

111TH CONGRESS  
1ST SESSION

# H. R. 1838

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 2009

Received; read twice and referred to the Committee on Small Business and  
Entrepreneurship

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## AN ACT

To amend the Small Business Act to modify certain provisions relating to women's business centers, 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,*

1 **SECTION 1. NOTIFICATION OF GRANTS; PUBLICATION OF**  
2 **GRANT AMOUNTS.**

3 Section 29 of the Small Business Act (15 U.S.C. 656)  
4 is amended by adding at the end the following new sub-  
5 section:

6 “(o) NOTIFICATION OF GRANTS; PUBLICATION OF  
7 GRANT AMOUNTS.—The Administrator shall disburse  
8 funds to a women’s business center not later than 1 month  
9 after the center’s application is approved under this sec-  
10 tion. At the end of each fiscal year the Administrator (act-  
11 ing through the Office of Women’s Business ownership)  
12 shall publish on the Administration’s website a report set-  
13 ting forth the total amount of the grants made under this  
14 Act to each women’s business center in the fiscal year for  
15 which the report is issued, the total amount of such grants  
16 made in each prior fiscal year to each such center, and  
17 the total amount of private matching funds provided by  
18 each such center over the lifetime of the center.”.

19 **SEC. 2. COMMUNICATIONS.**

20 Section 29 of the Small Business Act (15 U.S.C.  
21 656), as amended, is further amended by adding at the  
22 end the following new subsection:

23 “(p) COMMUNICATIONS.—The Administrator shall  
24 establish, by rule, a standardized process to communicate  
25 with women’s business centers regarding program admin-  
26 istration matters, including reimbursement, regulatory

1 matters, and programmatic changes. The Administrator  
2 shall notify each women’s business center of the oppor-  
3 tunity for notice and comment on the proposed rule.”.

4 **SEC. 3. FUNDING.**

5 (a) FORMULA.—Section 29(b) of the Small Business  
6 Act (15 U.S.C. 656(b)) is amended to read as follows:

7 “(b) AUTHORITY.—

8 “(1) IN GENERAL.—The Administrator may  
9 provide financial assistance to private nonprofit or-  
10 ganizations to conduct projects for the benefit of  
11 small business concerns owned and controlled by  
12 women. The projects shall provide—

13 “(A) financial assistance, including train-  
14 ing and counseling in how to apply for and se-  
15 cure business credit and investment capital,  
16 preparing and presenting financial statements,  
17 and managing cash flow and other financial op-  
18 erations of a business concern;

19 “(B) management assistance, including  
20 training and counseling in how to plan, orga-  
21 nize, staff, direct, and control each major activ-  
22 ity and function of a small business concern, in-  
23 cluding implementing cost-saving energy tech-  
24 niques; and

1           “(C) marketing assistance, including train-  
2           ing and counseling in identifying and seg-  
3           menting domestic and international market op-  
4           portunities, preparing and executing marketing  
5           plans, developing pricing strategies, locating  
6           contract opportunities, negotiating contracts,  
7           and utilizing varying public relations and adver-  
8           tising techniques.

9           “(2) TIERS.—The Administrator shall provide  
10          assistance under paragraph (1) in 3 tiers of assist-  
11          ance as follows:

12           “(A) The first tier shall be to conduct a 5-  
13           year project in a situation where a project has  
14           not previously been conducted. Such a project  
15           shall be in a total amount of not more than  
16           \$150,000 per year. Projects receiving assistance  
17           under this subparagraph that possess the ca-  
18           pacity to train existing or potential business  
19           owners in the fields of green technology, clean  
20           technology, or energy efficiency shall receive the  
21           maximum award under this subparagraph.

22           “(B) The second tier shall be to conduct a  
23           3-year project in a situation where a first-tier  
24           project is being completed. Such a project shall

1 be in a total amount of not more than  
2 \$100,000 per year.

3 “(C) The third tier shall be to conduct a  
4 3-year project in a situation where a second-tier  
5 project is being completed. Such a project shall  
6 be in a total amount of not more than  
7 \$100,000 per year. Third-tier grants shall be  
8 renewable subject to established eligibility cri-  
9 teria as well as criteria in subsection (b)(4).

10 “(3) ALLOCATION OF FUNDS.—Of the amounts  
11 made available for assistance under this subsection,  
12 the Administrator shall allocate—

13 “(A) at least 40 percent for first-tier  
14 projects under paragraph (2)(A);

15 “(B) 20 percent for second-tier projects  
16 under paragraph (2)(B); and

17 “(C) the remainder for third-tier projects  
18 under paragraph (2)(C).

19 “(4) BENCHMARKS FOR THIRD-TIER  
20 PROJECTS.—In awarding third-tier projects under  
21 paragraph (2)(C), the Administrator shall use  
22 benchmarks based on socio-economic factors in the  
23 community and on the performance of the applicant.  
24 The benchmarks shall include—

1           “(A) the total number of women served by  
2 the project;

3           “(B) the proportion of low income women  
4 and socio-economic distribution of clients served  
5 by the project;

6           “(C) the proportion of individuals in the  
7 community that are socially or economically dis-  
8 advantaged (based on median income);

9           “(D) the future fund-raising and service  
10 coordination plans;

11           “(E) the capacity of the project to train  
12 existing or potential business owners in the  
13 fields of green technology, clean technology, or  
14 energy efficiency;

15           “(F) the diversity of services provided; and

16           “(G) geographic distribution within and  
17 across the 10 regions of the Small Business Ad-  
18 ministration.”.

19           (b) MATCHING.—Subparagraphs (A) and (B) of sec-  
20 tion 29(c)(1) of the Small Business Act (15 U.S.C.  
21 656(c)(1)) are amended to read as follows:

22           “(A) For the first and second years of the  
23 project, 1 non-Federal dollar for each 2 Federal  
24 dollars.

1           “(B) Each year after the second year of  
2           the project—

3                   “(i) 1 non-Federal dollar for each  
4                   Federal dollar; or

5                   “(ii) if the center is in a community  
6                   at least 50 percent of the population of  
7                   which is below the median income for the  
8                   State or United States territory in which  
9                   the center is located, 1 non-Federal dollar  
10                  for each 2 Federal dollars.”.

11           (c) **AUTHORIZATION.**—Section 20 of the Small Busi-  
12           ness Act (15 U.S.C. 631 note) is amended by inserting  
13           the following new subsection after subsection (e):

14                   “(f) **WOMEN’S BUSINESS CENTERS.**—There is au-  
15                   thorized to be appropriated for purposes of grants under  
16                   section 29 to women’s business centers not more than  
17                   \$20,000,000 in fiscal year 2010 and not more than  
18                   \$22,000,000 in fiscal year 2011.”.

19           **SEC. 4. PERFORMANCE AND PLANNING.**

20           (a) **IN GENERAL.**—Section 29(h)(1) of the Small  
21           Business Act (15 U.S.C. 656(h)(1)) is amended—

22                   (1) by striking “and” at the end of subpara-  
23                   graph (A);

24                   (2) by redesignating subparagraph (B) as sub-  
25                   paragraph (D); and

1           (3) by inserting the following new subpara-  
2           graphs after subparagraph (A):

3                   “(B) establish performance measures, tak-  
4                   ing into account the demographic differences of  
5                   populations served by women’s business centers,  
6                   which measures shall include—

7                           “(i) outcome-based measures of the  
8                           amount of job creation or economic activity  
9                           generated in the local community as a re-  
10                          sult of efforts made and services provided  
11                          by each women’s business center, and

12                           “(ii) service-based measures of the  
13                           amount of services provided to individuals  
14                           and small business concerns served by each  
15                           women’s business center;

16                   “(C) require each women’s business center  
17                   to submit an annual plan for the next year that  
18                   includes the center’s funding sources and  
19                   amounts, strategies for increasing outreach to  
20                   women-owned businesses, strategies for increas-  
21                   ing job growth in the community, strategies for  
22                   increasing job placement of women in nontradi-  
23                   tional occupations, and other content as deter-  
24                   mined by the Administrator; and”.

1 (b) CONFORMING AMENDMENT.—Section 29(h)(1) of  
2 the Small Business Act (15 U.S.C. 656(h)(1)), as amend-  
3 ed, is further amended by adding the following at the end  
4 thereof:

5 “The Administrator’s evaluation of each women’s  
6 business center as required by this subsection shall  
7 be in part based on the performance measures under  
8 subparagraphs (B) and (C). These measures and the  
9 Administrator’s evaluations thereof shall be made  
10 publicly available.”.

11 **SEC. 5. NATIONAL WOMEN’S BUSINESS COUNCIL.**

12 The Women’s Business Ownership Act of 1988 is  
13 amended as follows:

14 (1) In section 409(a) (15 U.S.C. 7109(a)), by  
15 adding the following at the end thereof: “Such stud-  
16 ies shall include a study on the impact of the 2008–  
17 2009 financial markets crisis on women-owned busi-  
18 nesses, and a study of the use of the Small Business  
19 Administration’s programs by women-owned busi-  
20 nesses.”.

21 (2) In section 410(a) (15 U.S.C. 7110(a)), by  
22 striking “2001 through 2003” and insert “2010 and  
23 2011”.

1 **SEC. 6. APPLICANT EVALUATION CRITERIA.**

2 Section 29(f) of the Small Business Act (15 U.S.C.  
3 656(f)) is amended—

4 (1) in paragraph (3) by striking “and” at the  
5 end;

6 (2) in paragraph (4) by striking the period and  
7 inserting “; and”; and

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

9 “(5) whether the applicant has the capacity to  
10 train existing or potential business owners in the  
11 fields of green technology, clean technology, or en-  
12 ergy efficiency.”.

Passed the House of Representatives November 7,  
2009.

Attest:

LORRAINE C. MILLER,

*Clerk.*