

WOMEN’S BUSINESS CENTERS IMPROVEMENTS ACT OF  
2019

OCTOBER 17, 2019.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Ms. VELÁZQUEZ, from the Committee on Small Business,  
submitted the following

R E P O R T

[To accompany H.R. 4405]

The Committee on Small Business, to whom was referred the bill  
(H.R. 4405) to amend the Small Business Act to improve the wom-  
en’s business center program, and for other purposes, having con-  
sidered the same, report favorably thereon without amendment and  
recommend that the bill do pass.

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I. PURPOSE AND BILL SUMMARY

The purpose of H.R. 4405, the “Women’s Business Centers Im-  
provements Act,” is to strengthen the Women Business Centers  
program to ensure that women entrepreneurs across the country

have access to the vital counseling and technical training services to take them from startup to success.

## II. BACKGROUND AND NEED FOR LEGISLATION

H.R. 4405 was introduced by Representative Sharice Davids (D-KS) and Representative Jim Hagedorn (R-MN) on September 19, 2019. The bill amends section 29 of the Small Business Act to make numerous improvements to the Women’s Business Center program.

Women’s Business Centers (WBCs) are a critical component of SBA’s entrepreneurial ecosystem. WBCs were created to assist small businesses primarily owned by women, many of whom are socially and economically disadvantaged. The WBC program funds more than 100 centers nationwide. In FY2018, the WBC program trained and advised more than 150,000 clients and created nearly 12,000 small businesses. Women are the fastest growing sector of entrepreneurs, and as more women establish home-based businesses or downsize from corporate executive positions, these centers are crucial in addressing their entrepreneurial needs. The Women’s Business Centers Improvements Act strengthens the WBC program to ensure that women entrepreneurs across the country have access to the vital counseling and technical training services to take them from startup to success.

The WBC program has grown tremendously since its creation in 1988, but resource allocation has not kept up. Additionally, the cap on grants to individuals WBCs has not moved since the program’s inception and remains at \$150,000. Adjusted for inflation, this is equivalent to approximately \$325,000. In order to reach more women entrepreneurs, the WBC program needs more resources. H.R. 4405 would not only increase the resources, but also require annual performance reports and an established accreditation program modeled after that of the Association of Small Business Development Centers to ensure program consistency.

## III. HEARINGS

In the 116th Congress, the Committee on Small Business held a hearing on February 27, 2019 titled “Supporting America’s Startups: Review of SBA Entrepreneurial Development Programs.”<sup>1</sup> The witnesses for the hearing were stakeholders representing each of the SBA’s primary entrepreneurial development resource partners: Mr. Charles Rowe for America’s Small Business Development Centers; Ms. Corinne Hodges for the Association of Women’s Business Centers; Mr. Ken Yancey for the SCORE Association; and Ms. Cherlynn Sagester representing a Veterans Business Outreach Center.

As part of this hearing, each of the entrepreneurial development programs was explored to analyze their success in assisting small business owners start and grow their businesses. The hearing also highlighted SBA’s oversight of the programs and witnesses discussed the areas wherein the programs could be modernized and strengthened. The AWBC testified on the need to remove unnecessary requirements that force resources to be diverted from training

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<sup>1</sup>*Supporting America’s Startups: Review of SBA Entrepreneurial Development Programs, Hearing Before the H. Comm. On Small Bus., 116th Cong. (2019).*

and counseling and increased funding to allow for established WBCs to expand their outreach to more small firms and entrepreneurs. H.R. 4405 not only provides increased funding levels, it also compels the agency to create strong metrics to measure the success of the program.

#### IV. COMMITTEE CONSIDERATION

The Committee on Small Business met in open session, with a quorum being present, on September 25, 2019, and ordered H.R. 4405 favorably reported to the House of Representatives. During the markup, no amendments were offered.

#### V. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto. The Committee voted by voice vote to favorably report H.R. 4405 to the House at 11:52 A.M.

**COMMITTEE ON SMALL BUSINESS  
TALLY SHEET**

DATE: 09-25-19  
 BILL NUMBER: H.R. 4405  
 ROLL CALL:  
 VOTE: (AYE) (NO)

QUORUM: 13  
 AMENDMENT NUMBER:

11:52  
 agreed to  
 reported to House

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman			
Ms. Finkenauer			
Mr. Golden			
Mr. Kim			
Mr. Crow			
Ms. Davids			
Ms. Chu			
Mr. Veasey			
Mr. Evans			
Mr. Schneider			
Mr. Espaillat			
Mr. Delgado			
Ms. Houlahan			
Ms. Craig			
MR. Chabot Ranking Member			
Ms. Radewagen			
Mr. Kelly			
Mr. Balderson			
Mr. Hern			
Mr. Hagedorn			
Mr. Stauber			
Mr. Burchett			
Mr. Spano			
Mr. Joyce			
TOTALS			

On this vote there were \_\_\_\_\_ ayes and \_\_\_\_\_ nos.

## VI. SECTION-BY-SECTION OF H.R. 4405

*Section 1. Short title.*

This section designates the bill as the “Women’s Business Centers Improvement Act of 2019.”

*Section 2. Amendments to Women’s Business Center program.*

This section amends section 29 of the Small Business Act, making several improvements to the Women’s Business Center (WBC) program.

Subsection (a) provides definitions for assistant administrator, eligible entity, small business concern owned and controlled by women, Women’s Business Center, and Women’s Business Center Association.

Subsection (b) gives the Administrator of the Small Business Administration (SBA) the authority to provide grants to WBCs for counseling and training services, increases the maximum grant amount to \$300,000 per year, and indexes for inflation. The term of the initial and continuation grants will be five years.

Subsection (c) sets forth grant application requirements. To receive a grant an entity must: designate an executive director or program manager; demonstrate experience and effectiveness in providing counseling and training; and develop a 5-year plan demonstrating the ability of the WBC to serve women who are business owners or potential business owners.

Subsection (d) adds requisites to the SBA’s review and approval of applications, which will now consider experience, time needed to commence operations, sustainability after 5 years, location, population density, and the capacity to meet accreditation standards. Further, this subsection requires the SBA to establish regulations ensuring that eligible entities understand requirements.

Subsection (e) sets forth grant requirements, which include: the amount and form of matching funds, the solicitation and disbursements of funds, the failure to obtain matching funds, the waivers for the non-federal share, excess non-federal dollars, and the carry-over of funds. For initial grants, WBCs must provide one dollar in matching funds for every two dollars received from SBA for the first two years of the grant. For the remainder of the initial grant and the entirety of the continuation grants, WBCs must provide one dollar for every Federal dollar. At least 50 percent of the matching funds must be in cash. This subsection allows the Administrator to waive, in whole or in part, the requirement to obtain non-Federal funds for counseling and training activities. This requirement may not be waived for more than two consecutive fiscal years. This section also requires the Administrator to consider the following when determining whether to waive the requirement to obtain non-Federal funds: the economic conditions affecting the recipient; the demonstrated ability of the recipient to raise non-Federal funds; and the performance of the recipient. Further, it prohibits the Administrator from waiving the requirement if doing so would undermine program credibility. Additionally, this subsection exempts the non-Federal dollars obtained by the WBC grant recipient that is above the amount required to be obtained, and which is not used as matching funds for purposes of implementing the program, from part 200 of title 2, Code of Federal Regulations, or

any successor. This subsection also allows WBCs to carryover excess non-Federal dollars for an additional term in order to meet the Federal match. These funds would be subject to the requirements of part 200 of title 2, Code of Federal Regulations.

Subsection (f) prohibits eligible entities from commingling grant funds, requires site visits before receiving initial grants and annual reviews by SBA to ensure compliance with the grant agreements. Further, this subsection requires the SBA to establish a remediation plan to ensure that if a problem is found with a grant recipient, the WBC has an opportunity to take corrective action. Only after this remediation process may the SBA terminate the grant. This subsection also requires the Administrator to consult with the Women's Business Center Association in the development of documents with respect to the scope of the activities, requesting proposals to deliver assistance, and governing the general operations and administration of WBCs.

Subsection (g) requires the Administration to conduct programmatic and financial exams of the entities annually, and to consider the results in determining whether to continue awards.

Subsection (h) requires a notice and comment period prior to making changes to the standards governing grant obtainment and maintenance, accreditation standards, or any other operational requirement.

Subsection (i) sets forth requirements for contract authority.

Subsection (j) prescribes privacy requirements that prohibit WBCs from disclosing personal information without client permission.

Subsection (k) clarifies the responsibilities and duties of the Assistant Administrator who oversees the Office of Women's Business Ownership (OWBO). Specifically, this section directs the OWBO to work with Administration officials and other relevant entities to ensure that the WBC program coordinates effectively with other programs. This section also requires the SBA Administrator to establish an accreditation program for the WBC program and provide a contract or financial assistance to an association which represents a majority of WBCs. Additionally, this section provides transition time so that a current WBC grantee who does not engage in criminal activity or fraud has time to become accredited and come into compliance. This section also requires each WBC to participate in an annual conference facilitated by a Women's Business Center Association.

Subsection (l) requires the SBA to provide: public announcements of grant availability, the opportunity for anyone denied a grant to review the reason(s) for denial, and for any eligible entity who receives a site visit or evaluation to receive a copy of that report within 30 days.

Subsection (m) requires the SBA to submit an annual report to the Senate and House Committees on Small Business on the effectiveness of the WBCs. The report should include information on each WBC, the most recent analysis of the programmatic and financial examinations, and any determinations made by the Administrator.

Subsection (n) provides for an authorization of annual appropriations of \$31.5 million for FY20–FY23. Of the \$31.5 million,

\$500,000 will be made available to cover accreditation requirements and conference costs.

*Section 3. Effect on existing grants.*

This section amends Section 29(m) to ensure that existing WBCs have adequate time to meet the new requirements provided within this bill.

*Section 4. Regulations.*

This section requires the Administrator, within 270 days, to promulgate rules as necessary to carry out section 29 of the Small Business Act as amended by this bill.

#### VII. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

At the time H.R. 4405 was reported to the House, the Congressional Budget Office had not provided a cost-estimate.

#### VIII. UNFUNDED MANDATES

H.R. 4405 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act, Public Law No. 104-4, and would impose no costs on state, local, or tribal governments.

#### IX. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House, the Committee provides the following opinion and estimate with respect to new budget authority, entitlement authority, and tax expenditures. While the Committee has not received an estimate of new budget authority contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to 402 of the Congressional Budget Act of 1974, the Committee does not believe that there will be any additional costs attributable to this legislation because all authorizations would be subject to future appropriation action.

#### X. OVERSIGHT FINDINGS

In accordance with clause 2(b)(1) of rule X of the Rules of the House, the oversight findings and recommendations of the Committee on Small Business with respect to the subject matter contained in H.R. 4405 are incorporated into the descriptive portions of this report.

#### XI. STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in Art. I, § 8 of the Constitution of the United States.

#### XII. CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 4405 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of 102(b)(3) of Public Law No. 104-1.

### XIII. FEDERAL ADVISORY COMMITTEE ACT STATEMENT

H.R. 4405 does not establish or authorize the establishment of any new advisory committees as that term is defined in the Federal Advisory Committee Act, 5 U.S.C. App. 2.

### XIV. STATEMENT OF NO EARMARKS

Pursuant to clause 9 of rule XXI, H.R. 4405 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in subsections (d), (e), or (f) of clause 9 of rule XXI of the Rules of the House.

### XV. STATEMENT OF DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3 of rule XIII of the Rules of the House, no provision of H.R. 4405 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the United States Government Accountability Office pursuant to § 21 of Pub. L. No. 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

### XVI. DISCLOSURE OF DIRECTED RULEMAKINGS

Pursuant to clause 3 of rule XIII of the Rules of the House, H.R. 4405 does not direct any rulemaking.

### XVII. PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XII of the Rules of the House, the Committee establishes the following performance-related goals and objectives for this legislation:

H.R. 4405 strengthens the Women’s Business Center program by authorizing funding for the program for four years at \$31.5 million for each fiscal year, requires an annual report to measure the effectiveness of the program, establishes an accreditation program to increase accountability, and updates and streamlines program requirements.

### XVIII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause (E) of rule XIII of the Rules of the House, changes in existing law made by the bill, as reported, as shown as follows: existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman:

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

**SMALL BUSINESS ACT**

\* \* \* \* \*

**[SEC. 29. WOMEN'S BUSINESS CENTER PROGRAM.**

**[(a) DEFINITIONS.—**In this section—

**[(1)** the term “Assistant Administrator” means the Assistant Administrator of the Office of Women’s Business Ownership established under subsection (g);

**[(2)** the term “private nonprofit organization” means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

**[(3)** the term “small business concern owned and controlled by women”, either startup or existing, includes any small business concern—

**[(A)** that is not less than 51 percent owned by 1 or more women; and

**[(B)** the management and daily business operations of which are controlled by 1 or more women; and

**[(4)** the term “women’s business center site” means the location of—

**[(A)** a women’s business center; or

**[(B)** 1 or more women’s business centers, established in conjunction with another women’s business center in another location within a State or region—

**[(i)** that reach a distinct population that would otherwise not be served;

**[(ii)** whose services are targeted to women; and

**[(iii)** whose scope, function, and activities are similar to those of the primary women’s business center or centers in conjunction with which it was established.

**[(b) AUTHORITY.—**The Administration may provide financial assistance to private nonprofit organizations to conduct 5-year projects for the benefit of small business concerns owned and controlled by women. The projects shall provide—

**[(1)** financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a business concern;

**[(2)** management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

**[(3)** marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

**[(c) CONDITIONS OF PARTICIPATION.—**

**[(1) NON-FEDERAL CONTRIBUTIONS.—**As a condition of receiving financial assistance authorized by this section, the recipient organization shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources as follows:

[(A) in the first and second years, 1 non-Federal dollar for each 2 Federal dollars; and

[(B) in the third, fourth, and fifth years, 1 non-Federal dollar for each Federal dollar.

[(2) FORM OF NON-FEDERAL CONTRIBUTIONS.—Not more than one-half of the non-Federal sector matching assistance may be in the form of in-kind contributions that are budget line items only, including office equipment and office space.

[(3) FORM OF FEDERAL CONTRIBUTIONS.—The financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and may contain such provision, as necessary, to provide for payments in lump sum or installments, and in advance or by way of reimbursement. The Administration may disburse up to 25 percent of each year's Federal share awarded to a recipient organization after notice of the award has been issued and before the non-Federal sector matching funds are obtained.

[(4) FAILURE TO OBTAIN NON-FEDERAL FUNDING.—If any recipient of assistance fails to obtain the required non-Federal contribution during any project, it shall not be eligible thereafter for advance disbursements pursuant to paragraph (3) during the remainder of that project, or for any other project for which it is or may be funded by the Administration, and prior to approving assistance to such organization for any other projects, the Administration shall specifically determine whether the Administration believes that the recipient will be able to obtain the requisite non-Federal funding and enter a written finding setting forth the reasons for making such determination.

[(d) CONTRACT AUTHORITY.—A women's business center may enter into a contract with a Federal department or agency to provide specific assistance to women and other underserved small business concerns. Performance of such contract should not hinder the women's business centers in carrying out the terms of the grant received by the women's business centers from the Administration.

[(e) SUBMISSION OF 5-YEAR PLAN.—Each applicant organization initially shall submit a 5-year plan to the Administration on proposed fundraising and training activities, and a recipient organization may receive financial assistance under this program for a maximum of 5 years per women's business center site.

[(f) CRITERIA.—The Administration shall evaluate and rank applicants in accordance with predetermined selection criteria that shall be stated in terms of relative importance. Such criteria and their relative importance shall be made publicly available and stated in each solicitation for applications made by the Administration. The criteria shall include—

[(1) the experience of the applicant in conducting programs or ongoing efforts designed to impart or upgrade the business skills of women business owners or potential owners;

[(2) the present ability of the applicant to commence a project within a minimum amount of time;

[(3) the ability of the applicant to provide training and services to a representative number of women who are both socially and economically disadvantaged; and

[(4) the location for the women's business center site proposed by the applicant.

[(g) OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

[(1) ESTABLISHMENT.—There is established within the Administration an Office of Women's Business Ownership, which shall be responsible for the administration of the Administration's programs for the development of women's business enterprises (as defined in section 408 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note)). The Office of Women's Business Ownership shall be administered by an Assistant Administrator, who shall be appointed by the Administrator.

[(2) ASSISTANT ADMINISTRATOR OF THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

[(A) QUALIFICATION.—The position of Assistant Administrator shall be a Senior Executive Service position under section 3132(a)(2) of title 5, United States Code. The Assistant Administrator shall serve as a noncareer appointee (as defined in section 3132(a)(7) of that title).

[(B) RESPONSIBILITIES AND DUTIES.—

[(i) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership established to assist women entrepreneurs in the areas of—

[(I) starting and operating a small business;

[(II) development of management and technical skills;

[(III) seeking Federal procurement opportunities; and

[(IV) increasing the opportunity for access to capital.

[(ii) DUTIES.—The Assistant Administrator shall—

[(I) administer and manage the Women's Business Center program;

[(II) recommend the annual administrative and program budgets for the Office of Women's Business Ownership (including the budget for the Women's Business Center program);

[(III) establish appropriate funding levels therefore;

[(IV) review the annual budgets submitted by each applicant for the Women's Business Center program;

[(V) select applicants to participate in the program under this section;

[(VI) implement this section;

[(VII) maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers;

[(VIII) serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise;

[(IX) serve as liaison for the National Women's Business Council; and

[(X) advise the Administrator on appointments to the Women's Business Council.

[(C) CONSULTATION REQUIREMENTS.—In carrying out the responsibilities and duties described in this paragraph, the Assistant Administrator shall confer with and seek the advice of the Administration officials in areas served by the women's business centers.

[(h) PROGRAM EXAMINATION.—

[(1) IN GENERAL.—The Administration shall—

[(A) develop and implement an annual programmatic and financial examination of each women's business center established pursuant to this section, pursuant to which each such center shall provide to the Administration—

[(i) an itemized cost breakdown of actual expenditures for costs incurred during the preceding year; and

[(ii) documentation regarding the amount of matching assistance from non-Federal sources obtained and expended by the center during the preceding year in order to meet the requirements of subsection (c) and, with respect to any in-kind contributions described in subsection (c)(2) that were used to satisfy the requirements of subsection (c), verification of the existence and valuation of those contributions; and

[(B) analyze the results of each such examination and, based on that analysis, make a determination regarding the programmatic and financial viability of each women's business center.

[(2) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to award a contract (as a sustainability grant) under subsection (1) or to renew a contract (either as a grant or cooperative agreement) under this section with a women's business center, the Administration—

[(A) shall consider the results of the most recent examination of the center under paragraph (1); and

[(B) may withhold such award or renewal, if the Administration determines that—

[(i) the center has failed to provide any information required to be provided under clause (i) or (ii) of paragraph (1)(A), or the information provided by the center is inadequate; or

[(ii) the center has failed to provide any information required to be provided by the center for purposes of the report of the Administration under subsection (j), or the information provided by the center is inadequate.

[(i) CONTRACT AUTHORITY.—The authority of the Administrator to enter into contracts shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts. After the Administrator has entered into a contract, either as a grant or a cooperative agreement, with any applicant under this section, it shall not suspend, terminate, or fail to renew or extend any such contract unless the Administrator provides the applicant with written notification setting forth the reasons therefore and affords the applicant an opportunity for a hear-

ing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.

**[(j) MANAGEMENT REPORT.—**

**[(1) IN GENERAL.—**The Administration shall prepare and submit to the Committees on Small Business of the House of Representatives and the Senate a report on the effectiveness of all projects conducted under this section.

**[(2) CONTENTS.—**Each report submitted under paragraph (1) shall include information concerning, with respect to each women's business center established pursuant to this section—

**[(A)** the number of individuals receiving assistance;

**[(B)** the number of startup business concerns formed;

**[(C)** the gross receipts of assisted concerns;

**[(D)** the employment increases or decreases of assisted concerns;

**[(E)** to the maximum extent practicable, increases or decreases in profits of assisted concerns; and

**[(F)** the most recent analysis, as required under subsection (h)(1)(B), and the subsequent determination made by the Administration under that subsection.

**[(k) AUTHORIZATION OF APPROPRIATIONS.—**

**[(1) IN GENERAL.—**There is authorized to be appropriated, to remain available until the expiration of the pilot program under subsection (l)—

**[(A)** \$12,000,000 for fiscal year 2000;

**[(B)** \$12,800,000 for fiscal year 2001;

**[(C)** \$13,700,000 for fiscal year 2002; and

**[(D)** \$14,500,000 for fiscal year 2003.

**[(2) USE OF AMOUNTS.—**

**[(A) IN GENERAL.—**Except as provided in subparagraph (B), amounts made available under this subsection for fiscal year 1999, and each fiscal year thereafter, may only be used for grant awards and may not be used for costs incurred by the Administration in connection with the management and administration of the program under this section.

**[(B) EXCEPTIONS.—**Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, post-award conference costs, and costs related to monitoring and oversight:

**[(i)** For fiscal year 2000, 2 percent.

**[(ii)** For fiscal year 2001, 1.9 percent.

**[(iii)** For fiscal year 2002, 1.9 percent.

**[(iv)** For fiscal year 2003, 1.6 percent.

**[(3) EXPEDITED ACQUISITION.—**Notwithstanding any other provision of law, the Administrator, acting through the Assistant Administrator, may use such expedited acquisition methods as the Administrator determines to be appropriate to carry out this section, except that the Administrator shall ensure that all small business sources are provided a reasonable opportunity to submit proposals.

**[(4) RESERVATION OF FUNDS FOR SUSTAINABILITY PILOT PROGRAM.—**

[(A) IN GENERAL.—Subject to subparagraph (B), of the total amount made available under this subsection for a fiscal year, the following amounts shall be reserved for sustainability grants under subsection (l):

- [(i) For fiscal year 2000, 17 percent.
- [(ii) For fiscal year 2001, 18.8 percent.
- [(iii) For fiscal year 2002, 30.2 percent.
- [(iv) For fiscal year 2003, 30.2 percent.

[(B) USE OF UNAWARDED FUNDS FOR SUSTAINABILITY PILOT PROGRAM GRANTS.—If the amount reserved under subparagraph (A) for any fiscal year is not fully awarded to private nonprofit organizations described in subsection (l)(1)(B), the Administration is authorized to use the unawarded amount to fund additional women’s business center sites or to increase funding of existing women’s business center sites under subsection (b).

[(l) Repealed effective October 1, 2007 by 8305(b) of Public Law 110–28.]

[(m) CONTINUED FUNDING FOR CENTERS.—

[(1) IN GENERAL.—A nonprofit organization described in paragraph (2) shall be eligible to receive, subject to paragraph (3), a 3-year grant under this subsection.

[(2) APPLICABILITY.—A nonprofit organization described in this paragraph is a nonprofit organization that has received funding under subsection (b) or (l).

[(3) APPLICATION AND APPROVAL CRITERIA.—

[(A) CRITERIA.—Subject to subparagraph (B), the Administrator shall develop and publish criteria for the consideration and approval of applications by nonprofit organizations under this subsection.

[(B) CONTENTS.—Except as otherwise provided in this subsection, the conditions for participation in the grant program under this subsection shall be the same as the conditions for participation in the program under subsection (l), as in effect on the date of enactment of this Act.

[(C) NOTIFICATION.—Not later than 60 days after the date of the deadline to submit applications for each fiscal year, the Administrator shall approve or deny any application under this subsection and notify the applicant for each such application.

[(4) AWARD OF GRANTS.—

[(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall make a grant for the Federal share of the cost of activities described in the application to each applicant approved under this subsection.

[(B) AMOUNT.—A grant under this subsection shall be for not more than \$150,000, for each year of that grant.

[(C) FEDERAL SHARE.—The Federal share under this subsection shall be not more than 50 percent.

[(D) PRIORITY.—In allocating funds made available for grants under this section, the Administrator shall give applications under this subsection or subsection (l) priority over first-time applications under subsection (b).

[(5) RENEWAL.—

[(A) IN GENERAL.—The Administrator may renew a grant under this subsection for additional 3-year periods, if the nonprofit organization submits an application for such renewal at such time, in such manner, and accompanied by such information as the Administrator may establish.

[(B) UNLIMITED RENEWALS.—There shall be no limitation on the number of times a grant may be renewed under subparagraph (A).

[(n) PRIVACY REQUIREMENTS.—

[(1) IN GENERAL.—A women’s business center may not disclose the name, address, or telephone number of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, unless—

[(A) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

[(B) the Administrator considers such a disclosure to be necessary for the purpose of conducting a financial audit of a women’s business center, but a disclosure under this subparagraph shall be limited to the information necessary for such audit.

[(2) ADMINISTRATION USE OF INFORMATION.—This subsection shall not—

[(A) restrict Administration access to program activity data; or

[(B) prevent the Administration from using client information (other than the information described in subparagraph (A)) to conduct client surveys.

[(3) REGULATIONS.—The Administrator shall issue regulations to establish standards for requiring disclosures during a financial audit under paragraph (1)(B).

[(o) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—

[(1) STUDY.—The Administrator shall periodically conduct a study to identify industries, as defined under the North American Industry Classification System, underrepresented by small business concerns owned and controlled by women.

[(2) REPORT.—Not later than 3 years after the date of enactment of this subsection, and every 5 years thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the results of each study under paragraph (1) conducted during the 5-year period ending on the date of the report.】

**SEC. 29. WOMEN’S BUSINESS CENTER PROGRAM.**

(a) DEFINITIONS.—*In this section:*

(1) ASSISTANT ADMINISTRATOR.—*The term “Assistant Administrator” means the Assistant Administrator of the Office of Women’s Business Ownership established under subsection (k).*

(2) ELIGIBLE ENTITY.—*The term “eligible entity” means—*

(A) *an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;*

(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), unless such institution is currently receiving a grant under section 21;

(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

(E) any combination of entities listed in subparagraphs (A) through (D).

(3) **SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY WOMEN.**—The term “small business concern owned and controlled by women” has the meaning given under section 3(n).

(4) **WOMEN’S BUSINESS CENTER.**—The term “women’s business center” means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter that is needed to start, maintain, or expand a small business concern owned and controlled by women.

(5) **WOMEN’S BUSINESS CENTER ASSOCIATION.**—The term “Women’s Business Center Association” means a membership organization formed by women’s business centers to pursue matters of common concern.

(b) **AUTHORITY.**—

(1) **ESTABLISHMENT.**—There is established a Women’s Business Center Program under which the Administrator may provide a grant to any eligible entity to operate one or more women’s business centers for the benefit of small business concerns owned and controlled by women.

(2) **USE OF FUNDS.**—The women’s business centers shall be designed to provide counseling and training that meets the needs of the small business concerns owned and controlled by women, especially socially or economically disadvantaged women, and shall provide—

(A) financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a small business concern;

(B) management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

(C) marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

(3) **TYPES OF GRANTS.**—

(A) *INITIAL GRANT.*—*The amount of an initial grant, which shall be for a 5-year term, provided under this subsection to an eligible entity shall be not more than \$300,000 annually (as such amount is annually adjusted by the Administrator to reflect the change in inflation).*

(B) *CONTINUATION GRANTS.*—*The Administrator may award a continuation grant, which shall be for a 5-year term, of not more than \$300,000 annually (as such amount is annually adjusted by the Administrator to reflect the change in inflation) to an eligible entity that received an initial grant under subparagraph (A). There shall be no limitation on the number of continuation grants an eligible entity may receive under this section.*

(c) *APPLICATION.*—

(1) *INITIAL GRANTS AND CONTINUATION GRANTS.*—*To receive an initial grant or continuation grant under this section, an eligible entity shall submit an application to the Administrator in such form, in such manner, and containing such information as the Administrator may require, including—*

(A) *a certification that the eligible entity—*

(i) *has designated an executive director or program manager, who may be compensated using grant funds awarded under this section or other sources, to manage the women’s business center for which a grant under subsection (b) is sought; and*

(ii) *meets accounting and reporting requirements established by the Director of the Office of Management and Budget;*

(B) *information demonstrating the experience and effectiveness of the eligible entity in—*

(i) *providing counseling and training described under subsection (b)(2);*

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

(iii) *working with resource partners of the Administration and other entities; and*

(C) *a 5-year plan that—*

(i) *includes information relating to the assistance to be provided by the women’s business center in the area in which the women’s business center is located;*

(ii) *describes the ability of the eligible entity to meet the needs of the market to be served by the women’s business center, including the ability to obtain the matching funds required under subsection (e); and*

(iii) *describes the ability of the eligible entity to provide counseling and training described under subsection (b)(2), including to a representative number of women who are socially or economically disadvantaged.*

(2) *RECORD RETENTION.*—

(A) *IN GENERAL.*—*The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.*

(B) *PAPERWORK REDUCTION.*—*The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out subparagraph (A).*

(d) *SELECTION OF ELIGIBLE ENTITIES.*—

(1) *IN GENERAL.*—*In selecting recipients of initial grants, the Administrator shall consider—*

(A) *the experience of the applicant in providing entrepreneurial training;*

(B) *the amount of time needed for the applicant to commence operation of a women’s business center;*

(C) *in consultation with a Women’s Business Center Association, the capacity of the applicant to meet the accreditation standards established under subsection (k)(4) in a timely manner;*

(D) *the ability of the applicant to sustain operations, including the applicant’s ability to obtain sufficient non-Federal funds, for a 5-year period;*

(E) *the proposed location of a women’s business center to be operated by the applicant and the location’s proximity to Veteran Business Outreach Centers and to recipients of grants under section 8(b)(1) or 21;*

(F) *the population density of the area to be served by the women’s business center operated by the applicant; and*

(G) *the advice and counsel of a Women’s Business Center Association to determine areas with unmet needs and the likelihood that the recipient will become accredited.*

(2) *SELECTION CRITERIA.*—

(A) *RULEMAKING.*—*The Administrator shall issue regulations to specify the criteria for review and selection of applicants under this subsection.*

(B) *MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.*—*With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify regulations issued pursuant to subparagraph (A) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.*

(C) *RULE OF CONSTRUCTION.*—*Nothing in this paragraph may be construed as prohibiting the Administrator from modifying the regulations issued pursuant to subparagraph (A) (after providing an opportunity for notice and comment) as such regulations apply to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).*

(e) *MATCHING REQUIREMENTS.*—

(1) *IN GENERAL.*—*Subject to paragraph (5), upon approval of an application submitted under subsection (c), the eligible entity shall agree to obtain contributions from non-Federal sources—*

(A) *in the first and second year of the term of an initial grant, if applicable, 1 non-Federal dollar for each 2 Federal dollars; and*

(B) in each subsequent year of the term of an initial grant, if applicable, or for the term of a continuation grant, 1 non-Federal dollar for each Federal dollar.

(2) *FORM OF MATCHING FUNDS.*—Not more than one-half of non-Federal matching funds described under paragraph (1) may be in the form of in-kind contributions that are budget line items only, including office equipment and office space.

(3) *SOLICITATION.*—Notwithstanding any other provision of law, an eligible entity may—

(A) solicit cash and in-kind contributions from private individuals and entities to be used to operate a women's business center; and

(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

(4) *DISBURSEMENT OF FUNDS.*—The Administrator may disburse an amount not greater than 25 percent of the total amount of a grant awarded to an eligible entity before such eligible entity obtains the non-Federal matching funds described under paragraph (1).

(5) *FAILURE TO OBTAIN MATCHING FUNDS.*—If an eligible entity fails to obtain the required matching funds described under paragraph (1), the eligible entity may not be eligible to receive advance disbursements pursuant to paragraph (4) during the remainder of the term, if applicable, of an initial grant awarded under this section. Before approving such eligible entity for a continuation grant under this section, the Administrator shall make a written determination, including the reasons for such determination, of whether the Administrator believes that the eligible entity will be able to obtain the requisite funding under paragraph (1) for such continuation grant.

(6) *WAIVER OF NON-FEDERAL SHARE.*—

(A) *IN GENERAL.*—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal matching funds for a grant awarded under this section for the eligible entity for a one-year term of the grant. The Administrator may not issue such a waiver for more than a total of 2 consecutive one-year terms.

(B) *CONSIDERATIONS.*—In determining whether to issue a waiver under this paragraph, the Administrator shall consider—

(i) the economic conditions affecting the eligible entity;

(ii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

(iii) the performance of the eligible entity under the initial grant.

(C) *LIMITATION.*—The Administrator may not issue a waiver under this paragraph if the Administrator determines that granting the waiver would undermine the credibility of the Women's Business Center Program.

(7) *EXCESS NON-FEDERAL DOLLARS.*—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity

*under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—*

*(A) is not used as matching funds for purposes of implementing the Women’s Business Center Program; and*

*(B) was not obtained using funds from the Women’s Business Center Program.*

*(8) CARRYOVER.—Excess non-Federal dollars described in paragraph (7) may be used to satisfy the matching funds requirement under paragraph (1) for the subsequent one-year grant term, if applicable, except that such amounts shall be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto.*

*(f) OTHER REQUIREMENTS.—*

*(1) SEPARATION OF FUNDS.—An eligible entity shall—*

*(A) operate a women’s business center under this section separately from other projects, if any, of the eligible entity; and*

*(B) separately maintain and account for any grants received under this section.*

*(2) EXAMINATION OF ELIGIBLE ENTITIES.—*

*(A) REQUIRED SITE VISIT.—Before receiving an initial grant under this section, each applicant shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.*

*(B) ANNUAL REVIEW.—An employee of the Administration shall—*

*(i) conduct an annual programmatic and financial examination of each eligible entity, as described in subsection (g); and*

*(ii) provide the results of such examination to the eligible entity.*

*(3) REMEDIATION OF PROBLEMS.—*

*(A) PLAN OF ACTION.—If an examination of an eligible entity conducted under paragraph (2)(B) identifies any problems, the eligible entity shall, within 45 calendar days of receiving a copy of the results of such examination, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.*

*(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days of receiving such plan. If the Assistant Administrator determines that such plan—*

*(i) will bring the eligible entity into compliance with all the terms of the grant agreement, the Assistant Administrator shall approve such plan; or*

*(ii) is inadequate to remedy the problems identified in the annual examination to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days of such determination.*

(C) *AMENDMENT TO PLAN OF ACTION.*—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days from the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

(D) *AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.*—Within 15 calendar days of the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

(E) *APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.*—

(i) *IN GENERAL.*—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

(ii) *OPPORTUNITY FOR EXPLANATION.*—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's amended plan remedies the problems identified in the annual examination conducted under paragraph (2)(B).

(iii) *NOTICE OF DETERMINATION.*—The Administrator shall provide to the eligible entity a determination of the appeal, in writing, not later than 15 calendar days after the eligible entity files an appeal under this subparagraph.

(iv) *EFFECT OF FAILURE TO ACT.*—If the Administrator fails to act on an appeal made under this subparagraph within the 15-day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

(4) *TERMINATION OF GRANT.*—

(A) *IN GENERAL.*—The Administrator shall terminate a grant to an eligible entity under this section if the eligible entity fails to comply with—

(i) a plan of action approved by the Assistant Administrator under paragraph (3)(B)(i); or

(ii) an amended plan of action approved by the Assistant Administrator under paragraph (3)(D) or approved on appeal under paragraph (3)(E).

(B) *APPEAL OF TERMINATION.*—An eligible entity shall have the opportunity to challenge the termination of a grant under subparagraph (A) on the record and after an opportunity for a hearing.

(C) *FINAL AGENCY ACTION.*—A determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7 of title 5, United States Code.

(5) *CONSULTATION WITH MAJORITY WOMEN'S BUSINESS CENTER ASSOCIATION.*—If a majority of women's business centers

*that are operating pursuant to agreements with the Administration are members of an individual Women's Business Center Association, the Administrator shall—*

*(A) recognize the existence and activities of such Association; and*

*(B) consult with the Association on, and negotiate with the Association in the development of documents with respect to—*

*(i) announcing the annual scope of activities pursuant to this section;*

*(ii) requesting proposals to deliver assistance as provided in this section; and*

*(iii) governing the general operations and administration of women's business centers, specifically including the development of regulations and a uniform negotiated cooperative agreement for use on an annual basis when entering into individual negotiated agreements with women's business centers.*

*(g) PROGRAM EXAMINATION.—*

*(1) IN GENERAL.—The Administration shall—*

*(A) develop and implement an annual programmatic and financial examination of each eligible entity receiving a grant under this section, under which each such eligible entity shall provide to the Administration—*

*(i) an itemized cost breakdown of actual expenditures for costs incurred during the preceding year; and*

*(ii) documentation regarding the amount of matching assistance from non-Federal sources obtained and expended by the eligible entity during the preceding year in order to meet the requirements of subsection (e) and, with respect to any in-kind contributions described in subsection (e)(2) that were used to satisfy the requirements of subsection (e), verification of the existence and valuation of those contributions; and*

*(B) analyze the results of each such examination and, based on that analysis, make a determination regarding the programmatic and financial viability of each women's business center operated by the eligible entity.*

*(2) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to award a continuation grant to an eligible entity, the Administrator—*

*(A) shall consider the results of the most recent examination of the eligible entity under paragraph (1);*

*(B) shall determine if—*

*(i) the eligible entity has failed to provide, or provided inadequate, information under paragraph (1)(A); or*

*(ii) the eligible entity has failed to provide any information required to be provided by the women's business center for purposes of the management report under subsection (m)(1), or the information provided by the center is inadequate; and*

*(C) shall consider the accreditation status as described in subsection (k)(4).*

(h) *NOTICE AND COMMENT REQUIRED.*—*The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women’s business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.*

(i) *CONTRACT AUTHORITY.*—

(1) *ELIGIBLE ENTITY.*—*An eligible entity that receives a grant under this section may enter into a contract with a Federal department or agency to provide specific assistance to small business concerns owned and controlled by women and other underserved small business concerns, if performance of such a contract does not hinder the ability of the eligible entity to carry out the terms of a grant received under this section.*

(2) *ADMINISTRATOR.*—*The authority of the Administrator to enter into contracts shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts. After the Administrator has entered into a contract, either as a grant or a cooperative agreement, with any applicant under this section, the Administrator shall not suspend, terminate, or fail to renew or extend any such contract unless the Administrator provides the applicant with written notification setting forth the reasons therefore and affords the applicant an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.*

(j) *PRIVACY REQUIREMENTS.*—

(1) *IN GENERAL.*—*A women’s business center may not disclose the name, address, or telephone number of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, unless—*

(A) *the Administrator orders such disclosure after the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or*

(B) *the Administrator considers such a disclosure to be necessary for the purpose of conducting a financial audit of a women’s business center, except that such a disclosure shall be limited to the information necessary for such audit.*

(2) *ADMINISTRATION USE OF INFORMATION.*—*This subsection shall not—*

(A) *restrict Administration access to women’s business center data; or*

(B) *prevent the Administration from using information about individuals who use women’s business centers to conduct surveys of such individuals.*

(3) *REGULATIONS.*—*The Administrator shall issue regulations to establish standards for disclosures for purposes of a financial audit described under paragraph (1)(B).*

(k) *OFFICE OF WOMEN’S BUSINESS OWNERSHIP.*—

(1) *ESTABLISHMENT.*—*There is established within the Administration an Office of Women’s Business Ownership, which shall*

be responsible for the administration of the Administration's programs for the development of women's business enterprises (as defined in section 408 of the Women's Business Ownership Act of 1988). The Office of Women's Business Ownership shall be administered by an Assistant Administrator, who shall be appointed by the Administrator.

(2) ASSISTANT ADMINISTRATOR OF THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

(A) QUALIFICATION.—The position of Assistant Administrator shall be a Senior Executive Service position under section 3132(a)(2) of title 5, United States Code. The Assistant Administrator shall serve as a noncareer appointee (as defined in section 3132(a)(7) of that title).

(B) DUTIES.—The Assistant Administrator shall administer the programs and services of the Office of Women's Business Ownership and perform the following functions:

(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

(iii) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit organizations to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

(iv) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

(v) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.

(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

(B) creating public-private partnerships to support women entrepreneurs and conduct outreach and education to small business concerns owned and controlled by women; and

(C) working with other programs of the Administrator to—

(i) ensure women are well-represented in those programs and being served by those programs; and

(ii) identify gaps where participation by women in those programs could be increased.

## (4) ACCREDITATION PROGRAM.—

(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall publish standards for a program to accredit eligible entities that receive a grant under this section.

(B) PUBLIC COMMENT; TRANSITION.—Before publishing the standards under subparagraph (A), the Administrator—

(i) shall provide a period of not less than 60 days for public comment on such standards; and

(ii) may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

(C) CONTRACTING AUTHORITY.—The Administrator may provide financial support, by contract or otherwise, to a Women's Business Center Association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.

## (5) CONTINUATION GRANT CONSIDERATIONS.—

(A) IN GENERAL.—In determining whether to award a continuation grant under this section, the Administrator shall consider the results of the annual programmatic and financial examination conducted under subsection (g) and the accreditation program.

(B) ACCREDITATION REQUIREMENT.—After the end of the 2-year period beginning on the date of enactment of this subsection, the Administration may not award a continuation grant under this section unless the applicable eligible entity has been approved under the accreditation program conducted pursuant to this subsection, except that the Assistant Administrator for the Office of Women's Business Ownership may waive such accreditation requirement, in the discretion of the Assistant Administrator, upon a showing that the eligible entity is making a good faith effort to obtain accreditation.

(6) ANNUAL CONFERENCE.—Each women's business center shall participate in annual professional development at an annual conference facilitated by a Women's Business Center Association.

## (l) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—The Administrator shall provide the following:

(1) A public announcement of any opportunity to be awarded grants under this section, to include the selection criteria under subsection (d) and any applicable regulations.

(2) To any applicant for a grant under this section that failed to obtain such a grant, an opportunity to debrief with the Administrator to review the reasons for the applicant's failure.

(3) To an eligible entity that receives an initial grant under this section, if a site visit or review of the eligible entity is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days of the completion of such visit or evaluation.

## (m) ANNUAL MANAGEMENT REPORT.—

(1) *IN GENERAL.*—The Administrator shall prepare and submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate an annual report on the effectiveness of women’s business centers operated through a grant awarded under this section.

(2) *CONTENTS.*—Each report submitted under paragraph (1) shall include—

(A) information concerning, with respect to each women’s business center established pursuant to a grant awarded under this section, the most recent analysis of the annual programmatic and financial examination of the applicable eligible entity, as required under subsection (g)(1)(B), and the subsequent determination made by the Administration under that subsection;

(B) the number of persons advised and trained through the Women’s Business Center Program;

(C) the total number of hours of advising and training through the Program;

(D) the demographics of Program participants to include gender, race, and age of each such participant;

(E) the number of Program participants who are veterans;

(F) the number of new businesses started by participants in the Program;

(G) to the extent practicable, the number of jobs supported, created or retained with assistance from women’s business centers;

(H) the amount of capital secured by participants in the Program, including through loans and equity investment;

(I) the number of participants in the Program receiving financial assistance, including the type and dollar amount, under the loan programs of the Administration;

(J) an estimate of gross receipts, including to the extent practicable a description of any change in revenue of small business concerns assisted through the Program;

(K) to the maximum extent practicable, increases or decreases in revenues for the assisted small business concerns;

(L) the number of referrals made to other resources and programs of the Administration;

(M) the results of satisfaction surveys of participants, including a summary of any comments received from such participants; and

(N) any recommendations by the Administrator to improve the delivery of services by women’s business centers.

(n) *AUTHORIZATION OF APPROPRIATIONS.*—

(1) *IN GENERAL.*—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, \$31,500,000 for each of fiscal years 2020 through 2023.

(2) *USE OF AMOUNTS.*—

(A) *IN GENERAL.*—Except as provided in subparagraph (B), amounts made available under this subsection for fiscal year 2020, and each fiscal year thereafter, may only be used for grant awards and may not be used for costs in-

*curred by the Administration in connection with the management and administration of the program under this section.*

*(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for costs incurred by the Administration in connection with the management and administration of the program under this section:*

*(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.*

*(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2023, 2.5 percent.*

*(3) EXPEDITED ACQUISITION.—Notwithstanding any other provision of law, the Administrator may use such expedited acquisition methods as the Administrator determines to be appropriate to carry out this section, except that the Administrator shall ensure that all small business sources are provided a reasonable opportunity to submit proposals.*

*(4) ACCREDITATION AND ANNUAL CONFERENCE.—Not less than \$500,000 of the amounts appropriated pursuant to paragraph (1) for a fiscal year shall be available for purposes of carrying out subsection (k), of which no less than \$50,000 shall be available to support an annual conference described under subsection (k)(6).*

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