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114TH CONGRESS
1ST SESSION

S. 2126

To reauthorize the women’s business center program of the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2015

Ms. CANTWELL (for herself, Mr. VITTER, Mrs. SHAHEEN, Mr. PETERS, Mr. BOOKER, and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

OCTOBER 8, 2015

Reported by Mr. VITTER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To reauthorize the women’s business center program 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 “Women’s Small Busi-
5 ness Ownership Act of 2015”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the terms “Administration” and “Adminis-
4 trator” mean the Small Business Administration
5 and the Administrator thereof, respectively;

6 (2) the ~~term~~ *terms* “small business concern”
7 and “small business development center” have the
8 meanings given those terms in section 3 of the Small
9 Business Act (15 U.S.C. 632); and

10 (3) the term “women’s business center” has the
11 meaning given that term in section 29(a) of the
12 Small Business Act (15 U.S.C. 656(a)), as added by
13 section 4(a)(1) of this Act.

14 **SEC. 3. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

15 Section 29(g) of the Small Business Act (15 U.S.C.
16 656(g)) is amended—

17 (1) in paragraph (2)—

18 (A) in subparagraph (B)—

19 (i) in clause (i), by striking “in the
20 areas” and all that follows through the end
21 of subclause (I), and inserting the fol-
22 lowing: “to address issues concerning the
23 management, operations, manufacturing,
24 technology, finance, retail and product
25 sales, international trade, Government con-

1 tracting, and other disciplines required
2 for—

3 “(I) starting, operating, and in-
4 creasing the business of a small busi-
5 ness concern;”; and

6 (ii) in clause (ii)—

7 (I) by striking “Women’s Busi-
8 ness Center program” each place that
9 term appears and inserting “women’s
10 business center program”;

11 (II) in subclause (IX), by strik-
12 ing “and” at the end;

13 (III) in subclause (X), by strik-
14 ing the period at the end and insert-
15 ing “; and”; and

16 (IV) by adding at the end the fol-
17 lowing:

18 “(XI) work with Administration
19 officials and collaborate with entities
20 other than the Administration to en-
21 sure that the work of the women’s
22 business center program—

23 “(aa) maximizes taxpayer
24 dollars; and

1 “(bb) coordinates effectively
2 with and is not duplicative of the
3 efforts of other Federal Govern-
4 ment and private sector pro-
5 grams.”; and

6 (B) in subparagraph (C), by inserting be-
7 fore the period at the end the following: “, the
8 National Women’s Business Council, and any
9 organization representing the majority of wom-
10 en’s business centers”; and

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

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

18 “(A) fostering participation of women en-
19 trepreneurs in the economy by overseeing a net-
20 work of women’s business centers throughout
21 States and territories;

22 “(B) creating public-private partnerships
23 to support women entrepreneurs and conduct
24 outreach and education to startup and existing

1 small business concerns owned and controlled
2 by women; and

3 “(C) working with other initiatives and
4 programs of the Administration to ensure
5 women are well-represented and being served
6 and to identify gaps where participation by
7 women could be increased.

8 “(4) TRAINING.—The Administrator shall—

9 “(A) provide annual programmatic and fi-
10 nancial examination training for women’s busi-
11 ness center representatives and district office
12 technical representatives of the Administration
13 to enable representatives to carry out their re-
14 sponsibilities;

15 “(B) in carrying out subparagraph (A),
16 award grants or enter into contracts or coopera-
17 tive agreements related to training; and

18 “(C) not later than September 30, 2016,
19 develop a plan for a professional development
20 training program for women’s business centers,
21 including attendance to relevant national con-
22 ferences, related to—

23 “(i) the managing, financing, and op-
24 eration of small business concerns;

1 “(ii) marketing, including the use of
2 social media;

3 “(iii) management and technology as-
4 sistance regarding small business concern
5 participation in international markets, ex-
6 port promotion, and technology transfer;
7 and

8 “(iv) delivery or distribution of the
9 services and information described in
10 clauses (i), (ii), and (iii).

11 “(5) PROGRAM AND TRANSPARENCY IMPROVE-
12 MENTS.—The Administrator shall maximize the
13 transparency of the women’s business center finan-
14 cial assistance proposal process and the pro-
15 grammatic and financial examination process by—

16 “(A) providing public notice of any an-
17 nouncement for financial assistance under sub-
18 section (b) or a grant under subsection (l);

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

1 “(C) not later than 60 days after the com-
2 pletion of a site visit to the women’s business
3 center (whether conducted for an audit, per-
4 formance review, or other reason), when fea-
5 sible, providing to each women’s business center
6 a copy of any site visit reports or evaluation re-
7 ports prepared by district office technical rep-
8 resentatives or officers or employees of the Ad-
9 ministration.

10 “(6) ACCREDITATION PROGRAM.—Not later
11 than September 30, 2016, the Administrator shall
12 submit to the Committee on Small Business and En-
13 trepreneurship of the Senate and the Committee on
14 Small Business of the House of Representatives a
15 plan to develop, including identification of funding
16 needs, an accreditation program of women’s business
17 centers under this section that would—

18 “(A) be developed with the consultation
19 and collaboration of organizations representing
20 a majority of women’s business centers;

21 “(B) be carried out by and for women’s
22 business centers under contract with the Ad-
23 ministration;

24 “(C) establish a regular system of site vis-
25 its at the discretion of the Administration and

1 peer review to be conducted in addition to the
 2 regular inspections and audits conducted under
 3 subsection (h); and

4 “(D) develop standards for assessment of
 5 the performance of women’s business centers,
 6 including—

7 “(i) leadership and center manage-
 8 ment;

9 “(ii) strategic planning;

10 “(iii) market and client needs assess-
 11 ment; and

12 “(iv) metrics and measurements of
 13 performance and results.”.

14 **SEC. 4. WOMEN’S BUSINESS CENTER PROGRAM.**

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

18 (1) in subsection (a)—

19 (A) by striking paragraph (4);

20 (B) by redesignating paragraphs (2) and
 21 (3) as paragraphs (3) and (4), respectively;

22 (C) by inserting after paragraph (1) the
 23 following:

24 “(2) the term ‘eligible entity’ means—

25 “(A) a private nonprofit organization;

1 “(B) a State, regional, or local economic
2 development organization;

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

5 “(D) a junior or community college, as de-
6 fined in section 312(f) of the Higher Education
7 Act of 1965 (20 U.S.C. 1058(f)); or

8 “(E) any combination of entities listed in
9 subparagraphs (A) through (D);” and

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

11 “(5) the term ‘women’s business center’ means
12 a project conducted by an eligible entity under this
13 section.”;

14 (2) in subsection (b)—

15 (A) by redesignating paragraphs (1), (2),
16 and (3) as subparagraphs (A), (B), and (C), re-
17 spectively, and adjusting the margins accord-
18 ingly;

19 (B) by striking “The Administration” and
20 all that follows through “5-year projects” and
21 inserting the following:

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

1 (C) by striking “The projects shall” and
2 inserting the following:

3 “(2) USE OF FUNDS.—The project shall be de-
4 signed to provide training and counseling that meets
5 the needs of women, especially socially or economi-
6 cally disadvantaged women, and shall”; and

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

8 “(3) AMOUNT OF FINANCIAL ASSISTANCE.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), the amount of financial as-
11 sistance provided under this subsection to an el-
12 igible entity per project year shall be not more
13 than \$250,000.

14 “(B) ADDITIONAL FINANCIAL ASSIST-
15 ANCE.—

16 “(i) IN GENERAL.—The Administrator
17 may award financial assistance under this
18 subsection to an eligible entity in an
19 amount that is more than \$250,000 in a
20 given project year if the Administrator de-
21 termines that the eligible entity—

22 “(I) obtained more than
23 \$250,000 in non-Federal contribu-
24 tions for that project year in accord-
25 ance with subsection (c);

1 “(II) is in good standing with the
2 women’s business center program;

3 “(III) has met performance goals
4 for the previous project year, if appli-
5 cable; and

6 “(IV) proposes a new project to
7 be carried out with the additional fi-
8 nancial assistance in accordance with
9 this section.

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

13 “(I) from unobligated amounts
14 made available to the Administration
15 to carry out this section; and

16 “(II) if, in a given fiscal year, the
17 aggregate amount of additional finan-
18 cial assistance provided to eligible en-
19 tities under clause (i) is not more
20 than 1 percent of the amount appro-
21 priated to the Administration to carry
22 out this section for that fiscal year.

23 “(4) CONSULTATION WITH ORGANIZATIONS
24 REPRESENTING WOMEN’S BUSINESS CENTERS.—The
25 Administrator shall seek advice, input, and rec-

1 ommendations for policy changes from any organiza-
2 tion representing a majority of women’s business
3 centers to develop—

4 “(A) the training program for women’s
5 business centers under subsection (g)(4)(C);
6 and

7 “(B) recommendations to improve the poli-
8 cies and procedures for governing the general
9 operations and administration of the women’s
10 business center program, including grant pro-
11 gram improvements under subsection (g)(4).”;
12 (3) in subsection (c)—

13 (A) in paragraph (1), by striking “the re-
14 cipient organization” and inserting “an eligible
15 entity”;

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

19 (C) in paragraph (4)—

20 (i) by striking “recipient of assist-
21 ance” and inserting “eligible entity”;

22 (ii) by striking “during any project, it
23 shall not be eligible thereafter” and insert-
24 ing “during any project for 2 consecutive

1 years, the eligible entity shall not be eligi-
 2 ble at any time after that 2-year period”;

3 (iii) by striking “such organization”
 4 and inserting “the eligible entity”; and

5 (iv) by striking “*the* recipient” and in-
 6 serting “*the* eligible entity”; and

7 (D) by adding at end the following:

8 “(5) SEPARATION OF PROJECT AND FUNDS.—
 9 An eligible entity shall—

10 “(A) carry out a project under this section
 11 separately from other projects, if any, of the eli-
 12 gible entity; and

13 “(B) separately maintain and account for
 14 any financial assistance under this section.”;

15 (4) in subsection (e)—

16 (A) by striking “applicant organization”
 17 and inserting “eligible entity”;

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

20 (C) by striking “site”;

21 (5) by striking subsection (f) and inserting the
 22 following:

23 “(f) APPLICATIONS AND CRITERIA FOR INITIAL FI-
 24 NANCIAL ASSISTANCE.—

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

5 “(A) a certification that the eligible enti-
6 ty—

7 “(i) has designated an executive direc-
8 tor or program manager, who may be com-
9 pensated using financial assistance under
10 subsection (b) or other sources, to manage
11 the *women’s business center for which as-*
12 *sistance under subsection (b) is sought;*

13 “(ii) as a condition of receiving finan-
14 cial assistance under subsection (b),
15 agrees—

16 “(I) to receive a site visit at the
17 discretion of the Administrator as
18 part of the final selection process;

19 “(II) to undergo an annual pro-
20 grammatic and financial examination;
21 and

22 “(III) to remedy any problems
23 identified pursuant to the site visit or
24 examination under subclause (I) or
25 (II); and

1 “(iii) meets the accounting and re-
2 porting requirements established by the
3 Director of the Office of Management and
4 Budget;

5 “(B) information demonstrating that the
6 eligible entity has the ability and resources to
7 meet the needs of the market to be served by
8 the women’s business center for which financial
9 assistance under subsection (b) is sought, in-
10 cluding the ability to obtain the non-Federal
11 contribution required under subsection (c);

12 “(C) information relating to the assistance
13 to be provided by the women’s business center
14 for which financial assistance under subsection
15 (b) is sought in the area in which the women’s
16 business center is located;

17 “(D) information demonstrating the expe-
18 rience and effectiveness of the eligible entity
19 in—

20 “(i) conducting financial, manage-
21 ment, and marketing assistance programs,
22 as described in subsection (b)(2), which
23 are designed to teach or upgrade the busi-
24 ness skills of women who are business own-
25 ers or potential business owners;

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

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

7 “(E) a 5-year plan that describes the abil-
8 ity of the women’s business center for which fi-
9 nancial assistance *under subsection (b)* is
10 sought—

11 “(i) to serve women who are business
12 owners or potential business owners by
13 conducting training and counseling activi-
14 ties; and

15 “(ii) to provide training and services
16 to a representative number of women who
17 are socially or economically disadvantaged.

18 “(2) REVIEW AND APPROVAL OF APPLICATIONS
19 FOR INITIAL FINANCIAL ASSISTANCE.—

20 “(A) IN GENERAL.—The Administrator
21 shall—

22 “(i) review each application submitted
23 under paragraph (1), based on the infor-
24 mation described in such paragraph and

1 the criteria set forth under subparagraph
2 (B) of this paragraph; and

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

8 “(B) SELECTION CRITERIA.—

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

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

16 “(II) stated in terms of relative
17 importance; and

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

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

1 “(I) the experience of the appli-
2 cant in conducting programs or ongo-
3 ing efforts designed to teach or en-
4 hance the business skills of women
5 who are business owners or potential
6 business owners;

7 “(II) the ability of the applicant
8 to begin a project within a minimum
9 amount of time, as established under
10 the program announcement or by reg-
11 ulation;

12 “(III) the ability of the applicant
13 to provide training and services to a
14 representative number of women who
15 are socially or economically disadvan-
16 taged;

17 “(IV) the ability of the applicant
18 to successfully complete participation
19 in the training program developed
20 under subsection (g)(4)(C);

21 “(V) the ability of the applicant
22 to successfully acquire accreditation
23 under the accreditation program de-
24 veloped under subsection (g)(6);

1 “(VI) whether the women’s busi-
2 ness center proposed by the applicant
3 will be sustainable for more than a 5-
4 year period; and

5 “(VII) the location for the wom-
6 en’s business center proposed by the
7 applicant, including whether the appli-
8 cant is located in an area in which—

9 “(aa) women are under-
10 served; or

11 “(bb) significant groups of
12 women are underserved due to
13 language or other social, cultural,
14 and economic barriers.

15 “(C) PROXIMITY.—If the principal place of
16 business of an applicant for financial assistance
17 under subsection (b) is located less than 50
18 miles from the principal place of business of a
19 women’s business center that received funds
20 under this section on or before the date of the
21 application, the applicant shall not be eligible
22 for the financial assistance, unless the appli-
23 cant—

24 “(i) submits a detailed written jus-
25 tification of the need for an additional

1 *women's business* center in the area in
2 which the applicant is located, including
3 information demonstrating that the appli-
4 cant is not providing services that are re-
5 dundant or duplicative of those provided by
6 that existing or current women's business
7 center;

8 “(ii) submits a detailed plan for how
9 the applicant plans to reach clients outside
10 of the geographic area in which the exist-
11 ing or current women's business center is
12 located; and

13 “(iii) demonstrates that the applicant
14 has a pre-existing presence in other parts
15 of the geographic area in which the exist-
16 ing or current women's business center is
17 located.

18 “(D) RECORD RETENTION.—

19 “(i) IN GENERAL.—The Administrator
20 shall maintain a copy of each application
21 submitted under this subsection for not
22 less than 5 years.

23 “(ii) PAPERWORK REDUCTION.—The
24 Administrator shall take steps to reduce,
25 to the maximum extent practicable, the pa-

1 perwork burden associated with carrying
 2 out clause (i).”; and

3 (6) in subsection (m)—

4 (A) by striking paragraph (3) and insert-
 5 ing the following:

6 “(3) APPLICATION AND APPROVAL FOR RE-
 7 NEWAL GRANTS.—

8 “(A) SOLICITATION OF APPLICATIONS.—

9 The Administrator shall solicit applications and
 10 award grants under this subsection for the first
 11 fiscal year beginning after the date of enact-
 12 ment of the Women’s Small Business Owner-
 13 ship Act of 2015, and every third fiscal year
 14 thereafter.

15 “(B) CONTENTS OF APPLICATION.—Each
 16 eligible entity desiring a grant under this sub-
 17 section shall submit to the Administrator an ap-
 18 plication that contains—

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

21 “(I) is an eligible entity;

22 “(II) has designated an executive
 23 director or program manager to man-
 24 age the women’s business center oper-
 25 ated 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, at the discretion of the
7 Administrator; and

8 “(bb) to remedy any prob-
9 lem identified pursuant to the
10 site visit under item (aa);

11 “(ii) information demonstrating that
12 the applicant has the ability and resources
13 to meet the needs of the market to be
14 served by the women’s business center for
15 which a grant under this subsection is
16 sought, including the ability to obtain the
17 non-Federal contribution required under
18 paragraph (4)(C);

19 “(iii) information relating to assist-
20 ance to be provided by the women’s busi-
21 ness center in the *geographic* area served
22 by the women’s business center for which
23 a grant under this subsection is sought;

24 “(iv) information demonstrating that
25 the applicant is not providing services re-

1 dundant or duplicative of those provided by
2 a women’s business center receiving funds
3 under this subsection that is located less
4 than 50 miles from the principal place of
5 business of the applicant;

6 “(v) information demonstrating that
7 the applicant has worked with resource
8 partners of the Administration and other
9 entities;

10 “(vi) a 3-year plan that describes the
11 services provided by the women’s business
12 center for which a grant under this sub-
13 section is sought—

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

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

22 “(vii) any additional information that
23 the Administrator may reasonably require.

24 “(C) REVIEW AND APPROVAL OF APPLICA-
25 TIONS FOR GRANTS.—

1 “(i) IN GENERAL.—The Adminis-
2 trator—

3 “(I) shall review each application
4 submitted under subparagraph (B),
5 based on the information described in
6 such subparagraph and the criteria
7 set forth under clause (ii) of this sub-
8 paragraph; and

9 “(II) as part of the final selection
10 process, may, at the discretion of the
11 Administrator, conduct a site visit to
12 each women’s business center for
13 which a grant under this subsection is
14 sought, in particular to evaluate the
15 women’s business center using the se-
16 lection criteria described in clause
17 (ii)(II).

18 “(ii) SELECTION CRITERIA.—

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

1 “(aa) established before the
2 date on which applicants are re-
3 quired to submit the applications;

4 “(bb) stated in terms of rel-
5 ative importance; and

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

11 “(II) REQUIRED CRITERIA.—The
12 selection criteria for a grant under
13 this subsection shall include—

14 “(aa) the total number of
15 entrepreneurs served by the ap-
16 plicant;

17 “(bb) the total number of
18 new startup companies assisted
19 by the applicant;

20 “(cc) the percentage of cli-
21 ents of the applicant that are so-
22 cially or economically disadvan-
23 taged;

24 “(dd) the percentage of indi-
25 viduals in the community served

1 by the applicant who are socially
2 or economically disadvantaged;

3 “(ee) the successful partici-
4 pation of the applicant in the
5 training program developed
6 under subsection (g)(4)(C);

7 “(ff) the successful accredi-
8 tation of the applicant under the
9 accreditation program developed
10 under subsection (g)(6); and

11 “(gg) any additional criteria
12 that the Administrator may rea-
13 sonably require.

14 “(iii) CONDITIONS FOR CONTINUED
15 FUNDING.—In determining whether to
16 make a grant under this subsection, the
17 Administrator—

18 “(I) shall consider the results of
19 the most recent evaluation of the
20 women’s business center for which a
21 grant under this subsection is sought,
22 and, to a lesser extent, previous eval-
23 uations; and

24 “(II) may withhold a grant under
25 this subsection, if the Administrator

1 determines that the applicant has
2 failed to provide the information re-
3 quired to be provided under this para-
4 graph, or the information provided by
5 the applicant is inadequate.

6 “(D) NOTIFICATION.—Not later than 60
7 days after the date of each deadline to submit
8 applications *under this paragraph*, the Adminis-
9 trator shall approve or deny ~~any~~ *each submitted*
10 application ~~under this paragraph~~ and notify the
11 applicant for each such application of the ap-
12 proval or denial.

13 “(E) RECORD RETENTION.—

14 “(i) IN GENERAL.—The Administrator
15 shall maintain a copy of each application
16 submitted under this paragraph for not
17 less than 5 years.

18 “(ii) PAPERWORK REDUCTION.—The
19 Administrator shall take steps to reduce,
20 to the maximum extent practicable, the pa-
21 perwork burden associated with carrying
22 out clause (i).”; and

23 (B) by striking paragraph (5) and insert-
24 ing the following:

1 “(5) AWARD TO PREVIOUS RECIPIENTS.—There
2 shall be no limitation on the number of times the
3 Administrator may award a grant to an applicant
4 under this subsection.”.

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

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

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

14 (3) in subsection (k)—

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

16 (B) by redesignating paragraph (3) as
17 paragraph (4);

18 (C) by inserting before paragraph (2) the
19 following:

20 “(1) IN GENERAL.—There are authorized to be
21 appropriated to the Administration to carry out this
22 section, to remain available until expended,
23 \$21,750,000 for each of fiscal years 2016 through
24 2020.”;

1 (D) in paragraph (2), by striking subpara-
2 graph (B) and inserting the following:

3 “(B) EXCEPTIONS.—Of the amount made
4 available under this subsection for a fiscal year,
5 the following amounts shall be available for se-
6 lection panel costs, costs associated with devel-
7 oping and maintaining a training program,
8 costs associated with maintaining an accredita-
9 tion program, post-award conference costs, and
10 costs related to monitoring and oversight:

11 “(i) For fiscal year 2016, 2.65 per-
12 cent.

13 “(ii) For each of fiscal years 2017
14 through 2020, 2.5 percent.”; and

15 (E) by inserting after paragraph (2) the
16 following:

17 “(3) CONTINUING GRANT AND COOPERATIVE
18 AGREEMENT AUTHORITY.—

19 “(A) 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 “(B) SUSPENSION OR TERMINATION.—If
 2 the Administrator has entered into a grant or
 3 cooperative agreement with a women’s business
 4 center under this section, the Administrator
 5 may not suspend or terminate the grant or co-
 6 operative agreement, unless the Adminis-
 7 trator—

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 women’s business
 12 center an opportunity for a hearing, ap-
 13 peal, or other administrative proceeding
 14 under chapter 5 of title 5, United States
 15 Code.”;

16 (4) in subsection (m)—

17 (A) in paragraph (2), by striking “sub-
 18 section (b) or (l)” and inserting “this sub-
 19 section or subsection (b)”;

20 (B) in paragraph (4)(D), by striking “or
 21 subsection (l)”;

22 (5) by redesignating subsections (m), (n), and
 23 (o), as amended by this Act, as subsections (l), (m),
 24 and (n), respectively.

25 (c) EFFECT ON EXISTING GRANTS.—

1 (1) TERMS AND CONDITIONS.—A nonprofit or-
2 organization receiving a grant under section 29(m) of
3 the Small Business Act (15 U.S.C. 656(m)), as in
4 effect on the day before the date of enactment of
5 this Act, shall continue to receive the grant under
6 the terms and conditions in effect for the grant on
7 the day before the date of enactment of this Act, ex-
8 cept that the nonprofit organization may not apply
9 for a renewal of the grant under section 29(m)(5) of
10 the Small Business Act (15 U.S.C. 656(m)(5)), as
11 in effect on the day before the date of enactment of
12 this Act.

13 (2) LENGTH OF RENEWAL GRANT.—The Ad-
14 ministrator may award a grant under section 29(l)
15 of the Small Business Act, as so redesignated by
16 subsection ~~(a)(5)~~ (b)(5) of this section, to a non-
17 profit organization receiving a grant under section
18 29(m) of the Small Business Act (15 U.S.C.
19 656(m)), as in effect on the day before the date of
20 enactment of this Act, for the period—

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

1 (B) ending at the end of the third fiscal
 2 year beginning after the date of enactment of
 3 this Act.

4 **SEC. 5. MATCHING REQUIREMENTS UNDER WOMEN'S BUSI-**
 5 **NESS CENTER PROGRAM.**

6 (a) IN GENERAL.—Section 29(c) of the Small Busi-
 7 ness Act (15 U.S.C. 656(c)), as amended by section 4 of
 8 this Act, is amended—

9 (1) in paragraph (1), by striking “As a condi-
 10 tion” and inserting “Subject to paragraph (6), as a
 11 condition”; and

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

13 “(6) WAIVER OF NON-FEDERAL SHARE.—

14 “(A) IN GENERAL.—Upon request by a re-
 15 ~~ipient organization~~ *an eligible entity*, and in
 16 accordance with this paragraph, the Adminis-
 17 trator may waive, in whole or in part, the re-
 18 quirement to obtain non-Federal funds under
 19 this subsection for counseling and training ac-
 20 tivities of the ~~recipient organization~~ *eligible en-*
 21 *tity* carried out using financial assistance under
 22 this section for a fiscal year. The Administrator
 23 may not waive the requirement for a ~~recipient~~
 24 ~~organization~~ *an eligible entity* to obtain non-

1 Federal funds under this paragraph for more
2 than a total of 2 consecutive fiscal years.

3 “(B) CONSIDERATIONS.—In determining
4 whether to waive the requirement to obtain
5 non-Federal funds under this paragraph, the
6 Administrator shall consider—

7 “(i) the economic conditions affecting
8 the ~~recipient organization~~ *eligible entity*;

9 “(ii) the impact a waiver under this
10 ~~clause paragraph~~ would have on the credi-
11 bility of the women’s business center pro-
12 gram under this section;

13 “(iii) the demonstrated ability of the
14 ~~recipient organization~~ *eligible entity* to
15 raise non-Federal funds; and

16 “(iv) the performance of the ~~recipient~~
17 ~~organization~~ *eligible entity*.

18 “(C) LIMITATION.—The Administrator
19 may not waive the requirement to obtain non-
20 Federal funds under this paragraph if granting
21 the waiver would undermine the credibility of
22 the women’s business center program under
23 this section.

1 “(7) SOLICITATION.—Notwithstanding any
 2 other provision of law, a ~~recipient organization~~ *an el-*
 3 *igible entity* may—

4 “(A) solicit cash and in-kind contributions
 5 from private individuals and entities to be used
 6 to carry out the activities of the ~~recipient orga-~~
 7 ~~nization~~ *eligible entity* under the project con-
 8 ducted under this section; and

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

13 “(8) EXCESS NON-FEDERAL DOLLARS.—The
 14 amount of non-Federal dollars obtained by an eligi-
 15 ble entity that is above the amount that is required
 16 to be obtained by the eligible entity under this sub-
 17 section and is not used as matching funds for pur-
 18 poses of implementing the women’s business center
 19 program under this section shall not be subject to
 20 the requirements of part 200 of title 2, Code of Fed-
 21 eral Regulations, or any successor thereto.”.

22 (b) REGULATIONS.—

23 (1) IN GENERAL.—The Administrator shall—

24 (A) except as provided in paragraph (2),
 25 and not later than 1 year after the date of en-

1 actment of this Act, publish in the Federal Reg-
2 ister proposed regulations by the Administrator
3 to carry out the amendments made to section
4 29 of the Small Business Act (15 U.S.C. 656)
5 by this Act; and

6 (B) accept public comments on such pro-
7 posed regulations for not less than 60 days.

8 (2) EXISTING PROPOSED REGULATIONS.—Para-
9 graph (1)(A) shall not apply to the extent proposed
10 regulations by the Administrator have been pub-
11 lished on the date of enactment of this Act that are
12 sufficient to carry out the amendments made to sec-
13 tion 29 of the Small Business Act (15 U.S.C. 656)
14 by this Act.

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114TH CONGRESS
1ST Session

S. 2126

A BILL

To reauthorize the women's business center program of the Small Business Administration, and for other purposes.

OCTOBER 8, 2015

Reported with amendments