

114TH CONGRESS
1ST SESSION

S. 999

To amend the Small Business Act to provide for improvements to small business development centers.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 2015

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To amend the Small Business Act to provide for improvements to small business development centers.

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 “Small Business Devel-
5 opment Centers Improvement Act of 2015”.

6 **SEC. 2. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**
7 **OPMENT PROGRAMS.**

8 The Small Business Act (15 U.S.C. 631 et seq.) is
9 amended by adding at the end the following:

1 **“SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**
2 **OPMENT PROGRAMS.**

3 “(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

4 “(1) IN GENERAL.—Notwithstanding any other
5 provision of law, the Administrator shall only use
6 the programs authorized in sections 7(j), 7(m), 8(a),
7 8(b)(1), 21, 22, 29, and 32 of this Act, and sections
8 358 and 389 of the Small Business Investment Act
9 to deliver entrepreneurial development services, en-
10 trepreneurial education, support for the development
11 and maintenance of clusters, or business training.

12 “(2) EXCEPTION.—This section shall not apply
13 to—

14 “(A) services provided to assist small busi-
15 ness concerns owned by an Indian tribe (as
16 such term is defined in section 8(a)(13));

17 “(B) activities and programs in support of
18 a member of the Armed Forces, including Na-
19 tional Guard and Reserve components, a vet-
20 eran, or a spouse of a member of the Armed
21 Forces or a veteran;

22 “(C) the Microenterprise Technical Assist-
23 ance and Capacity Building Program estab-
24 lished under subtitle C of title I of the Riegle
25 Community Development and Regulatory Im-

1 provement Act of 1994 (15 U.S.C. 6901 et
2 seq.);

3 “(D) the State Trade and Export Pro-
4 motion Grant Program established under sec-
5 tion 1207 of the Small Business Export En-
6 hancement and International Trade Act of
7 2010 (15 U.S.C. 649b note); and

8 “(E) the Federal and State Technology
9 Partnership Program established under section
10 34 of the Small Business Act (15 U.S.C. 657d).

11 “(b) ANNUAL REPORT.—Beginning on the first De-
12 cember 1 after the date of enactment of this subsection,
13 the Administrator shall annually report to the Committee
14 on Small Business of the House of Representatives and
15 the Committee on Small Business and Entrepreneurship
16 of the Senate on all entrepreneurial development activities
17 undertaken in the current fiscal year. This report shall
18 include—

19 “(1) a description and operating details for
20 each program and activity;

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

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

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

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

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

10 **SEC. 3. MARKETING OF SERVICES.**

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

13 “(o) NO PROHIBITION OF MARKETING OF SERV-
 14 ICES.—The Administrator shall not prohibit applicants re-
 15 ceiving grants under this section from marketing and ad-
 16 vertising their services to individuals and small busi-
 17 nesses.”.

18 **SEC. 4. DATA COLLECTION.**

19 Section 21(a)(3)(A) of the Small Business Act (15
 20 U.S.C. 648(a)(3)(A)) is amended—

21 (1) by striking “as provided in this section
 22 and” and inserting “as provided in this section,”;
 23 and

24 (2) by inserting before the period at the end the
 25 following: “, and (iv) governing data collection ac-

1 activities related to applicants receiving grants under
2 this section”.

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

5 Section 21(a)(3)(C) of the Small Business Act (15
6 U.S.C. 648(a)(3)(C)) is amended to read as follows:

7 “(C) Participation in private partnerships and
8 cosponsorships with the Administration shall not
9 limit small business development centers from col-
10 lecting fees or other income related to the operation
11 of such private partnerships and cosponsorships.”.

12 **SEC. 6. EQUITY FOR SMALL BUSINESS DEVELOPMENT CEN-**
13 **TERS.**

14 Section 21(a)(4)(C)(v)(I) of the Small Business Act
15 (15 U.S.C. 648(a)(4)(C)(v)) is amended—

16 (1) in item (aa), by striking “; and” and insert-
17 ing a period; and

18 (2) by striking item (bb).

19 **SEC. 7. ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.**

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

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

24 “(3) ASSISTANCE TO OUT-OF-STATE SMALL
25 BUSINESSES.—

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

2 and

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

4 “(B) DISASTER RECOVERY ASSISTANCE.—

5 “(i) IN GENERAL.—At the discretion
6 of the Administrator, the Administrator
7 may authorize a small business develop-
8 ment center to provide advice, information,
9 and assistance, as described in subsection
10 (c), to a small business concern located
11 outside of the State, without regard to geo-
12 graphic proximity to the small business de-
13 velopment center, if the small business
14 concern is located in an area for which the
15 President has declared a major disaster
16 under section 401 of the Robert T. Staf-
17 ford Disaster Relief and Emergency Assist-
18 ance Act (42 U.S.C. 5170).

19 “(ii) TERM.—

20 “(I) IN GENERAL.—A small busi-
21 ness development center may provide
22 advice, information, and assistance to
23 a small business concern under clause
24 (i) for a period of not more than 2
25 years after the date on which the

1 President declared a major disaster
2 under section 401 of the Robert T.
3 Stafford Disaster Relief and Emer-
4 gency Assistance Act (42 U.S.C.
5 5170) for the area in which the small
6 business concern is located.

7 “(II) EXTENSION.—The Admin-
8 istrator may, at the discretion of the
9 Administrator, extend the period de-
10 scribed in subclause (I).

11 “(III) CONTINUITY OF SERV-
12 ICES.—A small business development
13 center that provides counselors to an
14 area described in clause (i) shall, to
15 the maximum extent practicable, en-
16 sure continuity of services in any
17 State in which the small business de-
18 velopment center otherwise provides
19 services.

20 “(IV) ACCESS TO DISASTER RE-
21 COVERY FACILITIES.—For purposes of
22 this subparagraph, the Administrator
23 shall, to the maximum extent prac-
24 ticable, permit the personnel of a
25 small business development center to

1 use any site or facility designated by
2 the Administrator for use to provide
3 disaster recovery assistance.”.

4 **SEC. 8. CONFIDENTIALITY REQUIREMENTS.**

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

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

11 Section 21 of the Small Business Act (15 U.S.C.
12 648), as amended by section 3 of this Act, is further
13 amended by adding at the end the following:

14 “(p) LIMITATION ON AWARD OF GRANTS.—

15 “(1) IN GENERAL.—Except for not-for-profit
16 institutions of higher education, and notwithstanding
17 any provision of law, the Administrator may not
18 award grants (including contracts and cooperative
19 agreements) under this section to any entity other
20 than those that received grants (including contracts
21 and cooperative agreements) under this section prior
22 to September 30, 2015, and that seek to renew such
23 grants (including contracts and cooperative agree-
24 ments) after such date.

1 “(2) RULE OF CONSTRUCTION.—This sub-
2 section shall not be construed to prohibit a grant re-
3 cipient under this section from entering into a grant,
4 contract, or cooperative agreement with any other
5 entity.”.

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