contracts and cooperative
2 agreements) after such date.”.

3 (b) RULE OF CONSTRUCTION.—The amendments
4 made by this section may not be construed as prohibiting
5 a women’s business center (as described under section 29
6 of the Small Business Act (15 U.S.C. 656)) from receiving
7 a subgrant from an entity receiving a grant under section
8 21 of the Small Business Act (15 U.S.C. 648).