

Calendar No. 314

107TH CONGRESS
2^D SESSION

S. 396

[Report No. 107–136]

To provide for national quadrennial summits on small business and State summits on small business, to establish the White House Quadrennial Commission on Small Business, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2001

Mr. BOND (for himself and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Small Business

FEBRUARY 7, 2002

Reported by Mr. KERRY, without amendment

A BILL

To provide for national quadrennial summits on small business and State summits on small business, to establish the White House Quadrennial Commission on Small Business, 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. SHORT TITLE.**

2 This Act may be cited as the “White House Quadren-
3 nial Small Business Summit Act of 2001”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act—

6 (1) the term “Administrator” means the Ad-
7 ministrator of the Small Business Administration;

8 (2) the term “Chief Counsel” means the Chief
9 Counsel for Advocacy of the Small Business Admin-
10 istration;

11 (3) the term “Small Business Commission”
12 means the national White House Quadrennial Com-
13 mission on Small Business established under section
14 6;

15 (4) the term “Small Business Summit”—

16 (A) means the White House Quadrennial
17 Summit on Small Business conducted under
18 section 3(a); and

19 (B) includes the last White House Con-
20 ference on Small Business occurring before
21 2002;

22 (5) the term “small business” has the meaning
23 given the term “small business concern” in section
24 3 of the Small Business Act;

25 (6) the term “State” means any of the 50
26 States of the United States, the District of Colum-

1 bia, the Commonwealth of Puerto Rico, and the
 2 United States Virgin Islands; and

3 (7) the term “State Summit” means a State
 4 Summit on Small Business conducted under section
 5 3(b).

6 **SEC. 3. NATIONAL AND STATE QUADRENNIAL SUMMITS ON**
 7 **SMALL BUSINESS.**

8 (a) QUADRENNIAL SUMMITS.—There shall be a na-
 9 tional White House Quadrennial Summit on Small Busi-
 10 ness once every 4 years, to be held during the second year
 11 following each Presidential election, to carry out the pur-
 12 poses set forth in section 4.

13 (b) STATE SUMMITS.—Each Small Business Summit
 14 referred to in subsection (a) shall be preceded by a State
 15 Summit on Small Business, with not fewer than 1 such
 16 summit held in each State, and with not fewer than 2 such
 17 summits held in any State having a population of more
 18 than 10,000,000.

19 **SEC. 4. PURPOSES OF SMALL BUSINESS SUMMITS.**

20 The purposes of each Small Business Summit shall
 21 be—

- 22 (1) to increase public awareness of the con-
 23 tribution of small business to the national economy;
 24 (2) to identify the problems of small business;

1 (3) to examine the status of minorities and
2 women as small business owners;

3 (4) to assist small business in carrying out its
4 role as the Nation's job creator;

5 (5) to assemble small businesses to develop
6 such specific and comprehensive recommendations
7 for legislative and regulatory action as may be ap-
8 propriate for maintaining and encouraging the eco-
9 nomic viability of small business and thereby, the
10 Nation; and

11 (6) to review the status of recommendations
12 adopted at the immediately preceding Small Busi-
13 ness Summit.

14 **SEC. 5. SUMMIT PARTICIPANTS.**

15 (a) IN GENERAL.—To carry out the purposes set
16 forth in section 4, the Small Business Commission shall
17 conduct Small Business Summits and State Summits to
18 bring together individuals concerned with issues relating
19 to small business.

20 (b) SUMMIT DELEGATES.—

21 (1) QUALIFICATION.—Only individuals who are
22 owners or officers of a small business shall be eligi-
23 ble for appointment or election as delegates (or al-
24 ternates) to the Small Business Summit, or be eligi-

1 ble to vote in the selection of delegates at the State
2 Summits pursuant to this subsection.

3 (2) APPOINTED DELEGATES.—Two months be-
4 fore the date of the first State Summit, there shall
5 be—

6 (A) 1 delegate (and 1 alternate) appointed
7 by the Governor of each State;

8 (B) 1 delegate (and 1 alternate) appointed
9 by each Member of the House of Representa-
10 tives, from the congressional district of that
11 Member;

12 (C) 1 delegate (and 1 alternate) appointed
13 by each Member of the Senate from the home
14 State of that Member; and

15 (D) 53 delegates (and 53 alternates) ap-
16 pointed by the President, 1 from each State.

17 (3) ELECTED DELEGATES.—The participants at
18 each State Summit shall elect 3 delegates and 3 al-
19 ternates to the Small Business Summit for each con-
20 gressional district within the State, or part of the
21 State represented at the Summit, or not fewer than
22 9 delegates, pursuant to rules developed by the
23 Small Business Commission.

24 (4) POWERS AND DUTIES.—Delegates to each
25 Small Business Summit shall—

1 (A) attend the State summits in his or her
2 respective State;

3 (B) elect a delegation chairperson, vice
4 chairperson, and other leadership as may be
5 necessary;

6 (C) conduct meetings and other activities
7 at the State level before the date of the Small
8 Business Summit, subject to the approval of the
9 Small Business Commission; and

10 (D) direct such State level summits, meet-
11 ings, and activities toward the consideration of
12 the purposes set forth in section 4, in order to
13 prepare for the next Small Business Summit.

14 (5) ALTERNATES.—Alternates shall serve dur-
15 ing the absence or unavailability of the delegate.

16 (c) ROLE OF THE CHIEF COUNSEL.—The Chief
17 Counsel shall, after consultation and in coordination with
18 the Small Business Commission, assist in carrying out the
19 Small Business Summits and State Summits required by
20 this Act by—

21 (1) preparing and providing background infor-
22 mation and administrative materials for use by par-
23 ticipants in the summits;

24 (2) distributing issue information and adminis-
25 trative communications, electronically where possible

1 through an Internet web site and e-mail, and in
2 printed form if requested;

3 (3) maintaining an Internet web site and reg-
4 ular e-mail communications after each Small Busi-
5 ness Summit to inform delegates and the public of
6 the status of recommendations and related govern-
7 mental activity; and

8 (4) maintaining, between summits, an active in-
9 terim organization of delegate representatives from
10 each region of the Administration, to advise the
11 Chief Counsel on each of the major small business
12 issue areas, and monitor the progress of the Sum-
13 mits' recommendations.

14 (d) EXPENSES.—Each delegate (and alternate) to
15 each Small Business Summit and State Summit—

16 (1) shall be responsible for the expenses of that
17 delegate related to attending the summits; and

18 (2) shall not be reimbursed either from funds
19 made available pursuant to this section or the Small
20 Business Act.

21 (e) ADVISORY COMMITTEE.—

22 (1) IN GENERAL.—The Small Business Com-
23 mission shall appoint a Summit Advisory Com-
24 mittee, which shall be composed of 10 individuals
25 who were participants at the most recently preceding

1 Small Business Summit, to advise the Small Busi-
 2 ness Commission on the organization, rules, and
 3 processes of the Summits.

4 (2) PREFERENCE.—Preference for appointment
 5 under this subsection shall be given to individuals
 6 who have been active participants in the implemen-
 7 tation process following the most recently preceding
 8 Small Business Summit.

9 (f) PUBLIC PARTICIPATION.—Small Business Sum-
 10 mits and State Summits shall be open to the public, and
 11 no fee or charge may be imposed on any attendee, other
 12 than an amount necessary to cover the cost of any meal
 13 provided, plus, with respect to State Summits, a registra-
 14 tion fee to defray the expense of meeting rooms and mate-
 15 rials of not to exceed \$20 per person.

16 **SEC. 6. WHITE HOUSE QUADRENNIAL COMMISSION ON**
 17 **SMALL BUSINESS.**

18 (a) ESTABLISHMENT.—There is established the
 19 White House Quadrennial Commission on Small Business.

20 (b) MEMBERSHIP.—

21 (1) APPOINTMENT.—The Small Business Com-
 22 mission shall be composed of 9 members,
 23 including—

24 (A) the Chief Counsel;

25 (B) 4 members appointed by the President;

1 (C) 1 member appointed by the Majority
 2 Leader of the Senate;

3 (D) 1 member appointed by the Minority
 4 Leader of the Senate;

5 (E) 1 member appointed by the Majority
 6 Leader of the House of Representatives; and

7 (F) 1 member appointed by the Minority
 8 Leader of the House of Representatives.

9 (2) SELECTION.—Members of the Small Busi-
 10 ness Commission described in subparagraphs (B)
 11 through (F) of paragraph (1) shall be selected from
 12 among distinguished individuals noted for their
 13 knowledge and experience in fields relevant to the
 14 issue of small business and the purposes set forth in
 15 section 4.

16 (3) TIME OF APPOINTMENT.—The appoint-
 17 ments required by paragraph (1)—

18 (A) shall be made not later than 18
 19 months before the opening date of each Small
 20 Business Summit; and

21 (B) shall expire 6 months after the date on
 22 which each Small Business Summit is convened.

23 (c) ELECTION OF CHAIRPERSON.—At the first meet-
 24 ing of the Small Business Commission, a majority of the

1 members present and voting shall elect a member of the
2 Small Business Commission to serve as the Chairperson.

3 (d) POWERS AND DUTIES OF COMMISSION.—The
4 Small Business Commission—

5 (1) may enter into contracts with public agen-
6 cies, private organizations, and academic institutions
7 to carry out this Act;

8 (2) shall consult, coordinate, and contract with
9 an independent, nonpartisan organization that—

10 (A) has both substantive and logistical ex-
11 perience in developing and organizing con-
12 ferences and forums throughout the Nation
13 with elected officials and other government and
14 business leaders;

15 (B) has experience in generating private
16 resources from multiple States in the form of
17 event sponsorships; and

18 (C) can demonstrate evidence of a working
19 relationship with Members of Congress from the
20 majority and minority parties, and at least 1
21 Federal agency; and

22 (3) shall prescribe such financial controls and
23 accounting procedures as needed for the handling of
24 funds from fees and charges and the payment of au-

1 thorized meal, facility, travel, and other related ex-
2 penses.

3 (e) PLANNING AND ADMINISTRATION OF SUMMITS.—

4 In carrying out the Small Business Summits and State
5 Summits, the Small Business Commission shall consult
6 with—

7 (1) the Chief Counsel;

8 (2) Congress; and

9 (3) such other Federal agencies as the Small
10 Business Commission determines to be appropriate.

11 (f) REPORTS REQUIRED.—Not later than 6 months
12 after the date on which each Small Business Summit is
13 convened, the Small Business Commission shall submit to
14 the President and to the Chairpersons and Ranking Mem-
15 bers of the Committees on Small Business of the Senate
16 and the House of Representatives a final report, which
17 shall—

18 (1) include the findings and recommendations
19 of the Small Business Summit and any proposals for
20 legislative action necessary to implement those rec-
21 ommendations; and

22 (2) be made available to the public.

23 (g) QUORUM.—Four voting members of the Small
24 Business Commission shall constitute a quorum for pur-
25 poses of transacting business.

1 (h) MEETINGS.—The Small Business Commission
2 shall meet not later than 20 calendar days after the ap-
3 pointment of the initial members of the Small Business
4 Commission, and not less frequently than every 30 cal-
5 endar days thereafter.

6 (i) VACANCIES.—Any vacancy on the Small Business
7 Commission shall not affect its powers, but shall be filled
8 in the manner in which the original appointment was
9 made.

10 (j) EXECUTIVE DIRECTOR AND STAFF.—The Small
11 Business Commission may appoint and compensate an Ex-
12 ecutive Director and such other personnel to conduct the
13 Small Business Summits and State Summits as the Small
14 Business Commission may determine to be advisable,
15 without regard to title 5, United States Code, governing
16 appointments in the competitive service, and without re-
17 gard to chapter 51 and subchapter III of chapter 53 of
18 such title, relating to classification and General Schedule
19 pay rates, except that the rate of pay for the Executive
20 Director and other personnel may not exceed the rate pay-
21 able for level V of the Executive Schedule under section
22 5316 of such title.

23 (k) FUNDING.—Members of the Small Business Com-
24 mission shall be allowed travel expenses, including per
25 diem in lieu of subsistence at rates authorized for employ-

ees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Small Business Commission.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS; AVAILABILITY OF FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out each Small Business Summit and the State Summits required by this Act, \$5,000,000, which shall remain available until expended. New spending authority or authority to enter contracts as provided in this title shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

(b) SPECIFIC EARMARK.—No amount made available to the Small Business Administration may be made available to carry out this title, other than amounts made available specifically for the purpose of conducting the Small Business Summits and State Summits.

Calendar No. 314

107TH CONGRESS
2^D SESSION

S. 396

[Report No. 107-136]

A BILL

To provide for national quadrennial summits on small business and State summits on small business, to establish the White House Quadrennial Commission on Small Business, and for other purposes.

FEBRUARY 7, 2002

Reported without amendment