

111TH CONGRESS
1ST SESSION

S. _____

To reauthorize and improve the entrepreneurial development programs of
the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. LANDRIEU (for herself and Ms. SNOWE) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To reauthorize and improve the entrepreneurial development
programs of the Small Business Administration, 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 “Entrepreneurial Devel-
5 opment Act of 2009”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

2

TITLE I—REAUTHORIZATION

Sec. 101. Reauthorization.

TITLE II—WOMEN’S SMALL BUSINESS OWNERSHIP PROGRAMS

Sec. 201. Office of Women’s Business Ownership.

Sec. 202. Women’s Business Center Program.

Sec. 203. National Women’s Business Council.

Sec. 204. Interagency Committee on Women’s Business Enterprise.

Sec. 205. Preserving the independence of the National Women’s Business Council.

Sec. 206. Study and report on women’s business centers.

TITLE III—NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT PROGRAM

Sec. 301. Short title.

Sec. 302. Native American small business development program.

Sec. 303. Study and report on Native American business centers.

Sec. 304. Office of Native American Affairs pilot program.

TITLE IV—VETERANS’ BUSINESS CENTER PROGRAM

Sec. 401. Veterans’ business center program; Office of Veterans Business Development.

Sec. 402. Reporting requirement for interagency task force.

Sec. 403. Repeal and renewal of grants.

TITLE V—PROGRAM FOR INVESTMENT IN MICROENTREPRENEURS

Sec. 501. PRIME reauthorization.

Sec. 502. Conforming repeal and amendments.

Sec. 503. References.

Sec. 504. Rule of construction.

TITLE VI—OTHER PROVISIONS

Sec. 601. Institutions of higher education.

Sec. 602. Health insurance options information for small business concerns.

Sec. 603. National Small Business Development Center Advisory Board.

Sec. 604. Privacy requirements for SCORE chapters.

Sec. 605. National small business summit.

Sec. 606. SCORE program.

Sec. 607. Assistance to out-of-state small businesses.

Sec. 608. Small business development centers.

Sec. 609. Evaluation of pilot programs.

1 SEC. 3. DEFINITIONS.

2 In this Act—

1 (b) SMALL BUSINESS DEVELOPMENT CENTERS.—
2 Section 21(a)(4)(C)(vii) of the Small Business Act (15
3 U.S.C. 648(a)(4)(C)(vii)) is amended to read as follows:

4 “(vii) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There are authorized to be appro-
6 priated to carry out this subparagraph—

7 “(I) \$150,000,000 for fiscal year
8 2010;

9 “(II) \$155,000,000 for fiscal
10 year 2011; and

11 “(III) \$160,000,000 for fiscal
12 year 2012.”.

13 (c) PAUL D. COVERDELL DRUG-FREE WORKPLACE
14 PROGRAM.—

15 (1) IN GENERAL.—Section 27(g) of the Small
16 Business Act (15 U.S.C. 654(g)) is amended—

17 (A) in paragraph (1), by striking “fiscal
18 years 2005 and 2006” and inserting “fiscal
19 years 2010 through 2012”; and

20 (B) in paragraph (2), by striking “fiscal
21 years 2005 and 2006” and inserting “fiscal
22 years 2010 through 2012”.

23 (2) CONFORMING AMENDMENT.—Section
24 21(c)(3)(T) of the Small Business Act (15 U.S.C.

1 “(3) TRAINING.—The Administrator may pro-
2 vide annual programmatic and financial oversight
3 training for women’s business ownership representa-
4 tives and district office technical representatives of
5 the Administration to enable representatives to carry
6 out their responsibilities.

7 “(4) PROGRAM AND TRANSPARENCY IMPROVE-
8 MENTS.—The Administrator shall maximize the
9 transparency of the women’s business center finan-
10 cial assistance proposal process and the pro-
11 grammatic and financial oversight process by—

12 “(A) providing public notice of the an-
13 nouncement for financial assistance under sub-
14 section (b) and grants under subsection (l) not
15 later than the end of the first quarter of each
16 fiscal year;

17 “(B) in the announcement described in
18 subparagraph (A), outlining award and pro-
19 gram evaluation criteria and describing the
20 weighting of the criteria for financial assistance
21 under subsection (b) and grants under sub-
22 section (l);

23 “(C) minimizing paperwork and reporting
24 requirements for applicants for and recipients
25 of financial assistance under this section;

1 “(D) standardizing the oversight and re-
2 view process of the Administration; and

3 “(E) providing to each women’s business
4 center, not later than 60 days after the comple-
5 tion of a site visit at the women’s business cen-
6 ter (whether conducted for an audit, perform-
7 ance review, or other reason), a copy of site
8 visit reports and evaluation reports prepared by
9 district office technical representatives or offi-
10 cers or employees of the Administration.”.

11 (b) CHANGE OF TITLE.—

12 (1) IN GENERAL.—Section 29 of the Small
13 Business Act (15 U.S.C. 656) is amended—

14 (A) in subsection (a)—

15 (i) by striking paragraphs (1) and (4);

16 (ii) by redesignating paragraphs (2)
17 and (3) as paragraphs (4) and (5), respec-
18 tively; and

19 (iii) by inserting before paragraph (4),
20 as so redesignated, the following:

21 “(2) the term ‘Director’ means the Director of
22 the Office of Women’s Business Ownership estab-
23 lished under subsection (g);”;

1 (B) by striking “Assistant Administrator”
2 each place it appears and inserting “Director”;
3 and

4 (C) in subsection (g)(2), in the paragraph
5 heading, by striking “ASSISTANT ADMINIS-
6 TRATOR” and inserting “DIRECTOR”.

7 (2) WOMEN’S BUSINESS OWNERSHIP ACT OF
8 1988.—Title IV of the Women’s Business Ownership
9 Act of 1988 (15 U.S.C. 7101 et seq.) is amended—

10 (A) in section 403(a)(2)(B), by striking
11 “Assistant Administrator” and inserting “Di-
12 rector”;

13 (B) in section 405, by striking “Assistant
14 Administrator” and inserting “Director”; and

15 (C) in section 406(c), by striking “Assist-
16 ant Administrator” and inserting “Director”.

17 **SEC. 202. WOMEN’S BUSINESS CENTER PROGRAM.**

18 (a) WOMEN’S BUSINESS CENTER FINANCIAL ASSIST-
19 ANCE.—Section 29 of the Small Business Act (15 U.S.C.
20 656) is amended—

21 (1) in subsection (a)—

22 (A) by inserting before paragraph (2), as
23 added by section 201(b), the following:

24 “(1) the term ‘association of women’s business
25 centers’ means an organization—

1 “(A) that represents not less than 51 per-
2 cent of the women’s business centers that par-
3 ticipate in a program under this section; and

4 “(B) whose primary purpose is to rep-
5 resent women’s business centers;”;

6 (B) by inserting after paragraph (2), as
7 added by section 201(b), the following:

8 “(3) the term ‘eligible entity’ means—

9 “(A) a private nonprofit organization;

10 “(B) a State, regional, or local economic
11 development organization;

12 “(C) a development, credit, or finance cor-
13 poration chartered by a State;

14 “(D) a public or private institution of
15 higher education (as that term is used in sec-
16 tions 101 and 102 of the Higher Education Act
17 of 1965 (20 U.S.C. 1001 and 1002)); or

18 “(E) any combination of entities listed in
19 subparagraphs (A) through (D);”;

20 (C) by adding after paragraph (5), as re-
21 designated by section 201(b), the following:

22 “(6) the term ‘women’s business center’ means
23 a project conducted by an eligible entity under this
24 section that—

1 “(A) is carried out separately from other
2 projects, if any, of the eligible entity; and

3 “(B) is separate from the financial system
4 of the eligible entity;”.

5 (2) in subsection (b)—

6 (A) by redesignating paragraphs (1), (2),
7 and (3) as subparagraphs (A), (B), and (C),
8 and adjusting the margins accordingly;

9 (B) by striking “The Administration” and
10 all that follows through “5-year project” and
11 inserting the following:

12 “(1) IN GENERAL.—The Administration may
13 provide financial assistance to an eligible entity to
14 conduct a project under this section”;

15 (C) by striking “The projects shall” and
16 inserting the following:

17 “(2) USE OF FUNDS.—The project shall be de-
18 signed to provide training and counseling that meets
19 the needs of women, especially socially and economi-
20 cally disadvantaged women, and shall provide”; and

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

22 “(3) AMOUNT OF FINANCIAL ASSISTANCE.—

23 “(A) IN GENERAL.—The Administrator
24 may award financial assistance under this sub-
25 section of not less than \$150,000 per year.

1 “(B) EQUAL ALLOCATIONS.—In the event
2 that the Administration has insufficient funds
3 to provide financial assistance of \$150,000 for
4 each recipient of financial assistance under this
5 subsection in any fiscal year, available funds
6 shall be allocated equally to recipients, unless a
7 recipient requests a lower amount than the allo-
8 cated amount.

9 “(4) CONSULTATION WITH ASSOCIATIONS OF
10 WOMEN’S BUSINESS CENTERS.—The Administrator
11 shall consult with each association of women’s busi-
12 ness centers to develop—

13 “(A) a training program for the staff of
14 women’s business centers and the Administra-
15 tion; and

16 “(B) recommendations to improve the poli-
17 cies and procedures for governing the general
18 operations and administration of the Women’s
19 Business Center program, including grant pro-
20 gram improvements under subsection (g)(5).”;
21 (3) in subsection (c)—

22 (A) in paragraph (1) by striking “the re-
23 cipient organization” and inserting “an eligible
24 entity”;

1 (B) in paragraph (3), in the second sen-
2 tence, by striking “a recipient organization”
3 and inserting “an eligible entity”; and

4 (C) in paragraph (4)—

5 (i) by striking “recipient” each place
6 it appears and inserting “eligible entity”;
7 and

8 (ii) by striking “such organization”
9 and inserting “the eligible entity”;

10 (4) in subsection (e)—

11 (A) by striking “applicant organization”
12 and inserting “eligible entity”;

13 (B) by striking “a recipient organization”
14 and inserting “an eligible entity”; and

15 (C) by striking “site”;

16 (5) by striking subsection (f) and inserting the
17 following:

18 “(f) APPLICATIONS AND CRITERIA FOR INITIAL FI-
19 NANCIAL ASSISTANCE.—

20 “(1) APPLICATION.—Each eligible entity desir-
21 ing financial assistance under subsection (b) shall
22 submit to the Administrator an application that con-
23 tains—

24 “(A) a certification that the eligible enti-
25 ty—

1 “(i) has designated an executive direc-
2 tor or program manager, who may be com-
3 pensated from financial assistance under
4 subsection (b) or other sources, to manage
5 the center on a full-time basis; and

6 “(ii) as a condition of receiving finan-
7 cial assistance under subsection (b),
8 agrees—

9 “(I) to receive a site visit by the
10 Administrator as part of the final se-
11 lection process;

12 “(II) to undergo an annual pro-
13 grammatic and financial review; and

14 “(III) to the maximum extent
15 practicable, to remedy any problems
16 identified pursuant to the site visit or
17 review under subclause (I) or (II);

18 “(iii) meets the accounting and re-
19 porting requirements established by the
20 Director of the Office of Management and
21 Budget;

22 “(B) information demonstrating that the
23 eligible entity has the ability and resources to
24 meet the needs of the market to be served by
25 the women’s business center for which financial

1 assistance under subsection (b) is sought, in-
2 cluding the ability to obtain the non-Federal
3 contribution required under subsection (c);

4 “(C) information relating to the assistance
5 to be provided by the women’s business center
6 for which financial assistance under subsection
7 (b) is sought in the area in which the women’s
8 business center site is located;

9 “(D) information demonstrating the expe-
10 rience and effectiveness of the eligible entity
11 in—

12 “(i) conducting financial, manage-
13 ment, and marketing assistance programs,
14 as described under subsection (b)(2), which
15 are designed to teach or upgrade the busi-
16 ness skills of women who are business own-
17 ers or potential business owners;

18 “(ii) providing training and services to
19 a representative number of women who are
20 socially and economically disadvantaged;
21 and

22 “(iii) using resource partners of the
23 Administration and other entities, such as
24 universities; and

1 “(E) a 5-year plan that describes the abil-
2 ity of the women’s business center for which fi-
3 nancial assistance is sought—

4 “(i) to serve women who are business
5 owners or potential owners by conducting
6 training and counseling activities; and

7 “(ii) to provide training and services
8 to a representative number of women who
9 are socially and economically disadvan-
10 taged.

11 “(2) ADDITIONAL INFORMATION.—The Admin-
12 istrator shall make any request for additional infor-
13 mation from an organization applying for financial
14 assistance under subsection (b) that was not re-
15 quested in the original announcement in writing.

16 “(3) REVIEW AND APPROVAL OF APPLICATIONS
17 FOR INITIAL FINANCIAL ASSISTANCE.—

18 “(A) IN GENERAL.—The Administrator
19 shall—

20 “(i) review each application submitted
21 under paragraph (1), based on the infor-
22 mation described in such paragraph and
23 the criteria set forth under subparagraph
24 (B) of this paragraph; and

1 “(ii) to the extent practicable, as part
2 of the final selection process, conduct a
3 site visit at each women’s business center
4 for which financial assistance under sub-
5 section (b) is sought.

6 “(B) SELECTION CRITERIA.—

7 “(i) IN GENERAL.—The Administrator
8 shall evaluate applicants for financial as-
9 sistance under subsection (b) in accordance
10 with selection criteria that are—

11 “(I) established before the date
12 on which applicants are required to
13 submit the applications;

14 “(II) stated in terms of relative
15 importance; and

16 “(III) publicly available and stat-
17 ed in each solicitation for applications
18 for financial assistance under sub-
19 section (b) made by the Adminis-
20 trator.

21 “(ii) REQUIRED CRITERIA.—The se-
22 lection criteria for financial assistance
23 under subsection (b) shall include—

24 “(I) the experience of the appli-
25 cant in conducting programs or ongo-

1 ing efforts designed to teach or en-
2 hance the business skills of women
3 who are business owners or potential
4 business owners;

5 “(II) the ability of the applicant
6 to commence a project within a min-
7 imum amount of time;

8 “(III) the ability of the applicant
9 to provide training and services to a
10 representative number of women who
11 are socially and economically dis-
12 advantaged; and

13 “(IV) the location for the wom-
14 en’s business center site proposed by
15 the applicant, including whether the
16 applicant is located in a State in
17 which there is not a women’s business
18 center receiving funding from the Ad-
19 ministration.

20 “(C) PROXIMITY.—If the principal place of
21 business of an applicant for financial assistance
22 under subsection (b) is located less than 50
23 miles from the principal place of business of a
24 women’s business center that received funds
25 under this section on or before the date of the

1 application, the applicant shall not be eligible
2 for the financial assistance, unless the applicant
3 submits a detailed written justification of the
4 need for an additional center in the area in
5 which the applicant is located.

6 “(D) RECORD RETENTION.—The Adminis-
7 trator shall maintain a copy of each application
8 submitted under this subsection for not less
9 than 7 years.”; and

10 (6) in subsection (m), by striking paragraph (3)
11 and inserting the following:

12 “(3) APPLICATION AND APPROVAL FOR RE-
13 NEWAL GRANTS.—

14 “(A) APPLICATION.—Each eligible entity
15 desiring a grant under this subsection shall
16 submit to the Administrator an application that
17 contains—

18 “(i) a certification that the appli-
19 cant—

20 “(I) is a private nonprofit organi-
21 zation;

22 “(II) has designated a full-time
23 executive director or program man-
24 ager to manage the women’s business
25 center operated by the applicant; and

1 “(III) as a condition of receiving
2 a grant under this subsection,
3 agrees—

4 “(aa) to receive a site visit
5 as part of the final selection
6 process;

7 “(bb) to submit, for the 2
8 full fiscal years before the date
9 on which the application is sub-
10 mitted, annual programmatic and
11 financial review reports or cer-
12 tified copies of the compliance
13 supplemental audits under OMB
14 Circular A-133 of the applicant;
15 and

16 “(cc) to remedy any problem
17 identified pursuant to the site
18 visit or review under item (aa) or
19 (bb);

20 “(ii) information demonstrating that
21 the applicant has the ability and resources
22 to meet the needs of the market to be
23 served by the women’s business center for
24 which a grant under this subsection is
25 sought, including the ability to ability to

1 obtain the non-Federal contribution re-
2 quired under paragraph (4)(C);

3 “(iii) information relating to assist-
4 ance to be provided by the women’s busi-
5 ness center for which a grant under this
6 subsection is sought in the area of the
7 women’s business center site;

8 “(iv) information demonstrating the
9 use of resource partners of the Administra-
10 tion and other entities;

11 “(v) a 3-year plan that describes the
12 ability of the women’s business center for
13 which a grant under this subsection is
14 sought—

15 “(I) to serve women who are
16 business owners or potential business
17 owners by conducting training and
18 counseling activities; and

19 “(II) to provide training and
20 services to a representative number of
21 women who are socially and economi-
22 cally disadvantaged; and

23 “(vi) any additional information that
24 the Administrator may reasonably require.

1 “(B) REVIEW AND APPROVAL OF APPLICA-
2 TIONS FOR GRANTS.—

3 “(i) IN GENERAL.—The Administrator
4 shall—

5 “(I) review each application sub-
6 mitted under subparagraph (A), based
7 on the information described in such
8 subparagraph and the criteria set
9 forth under clause (ii) of this subpara-
10 graph; and

11 “(II) whenever practicable, as
12 part of the final selection process,
13 conduct a site visit at each women’s
14 business center for which a grant
15 under this subsection is sought.

16 “(ii) SELECTION CRITERIA.—

17 “(I) IN GENERAL.—The Admin-
18 istrator shall evaluate applicants for
19 grants under this subsection in ac-
20 cordance with selection criteria that
21 are—

22 “(aa) established before the
23 date on which applicants are re-
24 quired to submit the applications;

1 “(bb) stated in terms of rel-
2 ative importance; and

3 “(cc) publicly available and
4 stated in each solicitation for ap-
5 plications for grants under this
6 subsection made by the Adminis-
7 trator.

8 “(II) REQUIRED CRITERIA.—The
9 selection criteria for a grant under
10 this subsection shall include—

11 “(aa) the total number of
12 entrepreneurs served by the ap-
13 plicant;

14 “(bb) the total number of
15 new start-up companies assisted
16 by the applicant;

17 “(cc) the percentage of the
18 clients of the applicant that are
19 socially or economically disadvan-
20 taged; and

21 “(dd) the percentage of indi-
22 viduals in the community served
23 by the applicant who are socially
24 or economically disadvantaged.

1 “(iii) CONDITIONS FOR CONTINUED
2 FUNDING.—In determining whether to
3 make a grant under this subsection, the
4 Administrator—

5 “(I) shall consider the results of
6 the most recent evaluation of the
7 women’s business center for which a
8 grant under this subsection is sought,
9 and, to a lesser extent, previous eval-
10 uations; and

11 “(II) may withhold a grant under
12 this subsection, if the Administrator
13 determines that the applicant has
14 failed to provide the information re-
15 quired to be provided under this para-
16 graph, or the information provided by
17 the applicant is inadequate.

18 “(C) NOTIFICATION.—Not later than 60
19 days after the date of the deadline to submit
20 applications for each fiscal year, the Adminis-
21 trator shall approve or deny any application
22 under this paragraph and notify the applicant
23 for each such application.

24 “(D) RECORD RETENTION.—The Adminis-
25 trator shall maintain a copy of each application

1 submitted under this paragraph for not less
2 than 7 years.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
4 Section 29 of the Small Business Act (15 U.S.C. 656) is
5 amended—

6 (1) in subsection (h)(2), by striking “to award
7 a contract (as a sustainability grant) under sub-
8 section (l) or”;

9 (2) in subsection (j)(1), by striking “The Ad-
10 ministration” and inserting “Not later than Novem-
11 ber 1st of each year, the Administrator”;

12 (3) in subsection (k)—

13 (A) by striking paragraphs (1), (2), and
14 (4);

15 (B) by redesignating paragraph (3) as
16 paragraph (5); and

17 (C) by inserting before paragraph (5), as
18 so redesignated, the following:

19 “(1) IN GENERAL.—There are authorized to be
20 appropriated to the Administration to carry out this
21 section, to remain available until expended—

22 “(A) \$20,000,000 for fiscal year 2010;

23 “(B) \$20,500,000 for fiscal year 2011; and

24 “(C) \$21,000,000 for fiscal year 2012.

1 “(2) ALLOCATION.—Of amounts made available
2 pursuant to paragraph (1), the Administrator shall
3 use not less than 50 percent for grants under sub-
4 section (1).

5 “(3) USE OF AMOUNTS.—Amounts made avail-
6 able under this subsection may only be used for
7 grant awards and may not be used for costs incurred
8 by the Administration in connection with the man-
9 agement and administration of the program under
10 this section.

11 “(4) CONTINUING GRANT AND COOPERATIVE
12 AGREEMENT AUTHORITY.—

13 “(A) IN GENERAL.—The authority of the
14 Administrator to provide financial assistance
15 under this section shall be in effect for each fis-
16 cal year only to the extent and in the amounts
17 as are provided in advance in appropriations
18 Acts.

19 “(B) PROMPT DISBURSEMENT.—Upon re-
20 ceiving funds to carry out this section for a fis-
21 cal year, the Administrator shall, to the extent
22 practicable, promptly reimburse funds to any
23 women’s business center awarded financial as-
24 sistance under this section if the center meets
25 the eligibility requirements under this section.

1 “(C) RENEWAL.—After the Administrator
2 has entered into a grant or cooperative agree-
3 ment with any women’s business center under
4 this section, the Administrator shall not sus-
5 pend, terminate, or fail to renew or extend any
6 such grant or cooperative agreement, unless the
7 Administrator—

8 “(i) provides the women’s business
9 center with written notification setting
10 forth the reasons for that action; and

11 “(ii) affords the center an opportunity
12 for a hearing, appeal, or other administra-
13 tive proceeding under chapter 5 of title 5,
14 United States Code.”;

15 (4) in subsection (m)(4)(D), by striking “or
16 subsection (l)”;

17 (5) by redesignating subsections (m) and (n),
18 as amended by this Act, as subsections (l) and (m),
19 respectively.

20 **SEC. 203. NATIONAL WOMEN’S BUSINESS COUNCIL.**

21 (a) MEMBERSHIP.—Section 407(f) of the Women’s
22 Business Ownership Act of 1988 (15 U.S.C. 7107(f)) is
23 amended by adding at the end the following:

24 “(3) REPRESENTATION OF MEMBER ORGANIZA-
25 TIONS.—In consultation with the chairperson of the

1 Council and the Administrator, a national women’s
2 business organization or small business concern that
3 is represented on the Council may replace its rep-
4 resentative member on the Council during the serv-
5 ice term to which that member was appointed.”.

6 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
7 410(a) of the Women’s Business Ownership Act of 1988
8 (15 U.S.C. 7110(a)) is amended by striking “2001
9 through 2003, of which \$550,000” and inserting “2010
10 through 2012, of which not less than 30 percent”.

11 **SEC. 204. INTERAGENCY COMMITTEE ON WOMEN’S BUSI-**
12 **NESS ENTERPRISE.**

13 (a) **CHAIRPERSON.**—Section 403(b) of the Women’s
14 Business Ownership Act of 1988 (15 U.S.C. 7103(b)) is
15 amended—

16 (1) by striking “Not later” and inserting the
17 following:

18 “(1) **IN GENERAL.**—Not later”; and

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

20 “(2) **VACANCY.**—In the event that a chair-
21 person is not appointed under paragraph (1), the
22 Deputy Administrator of the Small Business Admin-
23 istration shall serve as acting chairperson of the
24 Interagency Committee until a chairperson is ap-
25 pointed under paragraph (1).”.

1 (b) POLICY ADVISORY GROUP.—Section 401 of the
2 Women’s Business Ownership Act of 1988 (15 U.S.C.
3 7101) is amended—

4 (1) by striking “There” and inserting the fol-
5 lowing:

6 “(a) ESTABLISHMENT OF COMMITTEE.—There”; and

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

8 “(b) POLICY ADVISORY GROUP.—

9 “(1) ESTABLISHMENT.—There is established a
10 Policy Advisory Group within the Interagency Com-
11 mittee to assist the chairperson in developing poli-
12 cies and programs under this Act.

13 “(2) MEMBERSHIP.—The Policy Advisory
14 Group shall be composed of 7 policy making offi-
15 cials, of whom—

16 “(A) 1 shall be a representative of the
17 Small Business Administration;

18 “(B) 1 shall be a representative of the De-
19 partment of Commerce;

20 “(C) 1 shall be a representative of the De-
21 partment of Labor;

22 “(D) 1 shall be a representative of the De-
23 partment of Defense;

24 “(E) 1 shall be a representative of the De-
25 partment of the Treasury; and

1 “(F) 2 shall be representatives of the
2 Council.

3 “(3) MEETINGS.—The Policy Advisory Group
4 established under paragraph (1) shall meet not less
5 frequently than 3 times each year to—

6 “(A) plan activities for the new fiscal year;

7 “(B) track year-to-date agency contracting
8 activities; and

9 “(C) evaluate the progress during the fis-
10 cal year and prepare an annual report.”.

11 **SEC. 205. PRESERVING THE INDEPENDENCE OF THE NA-**
12 **TIONAL WOMEN’S BUSINESS COUNCIL.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) The National Women’s Business Council
15 provides an independent source of advice and policy
16 recommendations regarding women’s business devel-
17 opment and the needs of women entrepreneurs in
18 the United States to—

19 (A) the President;

20 (B) Congress;

21 (C) the Interagency Committee on Wom-
22 en’s Business Enterprise; and

23 (D) the Administrator.

24 (2) The members of the National Women’s
25 Business Council are small business owners, rep-

1 representatives of business organizations, and rep-
2 representatives of women's business centers.

3 (3) The chairman and ranking member of the
4 Committee on Small Business and Entrepreneurship
5 of the Senate and the Committee on Small Business
6 of the House of Representatives make recommenda-
7 tions to the Administrator to fill 8 of the positions
8 on the National Women's Business Council. Four of
9 the positions are reserved for small business owners
10 who are affiliated with the political party of the
11 President, and 4 of the positions are reserved for
12 small business owners who are not affiliated with the
13 political party of the President. This method of ap-
14 pointment ensures that the National Women's Busi-
15 ness Council will provide Congress with nonpartisan,
16 balanced, and independent advice.

17 (4) In order to maintain the independence of
18 the National Women's Business Council and to en-
19 sure that the Council continues to provide the Presi-
20 dent, the Interagency Committee on Women's Busi-
21 ness Enterprise, the Administrator, and Congress
22 with advice on a nonpartisan basis, it is essential
23 that the Council maintain the bipartisan balance es-
24 tablished under section 407 of the Women's Busi-
25 ness Ownership Act of 1988 (15 U.S.C. 7107).

1 (b) MAINTENANCE OF PARTISAN BALANCE.—Section
2 407(f) of the Women’s Business Ownership Act of 1988
3 (15 U.S.C. 7107(f)), as amended by this Act, is amended
4 by adding at the end the following:

5 “(4) PARTISAN BALANCE.—When filling a va-
6 cancy under paragraph (1) of this subsection of a
7 member appointed under paragraph (1) or (2) of
8 subsection (b), the Administrator shall, to the extent
9 practicable, ensure that there are an equal number
10 of members on the Council from each of the 2 major
11 political parties.

12 “(5) ACCOUNTABILITY.—If a vacancy is not
13 filled within the 30-day period required under para-
14 graph (1), or if there is an imbalance in the number
15 of members on the Council from each of the 2 major
16 political parties for a period exceeding 30 days, the
17 Administrator shall submit a report, not later than
18 10 days after the expiration of either such 30-day
19 deadline, to the Committee on Small Business and
20 Entrepreneurship of the Senate and the Committee
21 on Small Business of the House of Representatives,
22 that explains why the respective deadline was not
23 met and provides an estimated date on which any
24 vacancies will be filled, as applicable.”.

1 **SEC. 206. STUDY AND REPORT ON WOMEN'S BUSINESS CEN-**
2 **TERS.**

3 (a) IN GENERAL.—The Comptroller General of the
4 United States shall conduct a broad study of the unique
5 economic issues facing women's business centers located
6 in covered areas to identify—

7 (1) the difficulties such centers face in raising
8 non-Federal funds;

9 (2) the difficulties such centers face competing
10 for financial assistance, non-Federal funds, or other
11 types of assistance;

12 (3) the difficulties such centers face in writing
13 grant proposals; and

14 (4) other difficulties such centers face because
15 of the economy in the type of covered area in which
16 such centers are located.

17 (b) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Comptroller General shall
19 submit to Congress a report regarding the results of the
20 study conducted under subsection (a), which shall include
21 recommendations, if any, regarding how to—

22 (1) address the unique difficulties women's
23 business centers located in covered areas face be-
24 cause of the type of covered area in which such cen-
25 ters are located;

1 (2) expand the presence of, and increase the
2 services provided by, women’s business centers lo-
3 cated in covered areas; and

4 (3) best use technology and other resources to
5 better serve women business owners located in cov-
6 ered areas.

7 (c) DEFINITION OF COVERED AREA.—In this section,
8 the term “covered area” means—

9 (1) any State that is predominantly rural, as
10 determined by the Administrator;

11 (2) any State that is predominantly urban, as
12 determined by the Administrator; and

13 (3) any State or territory that is an island.

14 **TITLE III—NATIVE AMERICAN**
15 **SMALL BUSINESS DEVELOP-**
16 **MENT PROGRAM**

17 **SEC. 301. SHORT TITLE.**

18 This title may be cited as the “Native American
19 Small Business Development Act of 2009”.

20 **SEC. 302. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
21 **MENT PROGRAM.**

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

24 (1) by redesignating section 44 as section 45;

25 and

1 (2) by inserting after section 43 the following:

2 **“SEC. 44. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
3 **MENT PROGRAM.**

4 “(a) DEFINITIONS.—In this section—

5 “(1) the term ‘Alaska Native’ has the meaning
6 given the term ‘Native’ in section 3(b) of the Alaska
7 Native Claims Settlement Act (43 U.S.C. 1602(b));

8 “(2) the term ‘Alaska Native corporation’ has
9 the meaning given the term ‘Native Corporation’ in
10 section 3(m) of the Alaska Native Claims Settlement
11 Act (43 U.S.C. 1602(m));

12 “(3) the term ‘Assistant Administrator’ means
13 the Assistant Administrator of the Office of Native
14 American Affairs established under subsection (b);

15 “(4) the terms ‘center’ and ‘Native American
16 business center’ mean a center established under
17 subsection (c);

18 “(5) the term ‘eligible applicant’ means—

19 “(A) an Indian tribe;

20 “(B) a tribal college;

21 “(C) an Alaska Native corporation; or

22 “(D) a private, nonprofit organization—

23 “(i) that provides business and finan-
24 cial or procurement technical assistance to

1 any entity described in subparagraph (A),
2 (B), or (C); and

3 “(ii) the majority of members of the
4 board of directors of which are members of
5 an Indian tribe; or

6 “(E) a small business development center,
7 women’s business center, or other private orga-
8 nization participating in a joint project;

9 “(6) the term ‘Indian’ means a member of an
10 Indian tribe;

11 “(7) the term ‘Indian tribe’ has the meaning
12 given that term in section 4 of the Indian Self-De-
13 termination and Education Assistance Act (25
14 U.S.C. 450b);

15 “(8) the term ‘joint project’ means a project
16 that—

17 “(A) combines the resources and expertise
18 of 2 or more distinct entities at a physical loca-
19 tion dedicated to assisting the Native American
20 community; and

21 “(B) submits to the Administration a joint
22 application that contains—

23 “(i) a certification that each partici-
24 pant of the project—

25 “(I) is an eligible applicant;

1 “(II) employs an executive direc-
2 tor or program manager to manage
3 the center; and

4 “(ii) provides information dem-
5 onstrating a record of commitment to pro-
6 viding assistance to Native Americans and;

7 “(iii) information demonstrating that
8 the participants in the joint project have
9 the ability and resources to meet the
10 needs, including the cultural needs, of the
11 Native Americans to be served by the
12 project;

13 “(9) the term ‘Native American Business En-
14 terprise Center’ means an entity providing business
15 development assistance to federally recognized tribes
16 and Native Americans under a grant from the Mi-
17 nority Business Development Agency of the Depart-
18 ment of Commerce;

19 “(10) the term ‘Native American small business
20 concern’ means a small business concern that is
21 owned and controlled by—

22 “(A) a member of an Indian tribe; or

23 “(B) an Alaska Native or Alaska Native
24 corporation;

1 “(11) the term ‘Native American small business
2 development program’ means the program estab-
3 lished under subsection (c);

4 “(12) the term ‘tribal college’ has the meaning
5 given the term ‘tribally controlled college or univer-
6 sity’ has in section 2(a)(4) of the Tribally Controlled
7 Community College Assistance Act of 1978 (25
8 U.S.C. 1801(a)(4)); and

9 “(13) the term ‘tribal lands’ means all lands
10 within the exterior boundaries of any Indian reserva-
11 tion.

12 “(b) OFFICE OF NATIVE AMERICAN AFFAIRS.—

13 “(1) ESTABLISHMENT.—There is established
14 within the Administration the Office of Native
15 American Affairs, which, under the direction of the
16 Assistant Administrator, shall implement the pro-
17 grams of the Administration for the development of
18 business enterprises by Native Americans.

19 “(2) PURPOSE.—The purpose of the Office of
20 Native American Affairs is to assist Native Amer-
21 ican entrepreneurs to—

22 “(A) start, operate, and increase the busi-
23 ness of small business concerns;

24 “(B) develop management and technical
25 skills;

1 “(C) seek Federal procurement opportuni-
2 ties;

3 “(D) increase employment opportunities
4 for Native Americans through the establishment
5 and expansion of small business concerns; and

6 “(E) increase the access of Native Ameri-
7 cans to capital markets.

8 “(3) ASSISTANT ADMINISTRATOR.—

9 “(A) APPOINTMENT.—The Administrator
10 shall appoint a qualified individual to serve as
11 Assistant Administrator of the Office of Native
12 American Affairs in accordance with this para-
13 graph.

14 “(B) QUALIFICATIONS.—The Assistant
15 Administrator appointed under subparagraph
16 (A) shall have—

17 “(i) knowledge of Native American
18 culture; and

19 “(ii) experience providing culturally
20 tailored small business development assist-
21 ance to Native Americans.

22 “(C) EMPLOYMENT STATUS.—The Admin-
23 istrator shall establish the position of Assistant
24 Administrator as—

1 “(i) a position at GS-15 of the Gen-
2 eral Schedule; or

3 “(ii) a Senior Executive Service posi-
4 tion to be filled by a noncareer appointee,
5 as defined under section 3132(a)(7) of title
6 5, United States Code.

7 “(D) RESPONSIBILITIES AND DUTIES.—

8 The Assistant Administrator shall—

9 “(i) in consultation with the Associate
10 Administrator for Entrepreneurial Devel-
11 opment, administer and manage the Native
12 American Small Business Development
13 program established under this section;

14 “(ii) recommend the annual adminis-
15 trative and program budgets for the Office
16 of Native American Affairs;

17 “(iii) consult with Native American
18 business centers in carrying out the pro-
19 gram established under this section;

20 “(iv) recommend appropriate funding
21 levels;

22 “(v) review the annual budgets sub-
23 mitted by each applicant for the Native
24 American Small Business Development
25 program;

1 “(vi) select applicants to participate in
2 the program under this section;

3 “(vii) implement this section; and

4 “(viii) maintain a clearinghouse for
5 the dissemination and exchange of infor-
6 mation between Native American business
7 centers.

8 “(E) CONSULTATION REQUIREMENTS.—In
9 carrying out the responsibilities and duties de-
10 scribed in this paragraph, the Assistant Admin-
11 istrator shall confer with and seek the advice
12 of—

13 “(i) officials of the Administration
14 working in areas served by Native Amer-
15 ican business centers;

16 “(ii) representatives of Indian tribes;

17 “(iii) tribal colleges; and

18 “(iv) Alaska Native corporations.

19 “(c) NATIVE AMERICAN SMALL BUSINESS DEVELOP-
20 MENT PROGRAM.—

21 “(1) AUTHORIZATION.—

22 “(A) IN GENERAL.—The Administration,
23 through the Office of Native American Affairs,
24 shall provide financial assistance to eligible ap-

1 plicants to create Native American business
2 centers in accordance with this section.

3 “(B) USE OF FUNDS.—The financial and
4 resource assistance provided under this sub-
5 section shall be used to establish a Native
6 American business center to overcome obstacles
7 impeding the creation, development, and expan-
8 sion of small business concerns, in accordance
9 with this section, by—

10 “(i) reservation-based American Indi-
11 ans; and

12 “(ii) Alaska Natives.

13 “(2) 5-YEAR PROJECTS.—

14 “(A) IN GENERAL.—Each Native Amer-
15 ican business center that receives assistance
16 under paragraph (1)(A) shall conduct a 5-year
17 project that offers culturally tailored business
18 development assistance in the form of—

19 “(i) financial education, including
20 training and counseling in—

21 “(I) applying for and securing
22 business credit and investment cap-
23 ital;

24 “(II) preparing and presenting fi-
25 nancial statements; and

1 “(III) managing cash flow and
2 other financial operations of a busi-
3 ness concern;

4 “(ii) management education, including
5 training and counseling in planning, orga-
6 nizing, staffing, directing, and controlling
7 each major activity and function of a small
8 business concern; and

9 “(iii) marketing education, including
10 training and counseling in—

11 “(I) identifying and segmenting
12 domestic and international market op-
13 portunities;

14 “(II) preparing and executing
15 marketing plans;

16 “(III) developing pricing strate-
17 gies;

18 “(IV) locating contract opportu-
19 nities;

20 “(V) negotiating contracts; and

21 “(VI) utilizing varying public re-
22 lations and advertising techniques.

23 “(B) BUSINESS DEVELOPMENT ASSIST-
24 ANCE RECIPIENTS.—The business development
25 assistance under subparagraph (A) shall be of-

1 the annual amount of Federal financial as-
2 sistance awarded to a Native American
3 small business center after notice of the
4 award has been issued.

5 “(C) FEDERAL SHARE.—

6 “(i) IN GENERAL.—

7 “(I) INITIAL FINANCIAL ASSIST-
8 ANCE.—Except as provided in sub-
9 clause (II), an eligible applicant that
10 receives financial assistance under this
11 subsection shall provide non-Federal
12 contributions for the operation of the
13 Native American business center es-
14 tablished by the eligible applicant in
15 an amount equal to—

16 “(aa) in each of the first
17 and second years of the project,
18 not less than 33 percent of the
19 amount of the financial assist-
20 ance received under this sub-
21 section; and

22 “(bb) in each of the third
23 through fifth years of the project,
24 not less than 50 percent of the
25 amount of the financial assist-

1 ance received under this sub-
2 section.

3 “(II) RENEWALS.—An eligible
4 applicant that receives a renewal of fi-
5 nancial assistance under this sub-
6 section shall provide non-Federal con-
7 tributions for the operation of a Na-
8 tive American business center estab-
9 lished by the eligible applicant in an
10 amount equal to not less than 50 per-
11 cent of the amount of the financial as-
12 sistance received under this sub-
13 section.

14 “(4) CONTRACT AND COOPERATIVE AGREE-
15 MENT AUTHORITY.—A Native American business
16 center may enter into a contract or cooperative
17 agreement with a Federal department or agency to
18 provide specific assistance to Native American and
19 other underserved small business concerns located on
20 or near tribal lands, to the extent that such contract
21 or cooperative agreement is consistent with and does
22 not duplicate the terms of any assistance received by
23 the Native American business center from the Ad-
24 ministration.

25 “(5) APPLICATION PROCESS.—

1 “(A) SUBMISSION OF A 5-YEAR PLAN.—

2 Each applicant for assistance under paragraph
3 (1) shall submit a 5-year plan to the Adminis-
4 tration on proposed assistance and training ac-
5 tivities.

6 “(B) CRITERIA.—

7 “(i) IN GENERAL.—The Administrator
8 shall evaluate applicants for financial as-
9 sistance under this subsection in accord-
10 ance with selection criteria that are—

11 “(I) established before the date
12 on which eligible applicants are re-
13 quired to submit the applications;

14 “(II) stated in terms of relative
15 importance; and

16 “(III) publicly available and stat-
17 ed in each solicitation for applications
18 for financial assistance under this
19 subsection made by the Administrator.

20 “(ii) CONSIDERATIONS.—The criteria
21 required by this subparagraph shall in-
22 clude—

23 “(I) the experience of the appli-
24 cant in conducting programs or ongo-
25 ing efforts designed to impart or up-

1 grade the business skills of current or
2 potential owners of Native American
3 small business concerns;

4 “(II) the ability of the applicant
5 to commence a project within a min-
6 imum amount of time;

7 “(III) the ability of the applicant
8 to provide quality training and serv-
9 ices to a significant number of Native
10 Americans;

11 “(IV) previous assistance from
12 the Administration to provide services
13 in Native American communities;

14 “(V) the proposed location for
15 the Native American business center,
16 with priority given based on the prox-
17 imity of the center to the population
18 being served and to achieve a broad
19 geographic dispersion of the centers;
20 and

21 “(VI) demonstrated experience in
22 providing technical assistance, includ-
23 ing financial, marketing, and manage-
24 ment assistance.

1 “(6) CONDITIONS FOR PARTICIPATION.—Each
2 eligible applicant desiring a grant under this sub-
3 section shall submit an application to the Adminis-
4 trator that contains—

5 “(A) a certification that the applicant—

6 “(i) is an eligible applicant;

7 “(ii) employs an executive director or
8 program manager to manage the Native
9 American business center; and

10 “(iii) agrees—

11 “(I) to a site visit by the Admin-
12 istrator as part of the final selection
13 process;

14 “(II) to an annual programmatic
15 and financial examination; and

16 “(III) to the maximum extent
17 practicable, to remedy any problems
18 identified pursuant to that site visit or
19 examination;

20 “(B) information demonstrating that the
21 applicant has the ability and resources to meet
22 the needs, including cultural needs, of the Na-
23 tive Americans to be served by the grant;

24 “(C) information relating to proposed as-
25 sistance that the grant will provide, including—

1 “(i) the number of individuals to be
2 assisted; and

3 “(ii) the number of hours of coun-
4 seling, training, and workshops to be pro-
5 vided;

6 “(D) information demonstrating the effec-
7 tiveness and experience of the applicant in—

8 “(i) conducting financial, manage-
9 ment, and marketing assistance programs
10 designed to educate or improve the busi-
11 ness skills of, current or prospective Native
12 American business owners;

13 “(ii) providing training and services to
14 a representative number of Native Ameri-
15 cans;

16 “(iii) using resource partners of the
17 Administration and other entities, includ-
18 ing universities, Indian tribes, or tribal col-
19 leges; and

20 “(iv) the prudent management of fi-
21 nances and staffing;

22 “(E) the location where the applicant will
23 provide training and services to Native Ameri-
24 cans;

25 “(F) a 5-year plan that describes—

1 “(i) the number of Native Americans
2 and Native American small business con-
3 cerns to be served by the grant;

4 “(ii) if the Native American business
5 center is located in the continental United
6 States, the number of Native Americans to
7 be served by the grant; and

8 “(iii) the training and services to be
9 provided to a representative number of Na-
10 tive Americans; and

11 “(G) if the applicant is a joint project—

12 “(i) a certification that each partici-
13 pant in the joint project is an eligible ap-
14 plicant;

15 “(ii) information demonstrating a
16 record of commitment to providing assist-
17 ance to Native Americans; and

18 “(iii) information demonstrating that
19 the participants in the joint project have
20 the ability and resources to meet the
21 needs, including the cultural needs, of the
22 Native Americans to be served by the
23 grant.

24 “(7) REVIEW OF APPLICATIONS.—The Adminis-
25 trator shall approve or disapprove each completed

1 application submitted under this subsection not later
2 than 60 days after the date on which the eligible ap-
3 plicant submits the application.

4 “(8) PROGRAM EXAMINATION.—

5 “(A) IN GENERAL.—Each Native Amer-
6 ican business center established under this sub-
7 section shall annually provide to the Adminis-
8 trator an itemized cost breakdown of actual ex-
9 penditures made during the preceding year.

10 “(B) ADMINISTRATION ACTION.—Based on
11 information received under subparagraph (A),
12 the Administration shall—

13 “(i) develop and implement an annual
14 programmatic and financial examination of
15 each Native American business center as-
16 sisted pursuant to this subsection; and

17 “(ii) analyze the results of each exam-
18 ination conducted under clause (i) to deter-
19 mine the programmatic and financial via-
20 bility of each Native American business
21 center.

22 “(C) CONDITIONS FOR CONTINUED FUND-
23 ING.—In determining whether to renew a grant,
24 contract, or cooperative agreement with a Na-

1 tive American business center, the Administra-
2 tion—

3 “(i) shall consider the results of the
4 most recent examination of the center
5 under subparagraph (B), and, to a lesser
6 extent, previous examinations; and

7 “(ii) may withhold such renewal, if
8 the Administrator determines that—

9 “(I) the center has failed to pro-
10 vide the information required to be
11 provided under subparagraph (A), or
12 the information provided by the center
13 is inadequate;

14 “(II) the center has failed to pro-
15 vide adequate information required to
16 be provided by the center for purposes
17 of the report of the Administrator
18 under subparagraph (E);

19 “(III) the center has failed to
20 comply with a requirement for partici-
21 pation in the Native American small
22 business development program, as de-
23 termined by the Administrator, in-
24 cluding—

1 “(aa) failure to acquire or
2 properly document a non-Federal
3 share;

4 “(bb) failure to establish an
5 appropriate partnership or pro-
6 gram for marketing and outreach
7 to reach new Native American
8 small business concerns;

9 “(cc) failure to achieve re-
10 sults described in a financial as-
11 sistance agreement; and

12 “(dd) failure to provide to
13 the Administrator a description
14 of the amount and sources of any
15 non-Federal funding received by
16 the center;

17 “(IV) the center has failed to
18 carry out the 5-year plan under in
19 paragraph (6)(F); or

20 “(V) the center cannot make the
21 certification described in paragraph
22 (6)(A).

23 “(D) CONTINUING CONTRACT AND COOP-
24 ERATIVE AGREEMENT AUTHORITY.—

1 “(i) IN GENERAL.—The authority of
2 the Administrator to enter into contracts
3 or cooperative agreements in accordance
4 with this subsection shall be in effect for
5 each fiscal year only to the extent and in
6 the amounts as are provided in advance in
7 appropriations Acts.

8 “(ii) RENEWAL.—After the Adminis-
9 trator has entered into a contract or coop-
10 erative agreement with any Native Amer-
11 ican business center under this subsection,
12 the Administrator may not suspend, termi-
13 nate, or fail to renew or extend any such
14 contract or cooperative agreement unless
15 the Administrator provides the center with
16 written notification setting forth the rea-
17 sons therefor and affords the center an op-
18 portunity for a hearing, appeal, or other
19 administrative proceeding under chapter 5
20 of title 5, United States Code.

21 “(E) MANAGEMENT REPORT.—

22 “(i) IN GENERAL.—The Administra-
23 tion shall prepare and submit to the Com-
24 mittee on Small Business and Entrepre-
25 neurship of the Senate and the Committee

1 on Small Business of the House of Rep-
2 resentatives an annual report on the effec-
3 tiveness of all projects conducted by Native
4 American business centers under this sub-
5 section and any pilot programs adminis-
6 tered by the Office of Native American Af-
7 fairs.

8 “(ii) CONTENTS.—Each report sub-
9 mitted under clause (i) shall include, with
10 respect to each Native American business
11 center receiving financial assistance under
12 this subsection—

13 “(I) the number of individuals re-
14 ceiving assistance from the Native
15 American business center;

16 “(II) the number of startup busi-
17 ness concerns created with the assist-
18 ance of the Native American business
19 center;

20 “(III) the number of existing
21 businesses in the area served by the
22 Native American business center seek-
23 ing to expand employment;

24 “(IV) the number of jobs created
25 or maintained, on an annual basis, by

1 Native American small business con-
2 cerns assisted by the center since re-
3 ceiving funding under this Act;

4 “(V) to the maximum extent
5 practicable, the amount of the capital
6 investment and loan financing used by
7 emerging and expanding businesses
8 that were assisted by a Native Amer-
9 ican business center; and

10 “(VI) the most recent examina-
11 tion, as required under subparagraph
12 (B), and the determination made by
13 the Administration under that sub-
14 paragraph.

15 “(9) ANNUAL REPORT.—Each Native American
16 business center receiving financial assistance under
17 this subsection shall submit to the Administrator an
18 annual report on the services provided with the fi-
19 nancial assistance, including—

20 “(A) the number of individuals assisted,
21 categorized by ethnicity;

22 “(B) the number of hours spent providing
23 counseling and training for those individuals;

1 “(C) the number of startup small business
2 concerns created or maintained with the assist-
3 ance of the Native American business center;

4 “(D) the gross receipts of small business
5 concerns assisted by the Native American busi-
6 ness center;

7 “(E) the number of jobs created or main-
8 tained by small business concerns assisted by
9 the Native American business center; and

10 “(F) the number of jobs for Native Ameri-
11 cans created or maintained at small business
12 concerns assisted by the Native American busi-
13 ness center.

14 “(10) RECORD RETENTION.—

15 “(A) APPLICATIONS.—The Administrator
16 shall maintain a copy of each application sub-
17 mitted under this subsection for not less than
18 7 years.

19 “(B) ANNUAL REPORTS.—The Adminis-
20 trator shall maintain copies of the certification
21 submitted under paragraph (6)(A) indefinitely.

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated \$10,000,000 for each of
24 fiscal years 2010 through 2012, to carry out the Native
25 American Small Business Development program.”.

1 **SEC. 303. STUDY AND REPORT ON NATIVE AMERICAN BUSI-**
2 **NESS CENTERS.**

3 (a) IN GENERAL.—The Comptroller General of the
4 United States shall conduct a broad study of the unique
5 economic issues facing Native American business centers
6 to identify—

7 (1) the difficulties such centers face in raising
8 non-Federal funds;

9 (2) the difficulties such centers face competing
10 for financial assistance, non-Federal funds, or other
11 types of assistance;

12 (3) the difficulties such centers face in writing
13 grant proposals; and

14 (4) other difficulties such centers face because
15 of the economy in the area in which such centers are
16 located.

17 (b) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Comptroller General shall
19 submit to Congress a report regarding the results of the
20 study conducted under subsection (a), which shall include
21 recommendations, if any, regarding how to—

22 (1) address the unique difficulties Native Amer-
23 ican business centers face because of the type of
24 area in which such centers are located;

1 (2) expand the presence of, and increase the
2 services provided by, Native American business cen-
3 ters; and

4 (3) best use technology and other resources to
5 better serve Native American business owners.

6 (c) **DEFINITION OF NATIVE AMERICAN BUSINESS**
7 **CENTER.**—In this section, the term “Native American
8 business center” has the meaning given that term in sec-
9 tion 44(a) of the Small Business Act, as added by this
10 Act.

11 **SEC. 304. OFFICE OF NATIVE AMERICAN AFFAIRS PILOT**
12 **PROGRAM.**

13 (a) **DEFINITION.**—In this section, the term “Indian
14 tribe” means any band, nation, or organized group or
15 community of Indians located in the contiguous United
16 States, and the Metlakatla Indian Community, whose
17 members are recognized as eligible for the services pro-
18 vided to Indians by the Secretary of the Interior because
19 of their status as Indians.

20 (b) **AUTHORIZATION.**—The Office of Native Amer-
21 ican Affairs of the Administration may conduct a pilot
22 program—

23 (1) to develop and publish a self-assessment
24 tool for Indian tribes that will allow such tribes to

1 evaluate and implement best practices for economic
2 development; and

3 (2) to provide assistance to Indian tribes,
4 through an interagency working group, in identifying
5 and implementing economic development opportuni-
6 ties available from the Federal Government and pri-
7 vate enterprise, including—

8 (A) the Administration;

9 (B) the Department of Energy;

10 (C) the Environmental Protection Agency;

11 (D) the Department of Commerce;

12 (E) the Federal Communications Commis-
13 sion;

14 (F) the Department of Justice;

15 (G) the Department of Labor;

16 (H) the Office of National Drug Control
17 Policy; and

18 (I) the Department of Agriculture.

19 (c) TERMINATION OF PROGRAM.—The authority to
20 conduct a pilot program under this section shall terminate
21 on September 30, 2012.

22 (d) REPORT.—Not later than September 30, 2012,
23 the Office of Native American Affairs shall submit a re-
24 port to the Committee on Small Business and Entrepre-
25 neurship of the Senate and the Committee on Small Busi-

1 ness of the House of Representatives regarding the effec-
2 tiveness of the self-assessment tool developed under sub-
3 section (b)(1).

4 **TITLE IV—VETERANS’ BUSINESS**
5 **CENTER PROGRAM**

6 **SEC. 401. VETERANS’ BUSINESS CENTER PROGRAM; OFFICE**
7 **OF VETERANS BUSINESS DEVELOPMENT.**

8 (a) IN GENERAL.—Section 32 of the Small Business
9 Act (15 U.S.C. 657b) is amended by striking subsection
10 (f) and inserting the following:

11 “(f) ONLINE COORDINATION.—

12 “(1) DEFINITION.—In this subsection, the term
13 ‘veterans’ assistance provider’ means—

14 “(A) a veterans’ business center estab-
15 lished under subsection (g);

16 “(B) an employee of the Administration
17 assigned to the Office of Veterans Business De-
18 velopment; and

19 “(C) a veterans business ownership rep-
20 resentative designated under subsection
21 (g)(13)(B).

22 “(2) ESTABLISHMENT.—The Associate Admin-
23 istrator shall establish an online mechanism to—

24 “(A) provide information that assists vet-
25 erans’ assistance providers in carrying out the

1 activities of the veterans' assistance providers;
2 and

3 “(B) coordinate and leverage the work of
4 the veterans' assistance providers, including by
5 allowing a veterans' assistance provider to—

6 “(i) distribute best practices and
7 other materials;

8 “(ii) communicate with other vet-
9 erans' assistance providers regarding the
10 activities of the veterans' assistance pro-
11 vider on behalf of veterans; and

12 “(iii) pose questions to and request
13 input from other veterans' assistance pro-
14 viders.

15 “(g) VETERANS' BUSINESS CENTER PROGRAM.—

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

17 “(A) the term ‘active duty’ has the mean-
18 ing given that term in section 101 of title 10,
19 United States Code;

20 “(B) the term ‘private nonprofit organiza-
21 tion’ means an entity that is described in sec-
22 tion 501(c) of the Internal Revenue Code of
23 1986 and exempt from taxation under section
24 501(a) of such Code;

1 “(C) the term ‘Reservist’ means a member
2 of a reserve component of the Armed Forces, as
3 described in section 10101 of title 10, United
4 States Code;

5 “(D) the term ‘Service Corps of Retired
6 Executives’ means the Service Corps of Retired
7 Executives authorized under section 8(b)(1);

8 “(E) the term ‘small business concern
9 owned and controlled by veterans’—

10 “(i) has the same meaning as in sec-
11 tion 3(q); and

12 “(ii) includes a small business con-
13 cern—

14 “(I) not less than 51 percent of
15 which is owned by one or more
16 spouses of veterans or, in the case of
17 any publicly owned business, not less
18 than 51 percent of the stock of which
19 is owned by one or more spouses of
20 veterans; and

21 “(II) the management and daily
22 business operations of which are con-
23 trolled by one or more spouses of vet-
24 erans;

1 “(F) the term ‘spouse’, relating to a vet-
2 eran, service-disabled veteran, or Reservist, in-
3 cludes an individual who is the spouse of a vet-
4 eran, service-disabled veteran, or Reservist on
5 the date on which the veteran, service-disabled
6 veteran, or Reservist died;

7 “(G) the term ‘veterans’ business center
8 program’ means the program established under
9 paragraph (2)(A); and

10 “(H) the term ‘women’s business center’
11 means a women’s business center described in
12 section 29.

13 “(2) PROGRAM ESTABLISHED.—

14 “(A) IN GENERAL.—The Administrator,
15 acting through the Associate Administrator,
16 shall establish a veterans’ business center pro-
17 gram, under which the Associate Administrator
18 may provide financial assistance to a private
19 nonprofit organization to conduct a 5-year
20 project for the benefit of small business con-
21 cerns owned and controlled by veterans, which
22 may be renewed for one or more additional 5-
23 year periods.

24 “(B) FORM OF FINANCIAL ASSISTANCE.—

25 Financial assistance under this subsection may

1 be in the form of a grant, a contract, or a coop-
2 erative agreement.

3 “(3) VETERANS’ BUSINESS CENTERS.—Each
4 private nonprofit organization that receives financial
5 assistance under this subsection shall establish or
6 operate a veterans’ business center (which may in-
7 clude establishing or operating satellite offices in the
8 region described in paragraph (5) served by that pri-
9 vate nonprofit organization) that provides to vet-
10 erans (including service-disabled veterans), Reserv-
11 ists, and the spouses of veterans (including service-
12 disabled veterans) and Reservists—

13 “(A) financial advice, including training
14 and counseling on applying for and securing
15 business credit and investment capital, pre-
16 paring and presenting financial statements, and
17 managing cash flow and other financial oper-
18 ations of a small business concern;

19 “(B) management advice, including train-
20 ing and counseling on the planning, organiza-
21 tion, staffing, direction, and control of each
22 major activity and function of a small business
23 concern;

24 “(C) marketing advice, including training
25 and counseling on identifying and segmenting

1 domestic and international market opportuni-
2 ties, preparing and executing marketing plans,
3 developing pricing strategies, locating contract
4 opportunities, negotiating contracts, and using
5 public relations and advertising techniques; and

6 “(D) advice, including training and coun-
7 seling, for Reservists and the spouses of Reserv-
8 ists.

9 “(4) APPLICATION.—

10 “(A) IN GENERAL.—A private nonprofit
11 organization desiring to receive financial assist-
12 ance under this subsection shall submit an ap-
13 plication to the Associate Administrator at such
14 time and in such manner as the Associate Ad-
15 ministrator may require.

16 “(B) 5-YEAR PLAN.—Each application de-
17 scribed in subparagraph (A) shall include a 5-
18 year plan on proposed fundraising and training
19 activities relating to the veterans’ business cen-
20 ter.

21 “(C) DETERMINATION AND NOTIFICA-
22 TION.—Not later than 60 days after the date
23 on which a private nonprofit organization sub-
24 mits an application under subparagraph (A),
25 the Associate Administrator shall approve or

1 deny the application and notify the applicant of
2 the determination.

3 “(D) AVAILABILITY OF APPLICATION.—

4 The Associate Administrator shall make every
5 effort to make the application under subpara-
6 graph (A) available online.

7 “(5) ELIGIBILITY.—The Associate Adminis-
8 trator may select to receive financial assistance
9 under this subsection—

10 “(A) a Veterans Business Outreach Center
11 established by the Administrator under section
12 8(b)(17) on or before the day before the date
13 of enactment of this subsection;

14 “(B) a private nonprofit organization
15 that—

16 “(i) received financial assistance in
17 fiscal year 2006 from the National Vet-
18 erans Business Development Corporation
19 established under section 33; and

20 “(ii) is in operation on the date of en-
21 actment of this subsection; or

22 “(C) other private nonprofit organizations
23 located in various regions of the United States,
24 as the Associate Administrator determines is
25 appropriate.

1 “(6) SELECTION CRITERIA.—

2 “(A) IN GENERAL.—The Associate Admin-
3 istrator shall establish selection criteria, stated
4 in terms of relative importance, to evaluate and
5 rank applicants under paragraph (5)(C) for fi-
6 nancial assistance under this subsection.

7 “(B) CRITERIA.—The selection criteria es-
8 tablished under this paragraph shall include—

9 “(i) the experience of the applicant in
10 conducting programs or ongoing efforts de-
11 signed to impart or upgrade the business
12 skills of veterans, and the spouses of vet-
13 erans, who own or may own small business
14 concerns;

15 “(ii) for an applicant for initial finan-
16 cial assistance under this subsection—

17 “(I) the ability of the applicant
18 to begin operating a veterans’ busi-
19 ness center within a minimum amount
20 of time; and

21 “(II) the geographic region to be
22 served by the veterans business cen-
23 ter;

24 “(iii) the demonstrated ability of the
25 applicant to—

1 “(I) provide managerial coun-
2 seling and technical assistance to en-
3 trepreneurs; and

4 “(II) coordinate services provided
5 by veterans services organizations and
6 other public or private entities; and

7 “(iv) for any applicant for a renewal
8 of financial assistance under this sub-
9 section, the results of the most recent ex-
10 amination under paragraph (10) of the
11 veterans’ business center operated by the
12 applicant.

13 “(C) CRITERIA PUBLICLY AVAILABLE.—
14 The Associate Administrator shall—

15 “(i) make publicly available the selec-
16 tion criteria established under this para-
17 graph; and

18 “(ii) include the criteria in each solici-
19 tation for applications for financial assist-
20 ance under this subsection.

21 “(7) AMOUNT OF ASSISTANCE.—The amount of
22 financial assistance provided under this subsection
23 to a private nonprofit organization for each fiscal
24 year shall be—

25 “(A) not less than \$150,000; and

1 “(B) not more than \$200,000.

2 “(8) FEDERAL SHARE.—

3 “(A) IN GENERAL.—

4 “(i) INITIAL FINANCIAL ASSIST-
5 ANCE.—Except as provided in clause (ii), a
6 private nonprofit organization that receives
7 financial assistance under this subsection
8 shall provide non-Federal contributions for
9 the operation of the veterans business cen-
10 ter established by the private nonprofit or-
11 ganization in an amount equal to—

12 “(I) in each of the first and sec-
13 ond years of the project, not less than
14 33 percent of the amount of the fi-
15 nancial assistance received under this
16 subsection; and

17 “(II) in each of the third through
18 fifth years of the project, not less
19 than 50 percent of the amount of the
20 financial assistance received under
21 this subsection.

22 “(ii) RENEWALS.—A private nonprofit
23 organization that receives a renewal of fi-
24 nancial assistance under this subsection
25 shall provide non-Federal contributions for

1 the operation of the veterans business cen-
2 ter established by the private nonprofit or-
3 ganization in an amount equal to not less
4 than 50 percent of the amount of the fi-
5 nancial assistance received under this sub-
6 section .

7 “(B) FORM OF NON-FEDERAL SHARE.—
8 Not more than 50 percent of the non-Federal
9 share for a project carried out using financial
10 assistance under this subsection may be in the
11 form of in-kind contributions.

12 “(C) TIMING OF DISBURSEMENT.—The
13 Associate Administrator may disburse not more
14 than 25 percent of the financial assistance
15 awarded to a private nonprofit organization be-
16 fore the private nonprofit organization obtains
17 the non-Federal share required under this para-
18 graph with respect to that award.

19 “(D) FAILURE TO OBTAIN NON-FEDERAL
20 FUNDING.—

21 “(i) IN GENERAL.—If a private non-
22 profit organization that receives financial
23 assistance under this subsection fails to ob-
24 tain the non-Federal share required under
25 this paragraph during any fiscal year, the

1 private nonprofit organization may not re-
2 ceive a disbursement under this subsection
3 in a subsequent fiscal year or a disburse-
4 ment for any other project funded by the
5 Administration, unless the Administrator
6 makes a written determination that the
7 private nonprofit organization will be able
8 to obtain a non-Federal contribution.

9 “(ii) RESTORATION.—A private non-
10 profit organization prohibited from receiv-
11 ing a disbursement under clause (i) in a
12 fiscal year may receive financial assistance
13 in a subsequent fiscal year if the organiza-
14 tion obtains the non-Federal share re-
15 quired under this paragraph for the subse-
16 quent fiscal year.

17 “(9) CONTRACT AUTHORITY.—A veterans’ busi-
18 ness center may enter into a contract with a Federal
19 department or agency to provide specific assistance
20 to veterans, service-disabled veterans, Reservists, or
21 the spouses of veterans, service-disabled veterans, or
22 Reservists. Performance of such contract shall not
23 hinder the veterans’ business center in carrying out
24 the terms of the grant received by the veterans’
25 business centers from the Administrator.

1 “(10) EXAMINATION AND DETERMINATION OF
2 VIABILITY.—

3 “(A) EXAMINATION.—

4 “(i) IN GENERAL.—The Associate Ad-
5 ministrators shall conduct an annual exam-
6 ination of the programs and finances of
7 each veterans’ business center established
8 or operated using financial assistance
9 under this subsection.

10 “(ii) FACTORS.—In conducting the ex-
11 amination under clause (i), the Associate
12 Administrator shall consider whether the
13 veterans business center has failed—

14 “(I) to provide the information
15 required to be provided under sub-
16 paragraph (B), or the information
17 provided by the center is inadequate;

18 “(II) the center has failed to
19 comply with a requirement for partici-
20 pation in the veterans’ business center
21 program, as determined by the Assist-
22 ant Administrator, including—

23 “(aa) failure to acquire or
24 properly document a non-Federal
25 share;

1 “(bb) failure to establish an
2 appropriate partnership or pro-
3 gram for marketing and outreach
4 to small business concerns;

5 “(cc) failure to achieve re-
6 sults described in a financial as-
7 sistance agreement; and

8 “(dd) failure to provide to
9 the Administrator a description
10 of the amount and sources of any
11 non-Federal funding received by
12 the center;

13 “(III) to carry out the 5-year
14 plan under in paragraph (4)(B); or

15 “(IV) to meet the eligibility re-
16 quirements under paragraph (5).

17 “(B) INFORMATION PROVIDED.—In the
18 course of an examination under subparagraph
19 (A), the veterans’ business center shall provide
20 to the Associate Administrator—

21 “(i) an itemized cost breakdown of ac-
22 tual expenditures for costs incurred during
23 the most recent full fiscal year;

24 “(ii) documentation of the amount of
25 non-Federal contributions obtained and ex-

1 pended by the veterans’ business center
2 during the most recent full fiscal year; and

3 “(iii) with respect to any in-kind con-
4 tribution under paragraph (8)(B),
5 verification of the existence and valuation
6 of such contributions.

7 “(C) DETERMINATION OF VIABILITY.—The
8 Associate Administrator shall analyze the re-
9 sults of each examination under this paragraph
10 and, based on that analysis, make a determina-
11 tion regarding the viability of the programs and
12 finances of each veterans’ business center.

13 “(D) DISCONTINUATION OF FUNDING.—

14 “(i) IN GENERAL.—The Associate Ad-
15 ministrators may discontinue an award of
16 financial assistance to a private nonprofit
17 organization at any time if the Associate
18 Administrator determines under subpara-
19 graph (C) that the veterans’ business cen-
20 ter operated by that organization is not
21 viable.

22 “(ii) RESTORATION.—The Associate
23 Administrator may continue to provide fi-
24 nancial assistance to a private nonprofit
25 organization in a subsequent fiscal year if

1 the Associate Administrator determines
2 under subparagraph (C) that the veterans'
3 business center is viable.

4 “(11) PRIVACY REQUIREMENTS.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), a veterans’ business center
7 established or operated using financial assist-
8 ance provided under this subsection may not
9 disclose the name, address, or telephone num-
10 ber of any individual or small business concern
11 that receives advice from the veterans’ business
12 center without the consent of the individual or
13 small business concern.

14 “(B) EXCEPTION.—A veterans’ business
15 center may disclose information described in
16 subparagraph (A)—

17 “(i) if the Administrator or Associate
18 Administrator is ordered to make such a
19 disclosure by a court in any civil or crimi-
20 nal enforcement action initiated by a Fed-
21 eral or State agency; or

22 “(ii) to the extent that the Adminis-
23 trator or Associate Administrator deter-
24 mines that such a disclosure is necessary

1 to conduct a financial audit of a veterans'
2 business center.

3 “(C) ADMINISTRATION USE OF INFORMA-
4 TION.—This paragraph does not—

5 “(i) restrict access by the Adminis-
6 trator to program activity data; or

7 “(ii) prevent the Administrator from
8 using information not described in sub-
9 paragraph (A) to conduct surveys of indi-
10 viduals or small business concerns that re-
11 ceive advice from a veterans’ business cen-
12 ter.

13 “(D) REGULATIONS.—The Administrator
14 shall issue regulations to establish standards for
15 requiring disclosures under subparagraph
16 (B)(ii).

17 “(12) REPORT.—

18 “(A) IN GENERAL.—Not later than 60
19 days after the end of each fiscal year, the Asso-
20 ciate Administrator shall submit to the Com-
21 mittee on Small Business and Entrepreneurship
22 of the Senate and the Committee on Small
23 Business of the House of Representatives a re-
24 port on the effectiveness of the veterans’ busi-

1 “(II) service-disabled veterans or
2 spouses of service-disabled veterans;
3 or

4 “(III) Reservists or spouses of
5 Reservists;

6 “(iii) the gross receipts of small busi-
7 ness concerns that receive advice from the
8 veterans’ business center;

9 “(iv) the employment increases or de-
10 creases of small business concerns that re-
11 ceive advice from the veterans’ business
12 center;

13 “(v) to the maximum extent prac-
14 ticable, the increases or decreases in prof-
15 its of small business concerns that receive
16 advice from the veterans’ business center;
17 and

18 “(vi) the results of the examination of
19 the veterans’ business center under para-
20 graph (10).

21 “(13) COORDINATION OF EFFORTS AND CON-
22 SULTATION.—

23 “(A) COORDINATION AND CONSULTA-
24 TION.—To the extent practicable, the Associate
25 Administrator and each private nonprofit orga-

1 nization that receives financial assistance under
2 this subsection shall—

3 “(i) coordinate outreach and other ac-
4 tivities with other programs of the Admin-
5 istration and the programs of other Fed-
6 eral agencies;

7 “(ii) consult with technical representa-
8 tives of the district offices of the Adminis-
9 tration in carrying out activities using fi-
10 nancial assistance under this subsection;
11 and

12 “(iii) provide information to the vet-
13 erans business ownership representatives
14 designated under subparagraph (B) and
15 coordinate with the veterans business own-
16 ership representatives to increase the abil-
17 ity of the veterans business ownership rep-
18 resentatives to provide services throughout
19 the area served by the veterans business
20 ownership representatives.

21 “(B) VETERANS BUSINESS OWNERSHIP
22 REPRESENTATIVES.—

23 “(i) DESIGNATION.—The Adminis-
24 trator shall designate not fewer than 1 in-
25 dividual in each district office of the Ad-

1 ministration as a veterans business owner-
2 ship representative, who shall communicate
3 and coordinate activities of the district of-
4 fice with private nonprofit organizations
5 that receive financial assistance under this
6 subsection.

7 “(ii) INITIAL DESIGNATION.—The
8 first individual in each district office of the
9 Administration designated by the Adminis-
10 trator as a veterans business ownership
11 representative under clause (i) shall be an
12 individual that is employed by the Admin-
13 istration on the date of enactment of this
14 subsection.

15 “(14) EXISTING CONTRACTS.—An award of fi-
16 nancial assistance under this subsection shall not
17 void any contract between a private nonprofit orga-
18 nization and the Administration that is in effect on
19 the date of such award.

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated—

22 “(1) to carry out subsections (a) through (f),
23 \$2,000,000 for each of fiscal years 2010 through
24 2012; and

25 “(2) to carry out subsection (g)—

- 1 “(A) \$8,000,000 for fiscal year 2010;
2 “(B) \$8,500,000 for fiscal year 2011; and
3 “(C) \$9,000,000 for fiscal year 2012.”.

4 (b) GAO REPORT.—

5 (1) DEFINITIONS.—In this subsection—

6 (A) the term “small business concern
7 owned and controlled by veterans” has the
8 meaning given that term in section 32(g) of the
9 Small Business Act, as added by this section;
10 and

11 (B) the term “veterans’ business center
12 program” means the veterans’ business center
13 program established under section 32(g) of the
14 Small Business Act, as added by this section.

15 (2) REPORT.—

16 (A) IN GENERAL.—Not later than 60 days
17 after the end of the second fiscal year beginning
18 after the date on which the veterans’ business
19 center program is established, the Comptroller
20 General of the United States shall evaluate the
21 effectiveness of the veterans’ business center
22 program, and submit to Congress a report on
23 the results of that evaluation.

24 (B) CONTENTS.—The report submitted
25 under subparagraph (A) shall include

1 business center program providing
2 services to that area; and

3 (ii) recommendations, if any, for im-
4 proving the veteran's business center pro-
5 gram.

6 **SEC. 402. REPORTING REQUIREMENT FOR INTERAGENCY**
7 **TASK FORCE.**

8 Section 32(c) of the Small Business Act (15 U.S.C.
9 657b(c)) is amended by adding at the end the following:

10 “(4) REPORT.—Not less frequently than twice
11 each year, the Administrator shall submit to Con-
12 gress a report on the appointments made to and ac-
13 tivities of the task force.”.

14 **SEC. 403. REPEAL AND RENEWAL OF GRANTS.**

15 (a) DEFINITION.—In this section, the term “covered
16 grant, contract, or cooperative agreement” means a grant,
17 contract, or cooperative agreement that was—

18 (1) made or entered into under section 8(b)(17)
19 of the Small Business Act (15 U.S.C. 637(b)(17));
20 and

21 (2) in effect on or before the date described in
22 subsection (b)(2).

23 (b) REPEAL.—

24 (1) IN GENERAL.—Section 8(b) of the Small
25 Business Act (15 U.S.C. 637(b)) is amended—

1 (A) in paragraph (15), by adding “and” at
2 the end;

3 (B) in paragraph (16), by striking “; and”
4 and inserting a period; and

5 (C) by striking paragraph (17).

6 (2) EFFECTIVE DATE.—The amendments made
7 by paragraph (1) shall take effect 60 days after the
8 date of enactment of this Act.

9 (c) TRANSITIONAL RULES.—

10 (1) IN GENERAL.—Notwithstanding any other
11 provision of law, a covered grant, contract, or coop-
12 erative agreement shall remain in full force and ef-
13 fect under the terms, and for the duration, of the
14 covered grant, contract, or agreement.

15 (2) ADDITIONAL REQUIREMENTS.—Any organi-
16 zation that was awarded or entered into a covered
17 grant, contract, or cooperative agreement shall be
18 subject to the requirements of section 32(g) of the
19 Small Business Act (15 U.S.C. 657b(g)) (as added
20 by this Act).

21 (d) RENEWAL OF FINANCIAL ASSISTANCE.—An or-
22 ganization that was awarded or entered into a covered
23 grant, contract, or cooperative agreement may apply for
24 a renewal of the grant, contract, or agreement under the
25 terms and conditions described in section 32(g) of the

1 Small Business Act (15 U.S.C. 657b(g)) (as added by this
2 Act).

3 **TITLE V—PROGRAM FOR IN-**
4 **VESTMENT IN MICROENTRE-**
5 **PRENEURS**

6 **SEC. 501. PRIME REAUTHORIZATION.**

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

9 (1) by redesignating sections 37 through 44 as
10 sections 38 through 45, respectively; and

11 (2) by inserting after section 36 the following:

12 **“SEC. 37. PROGRAM FOR INVESTMENT IN MICROENTRE-**
13 **PRENEURS.**

14 “(a) **DEFINITIONS.**—In this section:

15 “(1) **ASSOCIATE ADMINISTRATOR.**—The term
16 ‘Associate Administrator’ means the Associate Ad-
17 ministrator for Entrepreneurial Development of the
18 Administration.

19 “(2) **CAPACITY BUILDING SERVICES.**—The term
20 ‘capacity building services’ means services provided
21 to an organization that is, or that is in the process
22 of becoming, a microenterprise development organi-
23 zation or program, for the purpose of enhancing the
24 ability of the organization to provide training and
25 services to disadvantaged entrepreneurs.

1 “(3) COLLABORATIVE.—The term ‘collabo-
2 rative’ means 2 or more nonprofit entities that agree
3 to act jointly as a qualified organization under this
4 section.

5 “(4) DISADVANTAGED ENTREPRENEUR.—The
6 term ‘disadvantaged entrepreneur’ means a micro-
7 entrepreneur that—

8 “(A) is a low-income person;

9 “(B) is a very low-income person; or

10 “(C) lacks adequate access to capital or
11 other resources essential for business success,
12 or is economically disadvantaged, as determined
13 by the Administrator.

14 “(5) DISADVANTAGED NATIVE AMERICAN EN-
15 TREPREENEUR.—The term ‘disadvantaged Native
16 American entrepreneur’ means a disadvantaged en-
17 trepreneur who is also a member of an Indian Tribe.

18 “(6) INDIAN TRIBE.—The term ‘Indian tribe’
19 has the meaning given that term in section 4(e) of
20 the Indian Self-Determination and Education Assist-
21 ance Act (25 U.S.C. 450b(e)).

22 “(7) INTERMEDIARY.—The term ‘intermediary’
23 means a private, nonprofit entity that seeks to serve
24 microenterprise development organizations and pro-
25 grams, as authorized under subsection (d).

1 “(8) LOW-INCOME PERSON.—The term ‘low-in-
2 come person’ means a person having an income, ad-
3 justed for family size, of not more than—

4 “(A) for metropolitan areas, 80 percent of
5 the area median income; and

6 “(B) for nonmetropolitan areas, the great-
7 er of—

8 “(i) 80 percent of the area median in-
9 come; or

10 “(ii) 80 percent of the statewide non-
11 metropolitan area median income.

12 “(9) MICROENTREPRENEUR.—The term ‘micro-
13 entrepreneur’ means the owner or developer of a mi-
14 croenterprise.

15 “(10) MICROENTERPRISE.—The term ‘microen-
16 terprise’ means a sole proprietorship, partnership, or
17 corporation that—

18 “(A) has not more than 4 employees; and

19 “(B) generally lacks access to conventional
20 loans, equity, or other banking services.

21 “(11) MICROENTERPRISE DEVELOPMENT ORGA-
22 NIZATION OR PROGRAM.—The term ‘microenterprise
23 development organization or program’ means a non-
24 profit entity, or a program administered by such an
25 entity, including community development corpora-

1 tions or other nonprofit development organizations
2 and social service organizations, that provides serv-
3 ices to disadvantaged entrepreneurs.

4 “(12) TRAINING AND TECHNICAL ASSIST-
5 ANCE.—The term ‘training and technical assistance’
6 means services and support provided to disadvan-
7 taged entrepreneurs, such as assistance for the pur-
8 pose of enhancing business planning, marketing,
9 management, financial management skills, and as-
10 sistance for the purpose of accessing financial serv-
11 ices.

12 “(13) QUALIFIED ORGANIZATION.—The term
13 ‘qualified organization’ means—

14 “(A) a nonprofit microenterprise develop-
15 ment organization or program (or a group or
16 collaborative thereof) that has a demonstrated
17 record of delivering microenterprise services to
18 disadvantaged entrepreneurs;

19 “(B) an intermediary;

20 “(C) a microenterprise development orga-
21 nization or program that is—

22 “(i) accountable to a local community;

23 and

1 “(ii) working in conjunction with a
2 State or local government or Indian tribe;

3 or

4 “(D) an Indian tribe acting on its own, if
5 the Indian tribe certifies that no private organi-
6 zation or program referred to in this paragraph
7 exists within its jurisdiction.

8 “(14) VERY LOW-INCOME PERSON.—The term
9 ‘very low-income person’ means an individual having
10 an income, adjusted for family size, of not more
11 than 150 percent of the poverty line (as defined in
12 section 673(2) of the Community Services Block
13 Grant Act (42 U.S.C. 9902(2)), including any revi-
14 sion required by that section).

15 “(b) ESTABLISHMENT OF PROGRAM.—The Associate
16 Administrator shall establish a microenterprise training
17 and technical assistance and capacity building services
18 grant program to provide grants to qualified organizations
19 in accordance with this section.

20 “(c) USES OF ASSISTANCE.—A qualified organization
21 shall use a grant made under this section—

22 “(1) to provide training and technical assist-
23 ance to disadvantaged entrepreneurs;

24 “(2) to provide training and technical assist-
25 ance and capacity building services to microenter-

1 prise development organizations and programs and
2 groups of such organizations and programs to assist
3 such organizations and programs in developing mi-
4 croenterprise training and services;

5 “(3) to aid in researching and developing the
6 best practices in the field of microenterprise and
7 training and technical assistance programs for dis-
8 advantaged entrepreneurs;

9 “(4) to provide training and technical assist-
10 ance to disadvantaged Native American entre-
11 preneurs and prospective disadvantaged Native
12 American entrepreneurs; and

13 “(5) for such other activities as the Associate
14 Administrator determines are consistent with the
15 purposes of this section.

16 “(d) ALLOCATION OF GRANTS; SUBGRANTS.—

17 “(1) ALLOCATION OF GRANTS.—

18 “(A) IN GENERAL.—The Associate Admin-
19 istrator shall allocate assistance from the Ad-
20 ministration under this section to ensure that—

21 “(i) not less than 75 percent of
22 amounts made available to the Adminis-
23 trator for grants under this section are
24 used for activities described in subsection
25 (c)(1); and

1 “(ii) not less than 15 percent of
2 amounts made available to the Adminis-
3 trator for grants under this section are
4 used for activities described in subsection
5 (c)(2).

6 “(B) LIMIT ON INDIVIDUAL ASSISTANCE.—
7 No single person may receive more than 10 per-
8 cent of the total amounts made available for
9 grants under this section for a single fiscal
10 year.

11 “(2) TARGETED ASSISTANCE.—The Associate
12 Administrator shall ensure that not less than 50
13 percent of the total amounts made available for
14 grants under this section are used to benefit very
15 low-income persons, including very low-income per-
16 sons residing on Indian reservations.

17 “(3) SUBGRANTS AUTHORIZED.—

18 “(A) IN GENERAL.—A qualified organiza-
19 tion receiving a grant under this section may
20 provide subgrants using that grant to qualified
21 organizations that are small or emerging micro-
22 enterprises and programs, subject to such rules
23 and regulations as the Associate Administrator
24 determines are appropriate.

1 “(B) LIMIT ON ADMINISTRATIVE EX-
2 PENSES.—Not more than 7.5 percent of the
3 amount received by a qualified organization
4 under a grant under this section may be used
5 for administrative expenses in connection with
6 the making of subgrants under subparagraph
7 (A).

8 “(4) DIVERSITY.—In making grants under this
9 section, the Associate Administrator shall ensure
10 that grant recipients include both large and small
11 microenterprise organizations that serve urban,
12 rural, and Indian tribal communities and diverse
13 populations.

14 “(5) PROHIBITION ON PREFERENTIAL CONSID-
15 ERATION OF CERTAIN ADMINISTRATION PROGRAM
16 PARTICIPANTS.—In making grants under this sec-
17 tion, the Associate Administrator shall ensure that
18 any application made by a qualified organization
19 that is a participant in the program established
20 under section 7(m) does not receive preferential con-
21 sideration over applications from other qualified or-
22 ganizations that are not participants in the program.

23 “(e) FEDERAL SHARE.—

24 “(1) IN GENERAL.—A qualified organization
25 that receives a grant under this section shall provide

1 non-Federal contributions to carry out the activities
2 described in subsection (c) in an amount equal to
3 not less than 50 percent of the amount of the grant
4 received under this section.

5 “(2) SOURCES OF NON-FEDERAL SHARE.—The
6 non-Federal share of the cost of a project using a
7 grant under this section may be in the form of fees,
8 grants, gifts, funds from loan sources, or in-kind re-
9 sources of an applicant from public or private
10 sources.

11 “(3) EXCEPTION.—

12 “(A) IN GENERAL.—If the Associate Ad-
13 ministrator determines that an applicant for as-
14 sistance under this section has severe con-
15 straints on available sources of non-Federal
16 funds, the Associate Administrator may reduce
17 or eliminate the requirement under paragraph
18 (1).

19 “(B) LIMITATION.—Not more than 10 per-
20 cent of the total funds made available from the
21 Administration in any fiscal year to carry out
22 this section may be excepted under subpara-
23 graph (A) from the requirement under para-
24 graph (1).

1 “(f) APPLICATIONS FOR ASSISTANCE.—An applica-
2 tion for a grant under this section shall be submitted in
3 such form and in accordance with such procedures as the
4 Associate Administrator shall establish.

5 “(g) RECORDKEEPING AND REPORTING.—

6 “(1) IN GENERAL.—Each qualified organization
7 that receives a grant under this section shall—

8 “(A) submit to the Administration not less
9 frequently than once every 18-month period, fi-
10 nancial statements audited by an independent
11 certified public accountant;

12 “(B) submit an annual report to the Ad-
13 ministration on the activities of the qualified or-
14 ganization; and

15 “(C) keep such records as the Associate
16 Administrator determines are necessary to dis-
17 close the manner in which amounts made avail-
18 able under a grant under this section are used.

19 “(2) ACCESS.—Upon the request of the Asso-
20 ciate Administrator, the Associate Administrator
21 shall have access to any record of any qualified orga-
22 nization that receives a grant under this section, for
23 the purpose of determining compliance with this sec-
24 tion.

1 “(3) DATA COLLECTION.—Each qualified orga-
2 nization that receives a grant under this section
3 shall collect information relating to, as applicable—

4 “(A) the number of individuals counseled
5 or trained by the organization;

6 “(B) the number of hours of counseling
7 provided by the organization;

8 “(C) the number of startup small business
9 concerns formed with the assistance of the or-
10 ganization;

11 “(D) the number of small business con-
12 cerns expanded with the assistance of the orga-
13 nization;

14 “(E) the number of low-income individuals
15 counseled or trained by the organization; and

16 “(F) the number of very low-income indi-
17 viduals counseled or trained by the organiza-
18 tion.

19 “(h) AUTHORIZATION OF APPROPRIATIONS.—

20 “(1) IN GENERAL.—There are authorized to be
21 appropriated to the Administrator \$15,000,000 for
22 each of fiscal years 2010 through 2012 to carry out
23 this section, which shall remain available until ex-
24 pended.

1 “(2) CERTAIN PROGRAMS.—In addition to the
2 amount authorized under paragraph (1), there are
3 authorized to be appropriated to the Administrator
4 \$2,000,000 for each of fiscal years 2010 through
5 2012 to carry out subsection (c)(4), which shall re-
6 main available until expended.”.

7 **SEC. 502. CONFORMING REPEAL AND AMENDMENTS.**

8 (a) CONFORMING REPEAL.—Subtitle C of title I of
9 the Riegle Community Development and Regulatory Im-
10 provement Act of 1994 (15 U.S.C. 6901 et seq.) is re-
11 pealed.

12 (b) CONFORMING AMENDMENTS.—The Small Busi-
13 ness Act (15 U.S.C. 631 et seq.) is amended—

14 (1) in section 38(d) (15 U.S.C. 657i(d)), as so
15 redesignated, by striking “section 43” and inserting
16 “section 44”;

17 (2) in section 41(d) (15 U.S.C. 657l(d)), as so
18 redesignated, by striking “section 43” and inserting
19 “section 44”; and

20 (3) in section 42(b) (15 U.S.C. 657m(b)), as so
21 redesignated, by striking “section 43” and inserting
22 “section 44”.

23 **SEC. 503. REFERENCES.**

24 All references in Federal law, other than section 504
25 of this Act, to the “Program for Investment in Microentre-

1 preneurs Act of 1999” or the “PRIME Act” shall be
2 deemed to be references to section 37 of the Small Busi-
3 ness Act, as added by this Act.

4 **SEC. 504. RULE OF CONSTRUCTION.**

5 Nothing in this title or the amendments made by this
6 title shall affect any grant or assistance provided under
7 the Program for Investment in Microentrepreneurs Act of
8 1999 (15 U.S.C. 6901 et seq.), before the date of enact-
9 ment of this Act, and any such grant or assistance shall
10 be subject to the Program for Investment in Microentre-
11 preneurs Act of 1999, as in effect on the day before the
12 date of enactment of this Act.

13 **TITLE VI—OTHER PROVISIONS**

14 **SEC. 601. INSTITUTIONS OF HIGHER EDUCATION.**

15 (a) IN GENERAL.—Section 21(a)(1) of the Small
16 Business Act (15 U.S.C. 648(a)(1)) is amended by strik-
17 ing “: *Provided, That*” and all that follows through “on
18 such date.” and inserting the following: “. On and after
19 December 31, 2010, the Administration may only make
20 a grant under this paragraph to an applicant that is an
21 institution of higher education, as defined in section
22 101(a) of the Higher Education Act of 1965 (20 U.S.C.
23 1001(a)) that is accredited (and not merely in
24 preaccreditation status) by a nationally recognized accred-
25 iting agency or association, recognized by the Secretary

1 of Education for such purpose in accordance with section
2 496 of that Act (20 U.S.C. 1099b), or to a women’s busi-
3 ness center operating pursuant to section 29 as a small
4 business development center, unless the applicant was re-
5 ceiving financial assistance (including a contract or coop-
6 erative agreement) on December 31, 2010.”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall take effect on December 31, 2010.

9 **SEC. 602. HEALTH INSURANCE OPTIONS INFORMATION FOR**
10 **SMALL BUSINESS CONCERNS.**

11 (a) DEFINITIONS.—In this section—

12 (1) the term “grant program” means the small
13 business health insurance information grant pro-
14 gram established under subsection (b)(1); and

15 (2) the term “resource partner” means—

16 (A) the association of small business devel-
17 opment centers authorized to be established
18 under section 21(a)(3)(A) of the Small Busi-
19 ness Act (15 U.S.C. 648(a)(3)(A));

20 (B) the Association of Women’s Business
21 Centers;

22 (C) the Service Corps of Retired Execu-
23 tives authorized by section 8(b)(1)(B) of the
24 Small Business Act (15 U.S.C. 637(b)(1)(B));
25 and

1 (D) 1 veterans business center (as that
2 term is used in section 32(g) of the Small Busi-
3 ness Act (15 U.S.C. 657b(g)), as added by this
4 Act), as determined by the Associate Adminis-
5 trator for Entrepreneurial Development.

6 (b) SMALL BUSINESS HEALTH INSURANCE INFOR-
7 MATION PROGRAM.—

8 (1) PROGRAM ESTABLISHED.—The Adminis-
9 trator, acting through the Associate Administrator
10 for Entrepreneurial Development, shall establish a
11 program to make grants to resource partners to pro-
12 vide neutral and objective information and edu-
13 cational materials regarding health insurance op-
14 tions, including coverage options within the small
15 group market, to small business concerns.

16 (2) GRANT RECIPIENTS.—The Associate Ad-
17 ministrator for Entrepreneurial Development shall
18 make 1 grant to each of the resource partners.

19 (3) GRANT AMOUNTS.—The grants made under
20 this section shall—

21 (A) be made from funds appropriated to
22 the Administrator to carry out the activities of
23 the Office of Entrepreneurial Development; and

24 (B) not exceed a total amount of
25 \$5,000,000.

1 (4) CONTRACT.—As a condition of receiving a
2 grant under this section, each resource partner shall
3 agree, by contract with the Administration—

4 (A) to begin to use the funds in accordance
5 with paragraph (5) not later than 1 year after
6 the date on which the resource partner receives
7 the grant; and

8 (B) to return any funds that have not been
9 used, if the Administrator determines that the
10 resource partner is not carrying out the grant
11 program activities under paragraph (5)(A).

12 (5) USE OF FUNDS.—

13 (A) GRANT PROGRAM ACTIVITIES.—A re-
14 source partner shall use funds provided under
15 the grant program to create, in consultation
16 with the Associate Administrator for Entrepre-
17 neurial Development of the Administration—

18 (i) an online training program;

19 (ii) an online repository of health in-
20 surance information relevant to small busi-
21 ness concerns;

22 (iii) a counseling curriculum that can
23 be used in the physical location of the re-
24 source partner; and

1 (iv) materials containing relevant in-
2 formation that can be disbursed to owners
3 of small business concerns throughout the
4 country.

5 (B) CONTENT OF MATERIALS.—

6 (i) IN GENERAL.—In creating mate-
7 rials under the grant program, a resource
8 partner shall evaluate and incorporate rel-
9 evant portions of existing informational
10 materials regarding health insurance op-
11 tions, including materials and resources
12 developed by the National Association of
13 Insurance Commissioners, the Kaiser Fam-
14 ily Foundation, and the Healthcare Lead-
15 ership Council.

16 (ii) HEALTH INSURANCE OPTIONS.—
17 In incorporating information regarding
18 health insurance options under clause (i), a
19 resource partner shall provide neutral and
20 objective information regarding health in-
21 surance options in the geographic area
22 served by the resource partner, including
23 traditional employer sponsored health in-
24 surance for the group insurance market,
25 such as the health insurance options de-

1 scribed in section 2791 of the Public
2 Health Services Act (42 U.S.C. 300gg-91)
3 or section 125 of the Internal Revenue
4 Code of 1986, and Federal and State
5 health insurance programs.

6 (c) REVIEW AND REPORT.—

7 (1) REVIEW OF GRANT PROGRAM.—The Asso-
8 ciate Administrator for Entrepreneurial Develop-
9 ment shall conduct a review of the effectiveness of
10 the grant program.

11 (2) REPORT.—Not later than 2 years after the
12 date on which all grants under the grant program
13 are disbursed, the Associate Administrator for En-
14 trepreneurial Development shall submit to the Com-
15 mittee on Small Business and Entrepreneurship of
16 the Senate and the Committee on Small Business of
17 the House of Representatives a report on the results
18 of the review under paragraph (1).

19 **SEC. 603. NATIONAL SMALL BUSINESS DEVELOPMENT CEN-**
20 **TER ADVISORY BOARD.**

21 (a) IN GENERAL.—Section 21(i)(1) of the Small
22 Business Act (15 U.S.C. 648(i)(1)) is amended—

23 (1) in the first sentence, by striking “nine
24 members” and inserting “10 members”;

1 (2) in the second sentence, by striking “six”
2 and inserting “the members who are not from uni-
3 versities or their affiliates”;

4 (3) by striking the third sentence; and

5 (4) in the fourth sentence, by inserting “not
6 less than” before “one-third”.

7 (b) **INCUMBENTS.**—An individual serving as a mem-
8 ber of the Board on the date of enactment of this Act
9 may continue to serve on the Board until the end of the
10 term of the member under section 21(i)(1) of the Small
11 Business Act (15 U.S.C. 648(i)(1)), as in effect on the
12 day before such date of enactment.

13 **SEC. 604. PRIVACY REQUIREMENTS FOR SCORE CHAPTERS.**

14 Section 8 of the Small Business Act (15 U.S.C. 637)
15 is amended by striking subsection (c) and inserting the
16 following:

17 “(c) **PRIVACY REQUIREMENTS.**—

18 “(1) **IN GENERAL.**—A chapter of the SCORE
19 program authorized by subsection (b)(1) or an agent
20 of such a chapter may not disclose the name, ad-
21 dress, or telephone number of any individual or
22 small business concern receiving assistance from
23 that chapter or agent without the consent of such in-
24 dividual or small business concern, unless—

1 “(A) the Administrator is ordered to make
2 such a disclosure by a court in any civil or
3 criminal enforcement action initiated by a Fed-
4 eral or State agency; or

5 “(B) the Administrator determines such a
6 disclosure to be necessary for the purpose of
7 conducting a financial audit of a chapter of the
8 SCORE program authorized by subsection
9 (b)(1), in which case disclosure shall be limited
10 to the information necessary for such audit.

11 “(2) ADMINISTRATOR USE OF INFORMATION.—

12 This subsection shall not—

13 “(A) restrict the access of the Adminis-
14 trator to program activity data; or

15 “(B) prevent the Administrator from using
16 client information to conduct client surveys.

17 “(3) REGULATIONS.—

18 “(A) IN GENERAL.—The Administrator
19 shall issue regulations to establish standards—

20 “(i) for disclosures with respect to fi-
21 nancial audits under paragraph (1)(B);
22 and

23 “(ii) for client surveys under para-
24 graph (2)(B), including standards for over-

1 sight of such surveys and for dissemination
2 and use of client information.

3 “(B) MAXIMUM PRIVACY PROTECTION.—
4 Regulations under this paragraph shall, to the
5 extent practicable, provide for the maximum
6 amount of privacy protection.

7 “(C) INSPECTOR GENERAL.—Until the ef-
8 fective date of regulations under this para-
9 graph, any client survey and the use of such in-
10 formation shall be approved by the Inspector
11 General of the Administration who shall include
12 such approval in the semi-annual report of the
13 Inspector General.”.

14 **SEC. 605. NATIONAL SMALL BUSINESS SUMMIT.**

15 (a) IN GENERAL.—Not later than December 31,
16 2012, the President shall convene a National Small Busi-
17 ness Summit to examine the present conditions and future
18 of the community of small business concerns in the United
19 States. The summit shall include owners of small business
20 concerns, representatives of small business groups, labor,
21 academia, the Federal Government, State governments,
22 Indian tribes, Federal research and development agencies,
23 and nonprofit policy groups concerned with the issues of
24 small business concerns.

1 (b) REPORT.—Not later than 90 days after the date
2 of the conclusion of the summit convened under subsection
3 (a), the President shall issue a report on the results of
4 the summit. The report shall identify key challenges and
5 make recommendations for promoting entrepreneurship
6 and the growth of small business concerns.

7 **SEC. 606. SCORE PROGRAM.**

8 (a) IN GENERAL.—Section 8(b)(1)(B) of the Small
9 Business Act (15 U.S.C. 637(b)(1)(B)) is amended by
10 striking “a Service Corps of Retired Executives
11 (SCORE)” and inserting “the SCORE”.

12 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) IN GENERAL.—The Small Business Act (15
14 U.S.C. 631 et seq.) is amended—

15 (A) in section 7(m)(3)(A)(i)(VIII), by
16 striking “Service Corps of Retired Executives”
17 and inserting “SCORE”; and

18 (B) in section 33(b)(2), by striking “Serv-
19 ice Corps of Retired Executives” and inserting
20 “SCORE”.

21 (2) OTHER LAW.—Section 337(d)(2) of the En-
22 ergy Policy and Conservation Act (42 U.S.C.
23 6307(d)(2)) is amended by striking “Service Corps
24 of Retired Executives (SCORE)” and inserting
25 “SCORE”.

1 (c) REFERENCES.—Any reference to the Service
2 Corps of Retired Executives established under section
3 8(b)(1)(B) of the Small Business Act (15 U.S.C.
4 637(b)(1)(B)), as in effect on the day before the date of
5 enactment of this Act, in any law, rule, regulation, certifi-
6 cate, directive, instruction, or other official paper shall be
7 considered to refer to the SCORE established under sec-
8 tion 8(b)(1)(B) of the Small Business Act, as amended
9 by this Act.

10 **SEC. 607. ASSISTANCE TO OUT-OF-STATE SMALL BUSI-**
11 **NESSES.**

12 Section 21(b)(3) of the Small Business Act (15
13 U.S.C. 648(b)(3)) is amended—

14 (1) by striking “(3) At the discretion” and in-
15 serting the following:

16 “(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSI-
17 NESSES.—

18 “(A) IN GENERAL.—At the discretion”; and

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

20 “(B) DISASTER RECOVERY ASSISTANCE.—

21 “(i) IN GENERAL.—At the discretion of the
22 Administrator, the Administrator may authorize
23 a small business development center to provide
24 assistance, as described in subsection (c), to
25 small business concerns located outside of the

1 State, without regard to geographic proximity,
2 if the small business concerns are located in an
3 area for which the President has declared a
4 major disaster, as defined in section 102 of the
5 Robert T. Stafford Disaster Relief and Emer-
6 gency Assistance Act (42 U.S.C. 5122), during
7 the period of the declaration.

8 “(ii) CONTINUITY OF SERVICES.—A small
9 business development center that provides coun-
10 selors to an area described in clause (i) shall,
11 to the maximum extent practicable, ensure con-
12 tinuity of services in any State in which the
13 small business development center otherwise
14 provides services.

15 “(iii) ACCESS TO DISASTER RECOVERY FA-
16 CILITIES.—For purposes of this subparagraph,
17 the Administrator shall, to the maximum extent
18 practicable, permit the personnel of a small
19 business development center to use any site or
20 facility designated by the Administrator for use
21 to provide disaster recovery assistance.”.

22 **SEC. 608. SMALL BUSINESS DEVELOPMENT CENTERS.**

23 (a) PORTABILITY GRANTS.—Section 21(a)(4)(C)(viii)
24 of the Small Business Act (15 U.S.C. 648(a)(4)(C)(viii))
25 is amended—

1 (1) in the first sentence—

2 (A) by striking “From the funds appro-
3 priated pursuant to clause (vii)” and inserting
4 “Of the amounts made available to carry out
5 this subparagraph in each fiscal year”; and

6 (B) by striking “as a result of a business
7 or government facility down sizing or closing,
8 which has resulted in the loss of jobs or small
9 business instability” and inserting “due to
10 events that have resulted or will result in, the
11 downsizing or closing of a business or govern-
12 ment facility”; and

13 (2) by adding at the end “The Administrator
14 may make a grant under this clause that exceeds
15 \$100,000 to accommodate extraordinary events that
16 the Administrator determines have had a cata-
17 strophic impact on small business concerns in a com-
18 munity.”.

19 (b) PURPOSES.—Section 21(a)(1) of the Small Busi-
20 ness Act (15 U.S.C. 648(a)(1)) is amended in the first
21 sentence by adding “regulatory compliance and” after
22 “counseling concerning”.

23 **SEC. 609. EVALUATION OF PILOT PROGRAMS.**

24 (a) IN GENERAL.—Not later than 30 months after
25 the date of disbursement of the first grant under a covered

1 pilot program, the Comptroller General of the United
2 States shall submit to the Committee on Small Business
3 and Entrepreneurship of the Senate and the Committee
4 on Small Business of the House of Representatives a re-
5 port evaluating the covered pilot program, including rec-
6 ommendations, if any, on possible improvements or modi-
7 fications to the covered pilot program, including the feasi-
8 bility of extending the covered pilot program to all small
9 business development centers.

10 (b) DEFINITION OF COVERED PILOT PROGRAM.—In
11 this section, the term “covered pilot program” means a
12 pilot program relating to small business development cen-
13 ters established under this Act or an amendment made
14 by this Act.