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110TH CONGRESS
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S. 1671

[Report No. 110-185]

To reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2007

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

SEPTEMBER 26, 2007

Reported by Mr. KERRY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “~~Entrepreneurial Devel-~~
5 ~~opment Act of 2007~~”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—REAUTHORIZATION

- Sec. 101. Reauthorization.

TITLE II—WOMEN’S SMALL BUSINESS OWNERSHIP PROGRAMS

- Sec. 201. Office of Women’s Business Ownership.
- Sec. 202. Women’s Business Center Program.
- Sec. 203. National Women’s Business Council.
- Sec. 204. Interagency Committee on Women’s Business Enterprise.
- Sec. 205. Preserving the independence of the National Women’s Business Council.

TITLE III—INTERNATIONAL TRADE

- Sec. 301. Small Business Administration Associate Administrator for International Trade.
- Sec. 302. Office of International Trade.

TITLE IV—NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT PROGRAM

- Sec. 401. Short title.
- Sec. 402. Native American Small Business Development Program.
- Sec. 403. Pilot programs.

TITLE V—NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE

- Sec. 501. Short title.
- Sec. 502. Purpose.
- Sec. 503. Small Business Regulatory Assistance Pilot Program.
- Sec. 504. Rulemaking.

TITLE VI—OTHER PROVISIONS

- Sec. 601. Minority Entrepreneurship and Innovation Pilot Program.
- Sec. 602. Institutions of higher education.
- Sec. 603. Health insurance options information for small business concerns.
- Sec. 604. National Small Business Development Center Advisory Board.
- Sec. 605. Office of Native American Affairs pilot program.
- Sec. 606. Privacy requirements for SCORE chapters.
- Sec. 607. National Small Business Summit.

3 SEC. 3. DEFINITIONS.

4 In this Act—

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

4 (2) the term “small business concern” has the
5 meaning given that term in section 3 of the Small
6 Business Act (15 U.S.C. 632).

7 **TITLE I—REAUTHORIZATION**

8 **SEC. 101. REAUTHORIZATION.**

9 (a) **IN GENERAL.**—Section 20 of the Small Business
10 Act (15 U.S.C. 631 note) is amended—

11 (1) by striking subsections (d), (e), and (j); and

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

13 “(d) **SCORE PROGRAM.**—There are authorized to be
14 appropriated to the Administrator to carry out the Service
15 Corps of Retired Executives program authorized by sec-
16 tion 8(b)(1) such sums as are necessary for the Adminis-
17 trator to make grants or enter into cooperative agreements
18 for a total of—

19 “(1) \$7,000,000 in fiscal year 2008;

20 “(2) \$8,000,000 in fiscal year 2009; and

21 “(3) \$9,000,000 in fiscal year 2010”.

22 (b) **SMALL BUSINESS DEVELOPMENT CENTERS.**—

23 Section 21 of the Small Business Act (15 U.S.C. 648) is
24 amended—

1 (1) in subsection (a)(4)(C), by amending clause
2 (vii) to read as follows:

3 “~~(vii) AUTHORIZATION OF APPROPRIA-~~
4 TIONS.—There are authorized to be appro-
5 priated to carry out this subparagraph—

6 “(I) \$135,000,000 for fiscal year
7 2008;

8 “(II) \$140,000,000 for fiscal
9 year 2009; and

10 “(III) \$145,000,000 for fiscal
11 year 2010.”; and

12 (2) in subsection (c)(3)(T), by striking “Octo-
13 ber 1, 2006” and inserting “October 1, 2010”.

14 (3) ~~PAUL D. COVERDELL DRUG-FREE WORK-~~
15 ~~PLACE PROGRAM.—~~

16 (A) ~~IN GENERAL.—~~Section 27(g) of the
17 Small Business Act (15 U.S.C. 654(g)) is
18 amended—

19 (i) in paragraph (1), by striking “fis-
20 cal years 2005 and 2006” and inserting
21 “fiscal years 2008 through 2010”; and

22 (ii) in paragraph (2), by striking “fis-
23 cal years 2005 and 2006” and inserting
24 “fiscal years 2008 through 2010”.

1 (B) CONFORMING AMENDMENT.—Section
 2 21(e)(3)(T) of the Small Business Act (15
 3 U.S.C. 648(e)(3)(T)) is amended by striking
 4 “October 1, 2006” and inserting “October 1,
 5 2010”.

6 **TITLE II—WOMEN’S SMALL BUSI-**
 7 **NESS OWNERSHIP PROGRAMS**

8 **SEC. 201. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

9 Section 29(g) of the Small Business Act (15 U.S.C.
 10 656(g)) is amended—

11 (1) in paragraph (2)—

12 (A) in subparagraph (B)(i), by striking “in
 13 the areas” and all that follows through the end
 14 of subclause (I), and inserting the following: “to
 15 address issues concerning management, oper-
 16 ations, manufacturing, technology, finance, re-
 17 tail and product sales, international trade, and
 18 other disciplines required for—

19 “(I) starting, operating, and
 20 growing a small business concern;”;
 21 and

22 (B) in subparagraph (C), by inserting be-
 23 fore the period at the end the following: “, the
 24 National Women’s Business Council, and any
 25 association of women’s business centers”; and

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

2 ~~“(3) PROGRAMS AND SERVICES FOR WOMEN-~~
3 ~~OWNED SMALL BUSINESSES.—~~The Assistant Admin-
4 istrator, in consultation with the National Women’s
5 Business Council, the Interagency Committee on
6 Women’s Business Enterprise, and 1 or more asso-
7 ciations of women’s business centers, shall develop
8 programs and services for women-owned businesses
9 (as defined in section 408 of the Women’s Business
10 Ownership Act of 1988 (15 U.S.C. 631 note)) in
11 business areas, which may include—

12 ~~“(A) manufacturing;~~

13 ~~“(B) technology;~~

14 ~~“(C) professional services;~~

15 ~~“(D) retail and product sales;~~

16 ~~“(E) travel and tourism;~~

17 ~~“(F) international trade; and~~

18 ~~“(G) Federal Government contract busi-~~
19 ness development.

20 ~~“(4) TRAINING.—~~The Administrator shall pro-
21 vide annual programmatic and financial oversight
22 training for women’s business ownership representa-
23 tives and district office technical representatives of
24 the Administration to enable representatives to carry
25 out their responsibilities under this section.

1 “(5) GRANT PROGRAM AND TRANSPARENCY IM-
2 PROVEMENTS.—The Administrator shall improve the
3 transparency of the women’s business center grant
4 proposal process and the programmatic and financial
5 oversight process by—

6 “(A) providing notice to the public of each
7 women’s business center grant announcement
8 for an initial and renewal grant, not later than
9 6 months before awarding such grant;

10 “(B) providing notice to grant applicants
11 and recipients of program evaluation and award
12 criteria, not later than 12 months before any
13 such evaluation;

14 “(C) reducing paperwork and reporting re-
15 quirements for grant applicants and recipients;

16 “(D) standardizing the oversight and re-
17 view process of the Administration; and

18 “(E) providing to each women’s business
19 center, not later than 30 days after the comple-
20 tion of a site visit at that center, a copy of site
21 visit reports and evaluation reports prepared by
22 district office technical representatives or Ad-
23 ministration officials.”.

1 **SEC. 202. WOMEN'S BUSINESS CENTER PROGRAM.**

2 (a) WOMEN'S BUSINESS CENTER GRANTS PRO-
3 GRAM.—Section 29 of the Small Business Act (15 U.S.C.
4 656) is amended—

5 (1) in subsection (a)—

6 (A) by redesignating paragraphs (2), (3),
7 and (4), as paragraphs (3), (4), and (5), re-
8 spectively; and

9 (B) by inserting after paragraph (1) the
10 following:

11 “(2) the term ‘association of women’s business
12 centers’ means an organization that represents not
13 fewer than 30 percent of the women’s business cen-
14 ters that are participating in a program under this
15 section; and whose primary purpose is to represent
16 women’s business centers;”;

17 (2) in subsection (b)—

18 (A) by redesignating paragraphs (1), (2),
19 and (3) as subparagraphs (A), (B), and (C),
20 and adjusting the margins accordingly;

21 (B) by striking “The Administration” and
22 inserting the following:

23 “(1) IN GENERAL.—The Administration”;

24 (C) by striking “The projects shall” and
25 inserting the following:

26 “(2) USE OF FUNDS.—The projects shall”; and

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

2 “(3) AMOUNT OF GRANTS.—

3 “(A) IN GENERAL.—The Administrator
4 may award a grant under this subsection of not
5 more than \$150,000 per year.

6 “(B) EQUAL ALLOCATIONS.—In the event
7 that the Administration has insufficient funds
8 to provide grants of \$150,000 for each grant
9 recipient under this subsection in any fiscal
10 year, available funds shall be allocated equally
11 to grant recipients, unless any recipient re-
12 quests a lower amount than the allocable
13 amount.

14 “(4) ASSOCIATIONS OF WOMEN’S BUSINESS
15 CENTERS.—

16 “(A) RECOGNITION.—The Administrator
17 shall recognize the existence and activities of
18 any association of women’s business centers es-
19 tablished to address matters of common con-
20 cern.

21 “(B) CONSULTATION.—The Administrator
22 shall consult with each association of women’s
23 business centers to develop—

1 “(i) a training program for the staff
2 of the women’s business centers and the
3 Administration; and

4 “(ii) recommendations to improve the
5 policies and procedures for governing the
6 general operations and administration of
7 the Women’s Business Center Program, in-
8 cluding grant program improvements
9 under subsection (g)(5).”.

10 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

11 (1) IN GENERAL.—Section 29 of the Small
12 Business Act (15 U.S.C. 656) is amended—

13 (A) in subsection (h)(2), by striking “to
14 award a contract (as a sustainability grant)
15 under subsection (l) or”;

16 (B) in subsection (j)(1), by striking “The
17 Administration” and inserting “Not later than
18 November 1st of each year, the Administrator”;
19 and

20 (C) in subsection (k)—

21 (i) by striking paragraphs (1) and (2)
22 and inserting the following:

23 “(1) IN GENERAL.—There are authorized to be
24 appropriated to the Administration to carry out this
25 section, to remain available until expended—

1 “(A) \$15,000,000 for fiscal year 2008;

2 “(B) \$16,000,000 for fiscal year 2009; and

3 “(C) \$17,500,000 for fiscal year 2010.

4 ~~“(2) ALLOCATION.—Of amounts made available~~
5 ~~pursuant to paragraph (1), the Administrator shall~~
6 ~~use not less than 60 percent for grants under sub-~~
7 ~~section (m).~~

8 ~~“(3) USE OF AMOUNTS.—Amounts made avail-~~
9 ~~able under this subsection may only be used for~~
10 ~~grant awards and may not be used for costs incurred~~
11 ~~by the Administration in connection with the man-~~
12 ~~agement and administration of the program under~~
13 ~~this section.”; and~~

14 (ii) by striking paragraph (4).

15 ~~(2) RENEWAL GRANTS.—~~

16 (A) IN GENERAL.—Section 29 of the Small
17 Business Act (15 U.S.C. 656) is amended by
18 redesignating subsections (m) and (n) as sub-
19 sections (l) and (m), respectively.

20 (B) REFERENCE.—Subsection (l)(4)(D) of
21 section 29 of the Small Business Act (15
22 U.S.C. 656), as redesignated by subparagraph
23 (A) of this paragraph, is amended by striking
24 “or subsection (l)”.
25

1 (C) **ALLOCATION.**—Section 29(k)(2) of the
 2 Small Business Act (15 U.S.C. 656(k)(2)), as
 3 amended by this Act, is amended by striking
 4 “subsection (m)” and inserting “subsection
 5 (l)”.

6 (D) **EFFECTIVE DATE.**—The amendments
 7 made by this paragraph shall take effect on the
 8 day after the effective date of the amendments
 9 made by section 8305(b) of the Small Business
 10 and Work Opportunity Act of 2007 (Public
 11 Law 110–28) (striking subsection (l)).

12 **SEC. 203. NATIONAL WOMEN’S BUSINESS COUNCIL.**

13 (a) **COSPONSORSHIP AUTHORITY.**—Section 406 of
 14 the Women’s Business Ownership Act of 1988 (15 U.S.C.
 15 7106) is amended by adding at the end the following:

16 “(f) **COSPONSORSHIP AUTHORITY.**—The Council is
 17 authorized to enter into agreements as a cosponsor with
 18 public and private entities, in the same manner as is pro-
 19 vided in section 8(b)(1)(A) of the Small Business Act (15
 20 U.S.C. 637(b)(1)(A)), to carry out its duties under this
 21 section.”.

22 (b) **MEMBERSHIP.**—Section 407(f) of the Women’s
 23 Business Ownership Act of 1988 (15 U.S.C. 7107(f)) is
 24 amended by adding at the end the following:

1 “~~(3)~~ REPRESENTATION OF MEMBER ORGANIZA-
 2 TIONS.—In consultation with the chairperson of the
 3 Council and the Administrator, a national women’s
 4 business organization or small business concern that
 5 is represented on the Council may replace its rep-
 6 resentative member on the Council during the serv-
 7 ice term to which that member was appointed.”.

8 ~~(c)~~ ESTABLISHMENT OF WORKING GROUPS.—Title
 9 IV of the Women’s Business Ownership Act of 1988 (15
 10 U.S.C. 7101 et seq.) is amended by inserting after section
 11 410, the following new section:

12 **“SEC. 411. WORKING GROUPS.**

13 “~~(a)~~ ESTABLISHMENT.—There are established within
 14 the Council, working groups, as directed by the chair-
 15 person:

16 “~~(b)~~ DUTIES.—The working groups established
 17 under subsection (a) shall perform such duties as the
 18 chairperson shall direct.”.

19 ~~(d)~~ CLEARINGHOUSE FOR HISTORICAL DOCU-
 20 MENTS.—Section 409 of the Women’s Business Owner-
 21 ship Act of 1988 (15 U.S.C. 7109) is amended by adding
 22 at the end the following:

23 “~~(c)~~ CLEARINGHOUSE FOR HISTORICAL DOCU-
 24 MENTS.—The Council shall serve as a clearinghouse for
 25 information on small businesses owned and controlled by

1 women, including research conducted by other organiza-
 2 tions and individuals relating to ownership by women of
 3 small business concerns in the United States.”.

4 (e) **AUTHORIZATION OF APPROPRIATIONS.**—Section
 5 410(a) of the Women’s Business Ownership Act of 1988
 6 (15 U.S.C. 7110(a)) is amended by striking “2001
 7 through 2003, of which \$550,000” and inserting “2008
 8 through 2010, of which not less than 30 percent”.

9 **SEC. 204. INTERAGENCY COMMITTEE ON WOMEN’S BUSI-**
 10 **NESS ENTERPRISE.**

11 (a) **CHAIRPERSON.**—Section 403(b) of the Women’s
 12 Business Ownership Act of 1988 (15 U.S.C. 7103(b)) is
 13 amended—

14 (1) by striking “Not later” and inserting the
 15 following:

16 “(1) **IN GENERAL.**—Not later”; and

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

18 “(2) **VACANCY.**—In the event that a chair-
 19 person is not appointed under paragraph (1), the
 20 Deputy Administrator of the Small Business Admin-
 21 istration shall serve as acting chairperson of the
 22 Interagency Committee until a chairperson is ap-
 23 pointed under paragraph (1).”.

1 (b) POLICY ADVISORY GROUP.—Section 401 of the
2 Women’s Business Ownership Act of 1988 (15 U.S.C.
3 7101) is amended—

4 (1) by striking “There” and inserting the fol-
5 lowing:

6 “(a) IN GENERAL.—There”; and

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

8 “(b) POLICY ADVISORY GROUP.—

9 “(1) ESTABLISHMENT.—There is established a
10 Policy Advisory Group to assist the chairperson in
11 developing policies and programs under this Act.

12 “(2) MEMBERSHIP.—The Policy Advisory
13 Group shall be composed of 7 policy making offi-
14 cials, of whom—

15 “(A) 1 shall be a representative of the
16 Small Business Administration;

17 “(B) 1 shall be a representative of the De-
18 partment of Commerce;

19 “(C) 1 shall be a representative of the De-
20 partment of Labor;

21 “(D) 1 shall be a representative of the De-
22 partment of Defense;

23 “(E) 1 shall be a representative of the De-
24 partment of the Treasury; and

1 “(F) 2 shall be representatives of the
2 Council.”.

3 **SEC. 205. PRESERVING THE INDEPENDENCE OF THE NA-**
4 **TIONAL WOMEN’S BUSINESS COUNCIL.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) The National Women’s Business Council
7 provides an independent source of advice and policy
8 recommendations regarding women’s business devel-
9 opment and the needs of women entrepreneurs in
10 the United States to—

11 (A) the President;

12 (B) Congress;

13 (C) the Interagency Committee on Wom-
14 en’s Business Enterprise; and

15 (D) the Administrator.

16 (2) The members of the National Women’s
17 Business Council are small business owners; rep-
18 resentatives of business organizations; and rep-
19 resentatives of women’s business centers.

20 (3) The chair and ranking member of the Com-
21 mittee on Small Business and Entrepreneurship of
22 the Senate and the Committee on Small Business of
23 the House of Representatives make recommenda-
24 tions to the Administrator to fill 8 of the positions
25 on the National Women’s Business Council. Four of

1 the positions are reserved for small business owners
2 who are affiliated with the political party of the
3 President and 4 of the positions are reserved for
4 small business owners who are not affiliated with the
5 political party of the President. This method of ap-
6 pointment ensures that the National Women’s Busi-
7 ness Council will provide Congress with nonpartisan,
8 balanced, and independent advice.

9 (4) In order to maintain the independence of
10 the National Women’s Business Council and to en-
11 sure that the Council continues to provide Congress
12 with advice on a nonpartisan basis, it is essential
13 that the Council maintain the bipartisan balance es-
14 tablished under section 407 of the Women’s Busi-
15 ness Ownership Act of 1988 (15 U.S.C. 7107).

16 (b) MAINTENANCE OF PARTISAN BALANCE.—Section
17 407(f) of the Women’s Business Ownership Act of 1988
18 (15 U.S.C. 7107(f)), as amended by this Act, is amended
19 by adding at the end the following:

20 “(4) PARTISAN BALANCE.—When filling a va-
21 cancy under paragraph (1) of this subsection of a
22 member appointed under paragraph (1) or (2) of
23 subsection (b), the Administrator shall, to the extent
24 practicable, ensure that there are an equal number

1 of members on the Council from each of the 2 major
2 political parties.

3 “(5) ACCOUNTABILITY.—If a vacancy is not
4 filled within the 30-day period required under para-
5 graph (1), or if there exists an imbalance of party-
6 affiliated members on the Council for a period ex-
7 ceeding 30 days, the Administrator shall submit a
8 report, not later than 10 days after the expiration
9 of either such 30-day deadline, to the Committee on
10 Small Business and Entrepreneurship of the Senate
11 and the Committee on Small Business of the House
12 of Representatives, that explains why the respective
13 deadline was not met and provides an estimated date
14 on which any vacancies will be filled, as applicable.”.

15 **TITLE III—INTERNATIONAL** 16 **TRADE**

17 **SEC. 301. SMALL BUSINESS ADMINISTRATION ASSOCIATE**
18 **ADMINISTRATOR FOR INTERNATIONAL**
19 **TRADE.**

20 (a) ESTABLISHMENT.—Section 22(a) of the Small
21 Business Act (15 U.S.C. 649(a)) is amended by adding
22 at the end the following: “The head of the Office shall
23 be the Associate Administrator for International Trade,
24 who shall be responsible to the Administrator.”.

1 (b) **AUTHORITY FOR ADDITIONAL ASSOCIATE AD-**
2 **MINISTRATOR.**—Section 4(b)(1) of the Small Business Act
3 (~~15 U.S.C. 633(b)(1)~~) is amended—

4 (1) in the fifth sentence, by striking “five Asso-

5 ciate Administrators” and inserting “Associate Ad-

6 ministrators”; and

7 (2) by adding at the end the following: “One of

8 the Associate Administrators shall be the Associate

9 Administrator for International Trade, who shall be

10 the head of the Office of International Trade estab-

11 lished under section 22.”.

12 (c) **DISCHARGE OF ADMINISTRATION INTER-**
13 **NATIONAL TRADE RESPONSIBILITIES.**—Section 22 of the
14 Small Business Act (15 U.S.C. 649) is amended by adding
15 at the end the following:

16 “(h) **DISCHARGE OF ADMINISTRATION INTER-**
17 **NATIONAL TRADE RESPONSIBILITIES.**—The Adminis-

18 trator shall ensure that—

19 “(1) the responsibilities of the Administration

20 regarding international trade are carried out

21 through the Associate Administrator for Inter-

22 national Trade;

23 “(2) the Associate Administrator for Inter-

24 national Trade has sufficient resources to carry out

25 such responsibilities; and

1 “(3) the Associate Administrator for Inter-
 2 national Trade has direct supervision and control
 3 over the staff of the Office of International Trade,
 4 and over any employee of the Administration whose
 5 principal duty station is a United States Export As-
 6 sistance Center or any successor entity.”.

7 (d) **ROLE OF ASSOCIATE ADMINISTRATOR IN CAR-**
 8 **RYING OUT INTERNATIONAL TRADE POLICY.**—Section
 9 2(b)(1) of the Small Business Act (15 U.S.C. 631(b)(1))
 10 is amended in the matter preceding subparagraph (A)—

11 (1) by inserting “the Administrator of” before
 12 “the Small Business Administration”; and

13 (2) by inserting “through the Associate Admin-
 14 istrator for International Trade, and” before “in co-
 15 operation with”.

16 (e) **TECHNICAL AMENDMENT.**—Section 22(c)(5) of
 17 the Small Business Act (15 U.S.C. 649(c)(5)) is amended
 18 by striking the period at the end and inserting a semi-
 19 colon.

20 (f) **EFFECTIVE DATE.**—Not later than 90 days after
 21 the date of enactment of this Act, the Administrator shall
 22 appoint an Associate Administrator for International
 23 Trade under section 22 of the Small Business Act (15
 24 U.S.C. 649), as amended by this section.

1 **SEC. 302. OFFICE OF INTERNATIONAL TRADE.**

2 Section 22 of the Small Business Act (15 U.S.C. 649)
3 is amended—

4 (1) by striking “SEC. 22. (a) There” and in-
5 serting the following:

6 **“SEC. 22. OFFICE OF INTERNATIONAL TRADE.**

7 **“(a) ESTABLISHMENT.—There”**.

8 (2) in subsection (a), by inserting “(referred to
9 in this section as the ‘Office’),” after “Trade”;

10 (3) in subsection (b)—

11 (A) by striking “The Office” and inserting
12 the following:

13 **“(b) TRADE DISTRIBUTION NETWORK.—The Office,**
14 including United States Export Assistance Centers (re-
15 ferred to as ‘one-stop shops’ in section 2301(b)(8) of the
16 Omnibus Trade and Competitiveness Act of 1988 (15
17 U.S.C. 4721(b)(8)) and as ‘export centers’ in this sec-
18 tion)”;

19 (B) by amending paragraph (1) to read as
20 follows:

21 **“(1) assist in maintaining a distribution net-**
22 **work using regional and local offices of the Adminis-**
23 **tration, the small business development center net-**
24 **work, the women’s business center network, and ex-**
25 **port centers for—**

26 **“(A) trade promotion;**

1 ~~“(B) trade finance;~~
2 ~~“(C) trade adjustment;~~
3 ~~“(D) trade remedy assistance; and~~
4 ~~“(E) trade data collection.”;~~

5 (4) in subsection (c)—

6 (A) by redesignating paragraphs (1)
7 through (8) as paragraphs (2) through (9), re-
8 spectively;

9 (B) by inserting before paragraph (2), as
10 so redesignated, the following:

11 ~~“(1) establish annual goals for the Office relat-~~
12 ~~ing to—~~

13 ~~“(A) enhancing the exporting capability of~~
14 ~~small business concerns and small manufactur-~~
15 ~~ers;~~

16 ~~“(B) facilitating technology transfers;~~

17 ~~“(C) enhancing programs and services to~~
18 ~~assist small business concerns and small manu-~~
19 ~~facturers to compete effectively and efficiently~~
20 ~~against foreign entities;~~

21 ~~“(D) increasing the access to capital by~~
22 ~~small business concerns;~~

23 ~~“(E) disseminating information concerning~~
24 ~~Federal, State, and private programs and initia-~~
25 ~~tives; and~~

1 “(F) ensuring that the interests of small
2 business concerns are adequately represented in
3 trade negotiations;”;

4 (C) in paragraph (2), as so redesignated,
5 by striking “mechanism for” and all that fol-
6 lows through “(D)” and inserting the following:
7 “mechanism for—

8 “(A) identifying subsectors of the small
9 business community with strong export poten-
10 tial;

11 “(B) identifying areas of demand in for-
12 eign markets;

13 “(C) prescreening foreign buyers for com-
14 mercial and credit purposes; and

15 “(D)”;

16 (D) in paragraph (9), as so redesignated—

17 (i) in the matter preceding subpara-
18 graph (A)—

19 (I) by striking “full-time export
20 development specialists to each Ad-
21 ministration regional office and as-
22 signing”; and

23 (II) by striking “office. Such spe-
24 cialists” and inserting “office and pro-
25 viding each Administration regional

1 office with a full-time export develop-
2 ment specialist, who”;

3 (ii) in subparagraph (D), by striking
4 “and” at the end;

5 (iii) in subparagraph (E), by striking
6 the period at the end and inserting a semi-
7 colon; and

8 (iv) by adding at the end the fol-
9 lowing:

10 “(F) participate jointly with employees of
11 the Office in an annual training program that
12 focuses on current small business needs for ex-
13 porting; and

14 “(G) jointly develop and conduct training
15 programs for exporters and lenders in coopera-
16 tion with the United States Export Assistance
17 Centers, the Department of Commerce, small
18 business development centers, and other rel-
19 evant Federal agencies.”;

20 (5) in subsection (d)—

21 (A) by inserting “EXPORT FINANCING
22 PROGRAMS.—” after “(d)”;

23 (B) by redesignating paragraphs (1)
24 through (5) as clauses (i) through (v), respec-
25 tively, and adjusting the margins accordingly;

1 (C) by striking “The Office shall work in
2 cooperation” and inserting the following:

3 “(1) IN GENERAL.—The Office shall work in
4 cooperation”; and

5 (D) by striking “To accomplish this goal,
6 the Office shall work” and inserting the fol-
7 lowing:

8 “(2) TRADE FINANCIAL SPECIALIST.—To ac-
9 complish the goal established under paragraph (1),
10 the Office shall—

11 “(A) designate at least 1 individual within
12 the Administration as a trade financial spe-
13 cialist to oversee international loan programs
14 and assist Administration employees with trade
15 finance issues; and

16 “(B) work”;

17 (6) in subsection (e), by inserting “TRADE
18 REMEDIES.—” after “(e)”;

19 (7) by amending subsection (f) to read as fol-
20 lows:

21 “(f) REPORTING REQUIREMENT.—The Office shall
22 submit an annual report to the Committee on Small Busi-
23 ness and Entrepreneurship of the Senate and the Com-
24 mittee on Small Business of the House of Representatives
25 that contains—

1 “(1) a description of the progress of the Office
2 in implementing the requirements of this section;

3 “(2) the destinations of travel by Office staff
4 and benefits to the Administration and to small
5 business concerns therefrom; and

6 “(3) a description of the participation by the
7 Office in trade negotiations.”;

8 (8) in subsection (g), by inserting “STUD-
9 RES.—” after “(g)”;

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

11 “(i) EXPORT ASSISTANCE CENTERS.—

12 “(1) IN GENERAL.—During the period begin-
13 ning on October 1, 2007, and ending on September
14 30, 2010, the Administrator shall ensure that the
15 number of full-time equivalent employees of the Of-
16 fice assigned to the one-stop shops referred to in
17 section 2301(b) of the Omnibus Trade and Competi-
18 tiveness Act of 1988 (15 U.S.C. 4721 (b)) is not less
19 than the number of such employees so assigned on
20 January 1, 2003.

21 “(2) PRIORITY OF PLACEMENT.—Priority shall
22 be given, to the maximum extent practicable, to
23 placing employees of the Administration at any Ex-
24 port Assistance Center that—

1 “(A) had an Administration employee as-
2 signed to such center before January 2003; and

3 “(B) has not had an Administration em-
4 ployee assigned to such center during the period
5 beginning January 2003, and ending on the
6 date of enactment of this subsection; either
7 through retirement or reassignment.

8 “(3) NEEDS OF EXPORTERS.—The Adminis-
9 trator shall, to the maximum extent practicable,
10 strategically assign Administration employees to Ex-
11 port Assistance Centers, based on the needs of ex-
12 porters.

13 “(4) GOALS.—The Office shall work with the
14 Department of Commerce and the Export-Import
15 Bank to establish shared annual goals for the Ex-
16 port Centers.

17 “(5) OVERSIGHT.—The Office shall designate
18 an individual within the Administration to oversee
19 all activities conducted by Administration employees
20 assigned to Export Centers.”.

1 **TITLE IV—NATIVE AMERICAN**
 2 **SMALL BUSINESS DEVELOP-**
 3 **MENT PROGRAM**

4 **SEC. 401. SHORT TITLE.**

5 This title may be cited as the “Native American
 6 Small Business Development Act of 2007”.

7 **SEC. 402. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 8 **MENT PROGRAM.**

9 The Small Business Act (15 U.S.C. 631 et seq.) is
 10 amended—

11 (1) by redesignating section 37 as section 38;

12 and

13 (2) by inserting after section 36 the following:

14 **“SEC. 37. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 15 **MENT PROGRAM.**

16 “(a) DEFINITIONS.—In this section—

17 “(1) the term ‘Alaska Native’ has the same
 18 meaning as the term ‘Native’ in section 3(b) of the
 19 Alaska Native Claims Settlement Act (43 U.S.C.
 20 1602(b));

21 “(2) the term ‘Alaska Native corporation’ has
 22 the same meaning as the term ‘Native Corporation’
 23 in section 3(m) of the Alaska Native Claims Settle-
 24 ment Act (43 U.S.C. 1602(m));

1 “(3) the term ‘Assistant Administrator’ means
2 the Assistant Administrator of the Office of Native
3 American Affairs established under subsection (b);

4 “(4) the terms ‘center’ and ‘Native American
5 business center’ mean a center established under
6 subsection (c);

7 “(5) the term ‘Native American business devel-
8 opment center’ means an entity providing business
9 development assistance to federally recognized tribes
10 and Native Americans under a grant from the Mi-
11 nority Business Development Agency of the Depart-
12 ment of Commerce;

13 “(6) the term ‘Native American small business
14 concern’ means a small business concern that is
15 owned and controlled by—

16 “(A) a member of an Indian tribe or tribal
17 government;

18 “(B) an Alaska Native or Alaska Native
19 corporation; or

20 “(C) a Native Hawaiian or Native Hawai-
21 ian Organization;

22 “(7) the term ‘Native Hawaiian’ has the same
23 meaning as in section 625 of the Older Americans
24 Act of 1965 (42 U.S.C. 3057k);

1 “(8) the term ‘Native Hawaiian Organization’
2 has the same meaning as in section 8(a)(15);

3 “(9) the term ‘tribal college’ has the same
4 meaning as the term ‘tribally controlled college or
5 university’ has in section 2(a)(4) of the Tribally
6 Controlled Community College Assistance Act of
7 1978 (25 U.S.C. 1801(a)(4));

8 “(10) the term ‘tribal government’ has the
9 same meaning as the term ‘Indian tribe’ has in sec-
10 tion 7501(a)(9) of title 31, United States Code; and

11 “(11) the term ‘tribal lands’ means all lands
12 within the exterior boundaries of any Indian reserva-
13 tion.

14 “(b) OFFICE OF NATIVE AMERICAN AFFAIRS.—

15 “(1) ESTABLISHMENT.—There is established
16 within the Administration the Office of Native
17 American Affairs, which, under the direction of the
18 Assistant Administrator, shall implement the Admin-
19 istration’s programs for the development of business
20 enterprises by Native Americans.

21 “(2) PURPOSE.—The purpose of the Office of
22 Native American Affairs is to assist Native Amer-
23 ican entrepreneurs to—

24 “(A) start, operate, and grow small busi-
25 ness concerns;

1 “(B) develop management and technical
2 skills;

3 “(C) seek Federal procurement opportuni-
4 ties;

5 “(D) increase employment opportunities
6 for Native Americans through the start and ex-
7 pansion of small business concerns; and

8 “(E) increase the access of Native Ameri-
9 cans to capital markets.

10 ~~“(3) ASSISTANT ADMINISTRATOR.—~~

11 ~~“(A) APPOINTMENT.—The Administrator~~
12 ~~shall appoint a qualified individual to serve as~~
13 ~~Assistant Administrator of the Office of Native~~
14 ~~American Affairs in accordance with this para-~~
15 ~~graph.~~

16 ~~“(B) QUALIFICATIONS.—The Assistant~~
17 ~~Administrator appointed under subparagraph~~
18 ~~(A) shall have—~~

19 ~~“(i) knowledge of the Native Ameri-~~
20 ~~can culture; and~~

21 ~~“(ii) experience providing culturally~~
22 ~~tailored small business development assist-~~
23 ~~ance to Native Americans.~~

24 ~~“(C) EMPLOYMENT STATUS.—The Assist-~~
25 ~~ant Administrator shall be a Senior Executive~~

1 Service position under section 3132(a)(2) of
2 title 5, United States Code, and shall serve as
3 a noncareer appointee, as defined in section
4 3132(a)(7) of title 5, United States Code.

5 “(D) RESPONSIBILITIES AND DUTIES.—

6 The Assistant Administrator shall—

7 “(i) administer and manage the Na-
8 tive American Small Business Development
9 program established under this section;

10 “(ii) recommend the annual adminis-
11 trative and program budgets for the Office
12 of Native American Affairs;

13 “(iii) consult with Native American
14 business centers in carrying out the pro-
15 gram established under this section;

16 “(iv) recommend appropriate funding
17 levels;

18 “(v) review the annual budgets sub-
19 mitted by each applicant for the Native
20 American Small Business Development
21 program;

22 “(vi) select applicants to participate in
23 the program under this section;

24 “(vii) implement this section; and

1 “(viii) maintain a clearinghouse to
2 provide for the dissemination and exchange
3 of information between Native American
4 business centers.

5 “(E) CONSULTATION REQUIREMENTS.—In
6 carrying out the responsibilities and duties de-
7 scribed in this paragraph, the Assistant Admin-
8 istrator shall confer with and seek the advice
9 of—

10 “(i) Administration officials working
11 in areas served by Native American busi-
12 ness centers and Native American business
13 development centers;

14 “(ii) representatives of tribal govern-
15 ments;

16 “(iii) tribal colleges;

17 “(iv) Alaska Native corporations; and

18 “(v) Native Hawaiian Organizations.

19 “(e) NATIVE AMERICAN SMALL BUSINESS DEVELOP-
20 MENT PROGRAM.—

21 “(1) AUTHORIZATION.—

22 “(A) IN GENERAL.—The Administration,
23 through the Office of Native American Affairs,
24 shall provide financial assistance to tribal gov-
25 ernments, tribal colleges, Native Hawaiian Or-

1 organizations, and Alaska Native corporations to
 2 create Native American business centers in ac-
 3 cordance with this section.

4 “(B) USE OF FUNDS.—The financial and
 5 resource assistance provided under this sub-
 6 section shall be used to overcome obstacles im-
 7 peding the creation, development, and expan-
 8 sion of small business concerns, in accordance
 9 with this section, by—

10 “(i) reservation-based American Indi-
 11 ans;

12 “(ii) Alaska Natives; and

13 “(iii) Native Hawaiians.

14 “(2) 5-YEAR PROJECTS.—

15 “(A) IN GENERAL.—Each Native Amer-
 16 ican business center that receives assistance
 17 under paragraph (1)(A) shall conduct a 5-year
 18 project that offers culturally tailored business
 19 development assistance in the form of—

20 “(i) financial education, including
 21 training and counseling in—

22 “(I) applying for and securing
 23 business credit and investment cap-
 24 ital;

- 1 “(II) preparing and presenting fi-
2 nancial statements; and
- 3 “(III) managing cash flow and
4 other financial operations of a busi-
5 ness concern;
- 6 “(ii) management education, including
7 training and counseling in planning, orga-
8 nizing, staffing, directing, and controlling
9 each major activity and function of a small
10 business concern; and
- 11 “(iii) marketing education, including
12 training and counseling in—
- 13 “(I) identifying and segmenting
14 domestic and international market op-
15 portunities;
- 16 “(II) preparing and executing
17 marketing plans;
- 18 “(III) developing pricing strate-
19 gies;
- 20 “(IV) locating contract opportu-
21 nities;
- 22 “(V) negotiating contracts; and
- 23 “(VI) utilizing varying public re-
24 lations and advertising techniques.

1 “(B) BUSINESS DEVELOPMENT ASSIST-
 2 ANCE RECIPIENTS.—The business development
 3 assistance under subparagraph (A) shall be of-
 4 fered to prospective and current owners of small
 5 business concerns that are owned by—

6 “(i) American Indians or tribal gov-
 7 ernments, and located on or near tribal
 8 lands;

9 “(ii) Alaska Natives or Alaska Native
 10 corporations; or

11 “(iii) Native Hawaiians or Native Ha-
 12 waiian Organizations.

13 “(3) FORM OF FEDERAL FINANCIAL ASSIST-
 14 ANCE.—

15 “(A) DOCUMENTATION.—

16 “(i) IN GENERAL.—The financial as-
 17 sistance to Native American business cen-
 18 ters authorized under this subsection may
 19 be made by grant, contract, or cooperative
 20 agreement.

21 “(ii) EXCEPTION.—Financial assist-
 22 ance under this subsection to Alaska Na-
 23 tive corporations or Native Hawaiian Or-
 24 ganizations may only be made by grant.

25 “(B) PAYMENTS.—

1 “(i) TIMING.—Payments made under
2 this subsection may be disbursed in an an-
3 nual lump sum or in periodic installments,
4 at the request of the recipient.

5 “(ii) ADVANCE.—The Administration
6 may disburse not more than 25 percent of
7 the annual amount of Federal financial as-
8 sistance awarded to a Native American
9 small business center after notice of the
10 award has been issued.

11 “(iii) NO MATCHING REQUIREMENT.—
12 The Administration shall not require a
13 grant recipient to match grant funding re-
14 ceived under this subsection with non-Fed-
15 eral resources as a condition of receiving
16 the grant.

17 “(4) CONTRACT AND COOPERATIVE AGREE-
18 MENT AUTHORITY.—A Native American business
19 center may enter into a contract or cooperative
20 agreement with a Federal department or agency to
21 provide specific assistance to Native American and
22 other underserved small business concerns located on
23 or near tribal lands, to the extent that such contract
24 or cooperative agreement is consistent with the

1 terms of any assistance received by the Native
2 American business center from the Administration.

3 ~~“(5) APPLICATION PROCESS.—~~

4 ~~“(A) SUBMISSION OF A 5-YEAR PLAN.—~~

5 Each applicant for assistance under paragraph
6 ~~(1)~~ shall submit a 5-year plan to the Adminis-
7 tration on proposed assistance and training ac-
8 tivities.

9 ~~“(B) CRITERIA.—~~

10 ~~“(i) IN GENERAL.—~~The Administra-
11 tion shall evaluate and rank applicants in
12 accordance with predetermined selection
13 criteria that shall be stated in terms of rel-
14 ative importance.

15 ~~“(ii) PUBLIC NOTICE.—~~The criteria
16 required by this paragraph and their rel-
17 ative importance shall be made publicly
18 available, within a reasonable time, and
19 stated in each solicitation for applications
20 made by the Administration.

21 ~~“(iii) CONSIDERATIONS.—~~The criteria
22 required by this paragraph shall include—

23 ~~“(I) the experience of the appli-~~
24 ~~cant in conducting programs or ongo-~~
25 ~~ing efforts designed to impart or up-~~

1 grade the business skills of current or
2 potential owners of Native American
3 small business concerns;

4 “(II) the ability of the applicant
5 to commence a project within a min-
6 imum amount of time;

7 “(III) the ability of the applicant
8 to provide quality training and serv-
9 ices to a significant number of Native
10 Americans;

11 “(IV) previous assistance from
12 the Administration to provide services
13 in Native American communities; and

14 “(V) the proposed location for
15 the Native American business center
16 site, with priority given based on the
17 proximity of the center to the popu-
18 lation being served and to achieve a
19 broad geographic dispersion of the
20 centers.

21 “(6) PROGRAM EXAMINATION.—

22 “(A) IN GENERAL.—Each Native Amer-
23 ican business center established pursuant to
24 this subsection shall annually provide the Ad-
25 ministration with an itemized cost breakdown of

1 actual expenditures incurred during the pre-
2 ceeding year.

3 “(B) ADMINISTRATION ACTION.—Based on
4 information received under subparagraph (A);
5 the Administration shall—

6 “(i) develop and implement an annual
7 programmatic and financial examination of
8 each Native American business center as-
9 sisted pursuant to this subsection; and

10 “(ii) analyze the results of each exam-
11 ination conducted under clause (i) to deter-
12 mine the programmatic and financial via-
13 bility of each Native American business
14 center.

15 “(C) CONDITIONS FOR CONTINUED FUND-
16 ING.—In determining whether to renew a grant,
17 contract, or cooperative agreement with a Na-
18 tive American business center, the Administra-
19 tion—

20 “(i) shall consider the results of the
21 most recent examination of the center
22 under subparagraph (B); and, to a lesser
23 extent, previous examinations; and

24 “(ii) may withhold such renewal, if
25 the Administration determines that—

1 “(I) the center has failed to pro-
2 vide adequate information required to
3 be provided under subparagraph (A);
4 or the information provided by the
5 center is inadequate; or

6 “(II) the center has failed to pro-
7 vide adequate information required to
8 be provided by the center for purposes
9 of the report of the Administration
10 under subparagraph (E).

11 “(D) CONTINUING CONTRACT AND COOP-
12 ERATIVE AGREEMENT AUTHORITY.—

13 “(i) IN GENERAL.—The authority of
14 the Administrator to enter into contracts
15 or cooperative agreements in accordance
16 with this subsection shall be in effect for
17 each fiscal year only to the extent and in
18 the amounts as are provided in advance in
19 appropriations Acts.

20 “(ii) RENEWAL.—After the Adminis-
21 trator has entered into a contract or coop-
22 erative agreement with any Native Amer-
23 ican business center under this subsection,
24 it shall not suspend, terminate, or fail to
25 renew or extend any such contract or coop-

1 erative agreement unless the Administrator
2 provides the center with written notifica-
3 tion setting forth the reasons therefore and
4 affords the center an opportunity for a
5 hearing, appeal, or other administrative
6 proceeding under chapter 5 of title 5,
7 United States Code.

8 “(E) MANAGEMENT REPORT.—

9 “(i) IN GENERAL.—The Administra-
10 tion shall prepare and submit to the Com-
11 mittee on Small Business and Entrepre-
12 neurship of the Senate and the Committee
13 on Small Business of the House of Rep-
14 resentatives an annual report on the effec-
15 tiveness of all projects conducted by Native
16 American business centers under this sub-
17 section and any pilot programs adminis-
18 tered by the Office of Native American Af-
19 fairs.

20 “(ii) CONTENTS.—Each report sub-
21 mitted under clause (i) shall include, with
22 respect to each Native American business
23 center receiving financial assistance under
24 this subsection—

- 1 “(I) the number of individuals re-
- 2 ceiving assistance from the Native
- 3 American business center;
- 4 “(II) the number of startup busi-
- 5 ness concerns created;
- 6 “(III) the number of existing
- 7 businesses seeking to expand employ-
- 8 ment;
- 9 “(IV) jobs created or maintained,
- 10 on an annual basis, by Native Amer-
- 11 ican small business concerns assisted
- 12 by the center since receiving funding
- 13 under this Act;
- 14 “(V) to the maximum extent
- 15 practicable, the capital investment and
- 16 loan financing utilized by emerging
- 17 and expanding businesses that were
- 18 assisted by a Native American busi-
- 19 ness center; and
- 20 “(VI) the most recent examina-
- 21 tion, as required under subparagraph
- 22 (B); and the subsequent determina-
- 23 tion made by the Administration
- 24 under that subparagraph.

1 “(7) ANNUAL REPORT.—Each entity receiving
2 financial assistance under this subsection shall annu-
3 ally report to the Administration on the services pro-
4 vided with such financial assistance, including—

5 “(A) the number of individuals assisted,
6 categorized by ethnicity;

7 “(B) the number of hours spent providing
8 counseling and training for those individuals;

9 “(C) the number of startup small business
10 concerns created or maintained;

11 “(D) the gross receipts of assisted small
12 business concerns;

13 “(E) the number of jobs created or main-
14 tained at assisted small business concerns; and

15 “(F) the number of Native American jobs
16 created or maintained at assisted small business
17 concerns.

18 “(8) RECORD RETENTION.—

19 “(A) APPLICATIONS.—The Administration
20 shall maintain a copy of each application sub-
21 mitted under this subsection for not less than
22 7 years.

23 “(B) ANNUAL REPORTS.—The Administra-
24 tion shall maintain copies of the information
25 collected under paragraph (6)(A) indefinitely.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated \$5,000,000 for each of
3 the fiscal years 2008 through 2010, to carry out the Na-
4 tive American Small Business Development Program, au-
5 thorized under subsection (c).”.

6 **SEC. 403. PILOT PROGRAMS.**

7 (a) DEFINITIONS.—In this section:

8 (1) INCORPORATION BY REFERENCE.—The
9 terms defined in section 37(a) of the Small Business
10 Act (as added by this title) have the same meanings
11 as in that section 37(a) when used in this section.

12 (2) JOINT PROJECT.—The term “joint project”
13 means the combined resources and expertise of 2 or
14 more distinct entities at a physical location dedi-
15 cated to assisting the Native American community.

16 (b) NATIVE AMERICAN DEVELOPMENT GRANT PILOT
17 PROGRAM.—

18 (1) AUTHORIZATION.—

19 (A) IN GENERAL.—There is established a
20 4-year pilot program under which the Adminis-
21 tration is authorized to award Native American
22 development grants to provide culturally tai-
23 lored business development training and related
24 services to Native Americans and Native Amer-
25 ican small business concerns.

1 (B) ELIGIBLE ORGANIZATIONS.—The
2 grants authorized under subparagraph (A) may
3 be awarded to—

4 (i) any small business development
5 center; or

6 (ii) any private, nonprofit organization
7 that—

8 (I) has members of an Indian
9 tribe comprising a majority of its
10 board of directors;

11 (II) is a Native Hawaiian Orga-
12 nization; or

13 (III) is an Alaska Native cor-
14 poration.

15 (C) AMOUNTS.—The Administration shall
16 not award a grant under this subsection in an
17 amount which exceeds \$100,000 for each year
18 of the project.

19 (D) GRANT DURATION.—Each grant under
20 this subsection shall be awarded for not less
21 than a 2-year period and not more than a 4-
22 year period.

23 (2) CONDITIONS FOR PARTICIPATION.—Each
24 entity desiring a grant under this subsection shall

1 submit an application to the Administration that
2 contains—

3 ~~(A)~~ a certification that the applicant—

4 (i) is a small business development
5 center or a private, nonprofit organization
6 under paragraph (1)(B);

7 (ii) employs an executive director or
8 program manager to manage the facility;
9 and

10 ~~(iii)~~ agrees—

11 ~~(I)~~ to a site visit as part of the
12 final selection process;

13 ~~(II)~~ to an annual programmatic
14 and financial examination; and

15 ~~(III)~~ to the maximum extent
16 practicable, to remedy any problems
17 identified pursuant to that site visit or
18 examination;

19 ~~(B)~~ information demonstrating that the
20 applicant has the ability and resources to meet
21 the needs, including cultural needs, of the Na-
22 tive Americans to be served by the grant;

23 ~~(C)~~ information relating to proposed assist-
24 ance that the grant will provide, including—

1 (i) the number of individuals to be as-
2 sisted; and

3 (ii) the number of hours of counseling,
4 training, and workshops to be provided;

5 (D) information demonstrating the effec-
6 tive experience of the applicant in—

7 (i) conducting financial, management,
8 and marketing assistance programs de-
9 signed to impart or upgrade the business
10 skills of current or prospective Native
11 American business owners;

12 (ii) providing training and services to
13 a representative number of Native Ameri-
14 eans;

15 (iii) using resource partners of the
16 Administration and other entities, includ-
17 ing universities, tribal governments, or
18 tribal colleges; and

19 (iv) the prudent management of fi-
20 nances and staffing;

21 (E) the location where the applicant will
22 provide training and services to Native Ameri-
23 eans; and

24 (F) a multiyear plan, corresponding to the
25 length of the grant, that describes—

1 (i) the number of Native Americans
2 and Native American small business con-
3 cerns to be served by the grant;

4 (ii) in the continental United States,
5 the number of Native Americans to be
6 served by the grant; and

7 (iii) the training and services to be
8 provided to a representative number of Na-
9 tive Americans.

10 ~~(3)~~ REVIEW OF APPLICATIONS.—The Adminis-
11 tration shall—

12 (A) evaluate and rank applicants under
13 paragraph ~~(2)~~ in accordance with predeter-
14 mined selection criteria that is stated in terms
15 of relative importance;

16 (B) include such criteria in each solicita-
17 tion under this subsection and make such infor-
18 mation available to the public; and

19 (C) approve or disapprove each completed
20 application submitted under this subsection not
21 later than 60 days after the date of submission.

22 ~~(4)~~ ANNUAL REPORT.—Each recipient of a Na-
23 tive American development grant under this sub-
24 section shall annually report to the Administration
25 on the impact of the grant funding, including—

1 (A) the number of individuals assisted, cat-
2 egorized by ethnicity;

3 (B) the number of hours spent providing
4 counseling and training for those individuals;

5 (C) the number of startup small business
6 concerns created or maintained with assistance
7 from a Native American business center;

8 (D) the gross receipts of assisted small
9 business concerns;

10 (E) the number of jobs created or main-
11 tained at assisted small business concerns; and

12 (F) the number of Native American jobs
13 created or maintained at assisted small business
14 concerns.

15 (5) RECORD RETENTION.—

16 (A) APPLICATIONS.—The Administration
17 shall maintain a copy of each application sub-
18 mitted under this subsection for not less than
19 7 years.

20 (B) ANNUAL REPORTS.—The Administra-
21 tion shall maintain copies of the information
22 collected under paragraph (4) indefinitely.

23 (e) AMERICAN INDIAN TRIBAL ASSISTANCE CENTER
24 GRANT PILOT PROGRAM.—

25 (1) AUTHORIZATION.—

1 (A) ~~IN GENERAL.~~—There is established a
2 4-year pilot program, under which the Adminis-
3 tration shall award not less than 3 American
4 Indian Tribal Assistance Center grants to es-
5 tablish joint projects to provide culturally tai-
6 lored business development assistance to pro-
7 spective and current owners of small business
8 concerns located on or near tribal lands.

9 (B) ~~ELIGIBLE ORGANIZATIONS.~~—

10 (i) ~~CLASS 1.~~—Not fewer than 1 grant
11 shall be awarded to a joint project per-
12 formed by a Native American business cen-
13 ter, a Native American business develop-
14 ment center, and a small business develop-
15 ment center.

16 (ii) ~~CLASS 2.~~—Not fewer than 2
17 grants shall be awarded to joint projects
18 performed by a Native American business
19 center and a Native American business de-
20 velopment center.

21 (C) ~~AMOUNTS.~~—The Administration shall
22 not award a grant under this subsection in an
23 amount which exceeds \$200,000 for each year
24 of the project.

1 (D) GRANT DURATION.—Each grant under
2 this subsection shall be awarded for a 3-year
3 period.

4 (2) CONDITIONS FOR PARTICIPATION.—Each
5 entity desiring a grant under this subsection shall
6 submit to the Administration a joint application that
7 contains—

8 (A) a certification that each participant of
9 the joint application—

10 (i) is either a Native American busi-
11 ness center, a Native American business
12 development center, or a small business de-
13 velopment center;

14 (ii) employs an executive director or
15 program manager to manage the center;
16 and

17 (iii) as a condition of receiving an
18 American Indian Tribal Assistance Center
19 grant, agrees—

20 (I) to an annual programmatic
21 and financial examination; and

22 (II) to the maximum extent prac-
23 ticable, to remedy any problems iden-
24 tified pursuant to that examination;

1 ~~(B)~~ information demonstrating an historic
2 commitment to providing assistance to Native
3 Americans—

4 (i) residing on or near tribal lands; or
5 (ii) operating a small business concern
6 on or near tribal lands;

7 ~~(C)~~ information demonstrating that each
8 participant of the joint application has the abil-
9 ity and resources to meet the needs, including
10 the cultural needs, of the Native Americans to
11 be served by the grant;

12 ~~(D)~~ information relating to proposed as-
13 sistance that the grant will provide, including—

14 (i) the number of individuals to be as-
15 sisted; and

16 (ii) the number of hours of counseling,
17 training, and workshops to be provided;

18 ~~(E)~~ information demonstrating the effec-
19 tive experience of each participant of the joint
20 application in—

21 (i) conducting financial, management,
22 and marketing assistance programs, de-
23 signed to impart or upgrade the business
24 skills of current or prospective Native
25 American business owners; and

1 (ii) the prudent management of fi-
2 nances and staffing; and

3 ~~(F)~~ a plan for the length of the grant, that
4 describes—

5 (i) the number of Native Americans
6 and Native American small business con-
7 cerns to be served by the grant; and

8 (ii) the training and services to be
9 provided.

10 ~~(3)~~ REVIEW OF APPLICATIONS.—The Adminis-
11 tration shall—

12 (A) evaluate and rank applicants under
13 paragraph ~~(2)~~ in accordance with predeter-
14 mined selection criteria that is stated in terms
15 of relative importance;

16 (B) include such criteria in each solicita-
17 tion under this subsection and make such infor-
18 mation available to the public; and

19 (C) approve or disapprove each application
20 submitted under this subsection not later than
21 60 days after the date of submission.

22 ~~(4)~~ ANNUAL REPORT.—Each recipient of an
23 American Indian tribal assistance center grant
24 under this subsection shall annually report to the
25 Administration on the impact of the grant funding

1 received during the reporting year, and the cumu-
2 lative impact of the grant funding received since the
3 initiation of the grant, including—

4 (A) the number of individuals assisted, cat-
5 egorized by ethnicity;

6 (B) the number of hours of counseling and
7 training provided and workshops conducted;

8 (C) the number of startup business con-
9 cerns created or maintained with assistance
10 from a Native American business center;

11 (D) the gross receipts of assisted small
12 business concerns;

13 (E) the number of jobs created or main-
14 tained at assisted small business concerns; and

15 (F) the number of Native American jobs
16 created or maintained at assisted small business
17 concerns.

18 ~~(5) RECORD RETENTION.—~~

19 ~~(A) APPLICATIONS.—The Administration~~
20 ~~shall maintain a copy of each application sub-~~
21 ~~mitted under this subsection for not less than~~
22 ~~7 years.~~

23 ~~(B) ANNUAL REPORTS.—The Administra-~~
24 ~~tion shall maintain copies of the information~~
25 ~~collected under paragraph (4) indefinitely.~~

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated—

3 (1) \$1,000,000 for each of fiscal years 2008
4 through 2010, to carry out the Native American De-
5 velopment Grant Pilot Program, authorized under
6 subsection (b); and

7 (2) \$1,000,000 for each of fiscal years 2008
8 through 2010, to carry out the American Indian
9 Tribal Assistance Center Grant Pilot Program, au-
10 thorized under subsection (c).

11 **TITLE V—NATIONAL SMALL**
12 **BUSINESS REGULATORY AS-**
13 **SISTANCE**

14 **SEC. 501. SHORT TITLE.**

15 This title may be cited as the “National Small Busi-
16 ness Regulatory Assistance Act of 2007”.

17 **SEC. 502. PURPOSE.**

18 The purpose of this title is to establish a 4-year pilot
19 program to—

20 (1) provide confidential assistance to small
21 business concerns;

22 (2) provide small business concerns with the in-
23 formation necessary to improve their rate of compli-
24 ance with Federal and State regulations derived
25 from Federal law;

1 (3) create a partnership among Federal agen-
 2 cies to increase outreach efforts to small business
 3 concerns with respect to regulatory compliance;

4 (4) provide a mechanism for unbiased feedback
 5 to Federal agencies on the regulatory environment
 6 for small business concerns; and

7 (5) expand the services delivered by the small
 8 business development centers under section
 9 21(e)(3)(H) of the Small Business Act to improve
 10 access to programs to assist small business concerns
 11 with regulatory compliance.

12 **SEC. 503. SMALL BUSINESS REGULATORY ASSISTANCE**
 13 **PILOT PROGRAM.**

14 (a) DEFINITIONS.—In this section:

15 (1) ASSOCIATION.—The term “association”
 16 means the association established pursuant to sec-
 17 tion 21(a)(3)(A) of the Small Business Act (15
 18 U.S.C. 648(a)(3)(A)) representing a majority of
 19 small business development centers.

20 (2) PARTICIPATING SMALL BUSINESS DEVELOP-
 21 MENT CENTER.—The term “participating small
 22 business development center” means a small busi-
 23 ness development center participating in the pilot
 24 program established under this title.

1 (3) REGULATORY COMPLIANCE ASSISTANCE.—

2 The term “regulatory compliance assistance” means
3 assistance provided by a small business development
4 center to a small business concern to assist and fa-
5 cilitate the concern in complying with Federal and
6 State regulatory requirements derived from Federal
7 law.

8 (4) SMALL BUSINESS DEVELOPMENT GEN-
9 TER.—The term “small business development cen-
10 ter” means a small business development center de-
11 scribed in section 21 of the Small Business Act (15
12 U.S.C. 648).

13 (5) STATE.—The term “State” means each of
14 the several States, the District of Columbia, the
15 Commonwealth of Puerto Rico, the Virgin Islands,
16 American Samoa, and Guam.

17 (b) AUTHORITY.—In accordance with this section,
18 the Administrator shall establish a pilot program to pro-
19 vide regulatory compliance assistance to small business
20 concerns through participating small business develop-
21 ment centers.

22 (c) SMALL BUSINESS DEVELOPMENT CENTERS.—

23 (1) IN GENERAL.—In carrying out the pilot
24 program established under this section, the Adminis-
25 trator shall enter into arrangements with partici-

1 pating small business development centers under
2 which such centers shall—

3 (A) provide access to information and re-
4 sources, including current Federal and State
5 nonpunitive compliance and technical assistance
6 programs similar to those established under
7 section 507 of the Clean Air Act Amendments
8 of 1990 (42 U.S.C. 7661f);

9 (B) conduct training and educational ac-
10 tivities;

11 (C) offer confidential, free of charge, one-
12 on-one, in-depth counseling to the owners and
13 operators of small business concerns regarding
14 compliance with Federal and State regulations
15 derived from Federal law, provided that such
16 counseling is not considered to be the practice
17 of law in a State in which a small business de-
18 velopment center is located or in which such
19 counseling is conducted;

20 (D) provide technical assistance;

21 (E) give referrals to experts and other pro-
22 viders of compliance assistance who meet such
23 standards for educational, technical, and profes-
24 sional competency as are established by the Ad-
25 ministrator; and

1 ~~(F)~~ form partnerships with Federal compli-
2 ance programs.

3 ~~(2)~~ REPORTS.—Each participating small busi-
4 ness development center shall transmit to the Ad-
5 ministrator and the Chief Counsel for Advocacy of
6 the Administration, as the Administrator may direct,
7 a quarterly report that includes—

8 (A) a summary of the regulatory compli-
9 ance assistance provided by the center under
10 the pilot program;

11 (B) the number of small business concerns
12 assisted under the pilot program; and

13 (C) for every fourth report, any regulatory
14 compliance information based on Federal law
15 that a Federal or State agency has provided to
16 the center during the preceding year and re-
17 quested that it be disseminated to small busi-
18 ness concerns.

19 ~~(d)~~ ELIGIBILITY.—A small business development cen-
20 ter shall be eligible to receive assistance under the pilot
21 program established under this section only if such center
22 is certified under section 21(k)(2) of the Small Business
23 Act (15 U.S.C. 648(k)(2)).

24 ~~(e)~~ SELECTION OF PARTICIPATING SMALL BUSINESS
25 DEVELOPMENT CENTERS.—

1 (1) GROUPINGS.—

2 (A) CONSULTATION.—The Administrator
3 shall select the small business development cen-
4 ter programs of 2 States from each of the
5 groups of States described in subparagraph (B)
6 to participate in the pilot program established
7 under this section.

8 (B) GROUPS.—The groups described in
9 this subparagraph as follows:

10 (i) GROUP 1.—Group 1 shall consist
11 of Maine, Massachusetts, New Hampshire,
12 Connecticut, Vermont, and Rhode Island.

13 (ii) GROUP 2.—Group 2 shall consist
14 of New York, New Jersey, Puerto Rico,
15 and the Virgin Islands.

16 (iii) GROUP 3.—Group 3 shall consist
17 of Pennsylvania, Maryland, West Virginia,
18 Virginia, the District of Columbia, and
19 Delaware.

20 (iv) GROUP 4.—Group 4 shall consist
21 of Georgia, Alabama, North Carolina,
22 South Carolina, Mississippi, Florida, Ken-
23 tucky, and Tennessee.

1 (v) GROUP 5.—Group 5 shall consist
2 of Illinois, Ohio, Michigan, Indiana, Wis-
3 consin, and Minnesota.

4 (vi) GROUP 6.—Group 6 shall consist
5 of Texas, New Mexico, Arkansas, Okla-
6 homa, and Louisiana.

7 (vii) GROUP 7.—Group 7 shall consist
8 of Missouri, Iowa, Nebraska, and Kansas.

9 (viii) GROUP 8.—Group 8 shall consist
10 of Colorado, Wyoming, North Dakota,
11 South Dakota, Montana, and Utah.

12 (ix) GROUP 9.—Group 9 shall consist
13 of California, Guam, American Samoa,
14 Hawaii, Nevada, and Arizona.

15 (x) GROUP 10.—Group 10 shall con-
16 sist of Washington, Alaska, Idaho, and Or-
17 egon.

18 (2) DEADLINE FOR SELECTION.—The Adminis-
19 trator shall make selections under this subsection
20 not later than 6 months after the date of publication
21 of final regulations under section 1704.

22 (f) MATCHING REQUIREMENT.—Subparagraphs (A)
23 and (B) of section 21(a)(4) of the Small Business Act (15
24 U.S.C. 648(a)(4)) shall apply to assistance made available
25 under the pilot program established under this section.

1 (g) GRANT AMOUNTS.—Each State program selected
2 to receive a grant under subsection (e) shall be eligible
3 to receive a grant in an amount equal to—

- 4 (1) not less than \$150,000 per fiscal year; and
5 (2) not more than \$300,000 per fiscal year.

6 (h) EVALUATION AND REPORT.—The Comptroller
7 General of the United States shall—

8 (1) not later than 30 months after the date of
9 disbursement of the first grant under the pilot pro-
10 gram established under this section; initiate an eval-
11 uation of the pilot program; and

12 (2) not later than 6 months after the date of
13 the initiation of the evaluation under paragraph (1);
14 transmit to the Administrator, the Chief Counsel for
15 Advocacy, the Committee on Small Business and
16 Entrepreneurship of the Senate, and the Committee
17 on Small Business of the House of Representatives;
18 a report containing—

19 (A) the results of the evaluation; and

20 (B) any recommendations as to whether
21 the pilot program, with or without modification,
22 should be extended to include the participation
23 of all small business development centers.

24 (i) POSTING OF INFORMATION.—Not later than 90
25 days after the date of enactment of this Act, the Adminis-

1 trator shall post on the website of the Administration and
2 publish in the Federal Register a guidance document de-
3 scribing the requirements of an application for assistance
4 under this section.

5 (j) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated to carry out this section—

8 (A) \$5,000,000 for the first fiscal year be-
9 ginning after the date of enactment of this Act;
10 and

11 (B) \$5,000,000 for each of the 3 fiscal
12 years following the fiscal year described in sub-
13 paragraph (A).

14 (2) LIMITATION ON USE OF OTHER FUNDS.—

15 The Administrator may carry out the pilot program
16 established under this section only with amounts ap-
17 propriated in advance specifically to carry out this
18 section.

19 (k) TERMINATION.—The Small Business Regulatory

20 Assistance Pilot Program established under this section

21 shall terminate 4 years after the date of disbursement of

22 the first grant under the pilot program.

23 **SEC. 504. RULEMAKING.**

24 After providing notice and an opportunity for com-

25 ment, and after consulting with the association (but not

1 later than 180 days after the date of enactment of this
 2 Act), the Administrator shall promulgate final regulations
 3 to carry out this title, including regulations that estab-
 4 lish—

5 (1) priorities for the types of assistance to be
 6 provided under the pilot program established under
 7 this title;

8 (2) standards relating to educational, technical,
 9 and support services to be provided by participating
 10 small business development centers;

11 (3) standards relating to any national service
 12 delivery and support function to be provided by the
 13 association under the pilot program;

14 (4) standards relating to any work plan that
 15 the Administrator may require a participating small
 16 business development center to develop; and

17 (5) standards relating to the educational, tech-
 18 nical, and professional competency of any expert or
 19 other assistance provider to whom a small business
 20 concern may be referred for compliance assistance
 21 under the pilot program.

22 **TITLE VI—OTHER PROVISIONS**

23 **SEC. 601. MINORITY ENTREPRENEURSHIP AND INNOVA-** 24 **TION PILOT PROGRAM.**

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

1 (1) the terms “Alaska Native-serving institu-
2 tion” and “Native Hawaiian-serving institution”
3 have the meanings given those terms in section 317
4 of the Higher Education Act of 1965 (20 U.S.C.
5 1059d);

6 (2) the term “Hispanic serving institution” has
7 the meaning given the term in section 502 of the
8 Higher Education Act of 1965 (20 U.S.C. 1101a);

9 (3) the term “historically Black college and uni-
10 versity” has the meaning given the term “part B in-
11 stitution” in section 322 of the Higher Education
12 Act of 1965 (20 U.S.C. 1061);

13 (4) the term “small business development cen-
14 ter” has the same meaning as in section 21 of the
15 Small Business Act (15 U.S.C. 648); and

16 (5) the term “Tribal College” has the meaning
17 given the term “tribally controlled college or univer-
18 sity” in section 2 of the Tribally Controlled College
19 or University Assistance Act of 1978 (25 U.S.C.
20 1801).

21 (b) **MINORITY ENTREPRENEURSHIP AND INNOVA-
22 TION GRANTS.—**

23 (1) **IN GENERAL.**—The Administrator shall
24 make grants to historically Black colleges and uni-
25 versities, Tribal Colleges, Hispanic serving institu-

1 tions, Alaska Native-serving institutions, and Native
2 Hawaiian-serving institutions, or to any entity
3 formed by a combination of such institutions—

4 (A) to assist in establishing an entrepre-
5 neurship curriculum for undergraduate or grad-
6 uate studies; and

7 (B) for placement of small business devel-
8 opment centers on the physical campus of the
9 institution.

10 (2) CURRICULUM REQUIREMENT.—An institu-
11 tion of higher education receiving a grant under this
12 subsection shall develop a curriculum that includes
13 training in various skill sets needed by successful en-
14 trepreneurs, including—

15 (A) business management and marketing,
16 financial management and accounting, market
17 analysis and competitive analysis, innovation
18 and strategic planning; and

19 (B) additional entrepreneurial skill sets
20 specific to the needs of the student population
21 and the surrounding community, as determined
22 by the institution.

23 (3) SMALL BUSINESS DEVELOPMENT CENTER
24 REQUIREMENT.—Each institution receiving a grant

1 under this subsection shall open a small business de-
2 velopment center that—

3 (A) performs studies, research, and coun-
4 seling concerning the management, financing,
5 and operation of small business concerns;

6 (B) performs management training and
7 technical assistance regarding the participation
8 of small business concerns in international mar-
9 kets, export promotion and technology transfer,
10 and the delivery or distribution of such services
11 and information;

12 (C) offers referral services for entre-
13 preneurs and small business concerns to busi-
14 ness development, financing, and legal experts;
15 and

16 (D) promotes market-specific innovation,
17 niche marketing, capacity building, inter-
18 national trade, and strategic planning as keys
19 to long-term growth for its small business con-
20 cern and entrepreneur clients.

21 (4) GRANT LIMITATIONS.—A grant under this
22 subsection—

23 (A) may not exceed \$500,000 for any fis-
24 cal year for any 1 institution of higher edu-
25 cation;

1 ~~(B)~~ may not be used for any purpose other
2 than those associated with the direct costs in-
3 curred to develop and implement a curriculum
4 that fosters entrepreneurship and the costs in-
5 curred to organize and run a small business de-
6 velopment center on the grounds of the institu-
7 tion; and

8 ~~(C)~~ may not be used for building expenses,
9 administrative travel budgets, or other expenses
10 not directly related to the implementation of the
11 curriculum or activities authorized by this sec-
12 tion.

13 ~~(5) EXCEPTION FROM SMALL BUSINESS ACT~~
14 ~~REQUIREMENT.~~—Subparagraphs ~~(A)~~ and ~~(B)~~ of sec-
15 tion ~~21(a)(4)~~ of the Small Business Act (~~15 U.S.C.~~
16 ~~648(a)(4)~~) do not apply to assistance made available
17 under this subsection.

18 ~~(6) REPORT.~~—Not later than November 1 of
19 each year, the Associate Administrator of Entrepre-
20 neurial Development of the Administration shall sub-
21 mit to the Committee on Small Business and Entre-
22 preneurship of the Senate and the Committee on
23 Small Business of the House of Representatives, a
24 report evaluating the award and use of grants under

1 this subsection during the preceding fiscal year,
2 which shall include—

3 (A) a description of each entrepreneurship
4 program developed with grant funds; the date
5 of the award of such grant; and the number of
6 participants in each such program;

7 (B) the number of small business concerns
8 assisted by each small business development
9 center established with a grant under this sub-
10 section; and

11 (C) data regarding the economic impact of
12 the small business development center coun-
13 seling provided under a grant under this sub-
14 section.

15 (c) ~~AUTHORIZATION OF APPROPRIATIONS.—~~There is
16 authorized to be appropriated to carry out this section
17 \$10,000,000, to remain available until expended, for each
18 of fiscal years 2008 and 2010.

19 (d) ~~LIMITATION ON USE OF OTHER FUNDS.—~~The
20 Administrator shall carry out this section only with
21 amounts appropriated in advance specifically to carry out
22 this section.

23 **SEC. 602. INSTITUTIONS OF HIGHER EDUCATION.**

24 (a) ~~IN GENERAL.—~~Section 21(a)(1) of the Small
25 Business Act (15 U.S.C. 648(a)(1)) is amended by strik-

1 ing “: *Provided, That*” and all that follows through “on
 2 such date.” and inserting the following: “On and after De-
 3 cember 31, 2007, the Administration may only make a
 4 grant under this paragraph to an applicant that is an in-
 5 stitution of higher education, as defined in section 101(a)
 6 of the Higher Education Act of 1965 (20 U.S.C. 1001(a))
 7 that is accredited (and not merely in preaccreditation sta-
 8 tus) by a nationally recognized accrediting agency or asso-
 9 ciation, recognized by the Secretary of Education for such
 10 purpose in accordance with section 496 of that Act (20
 11 U.S.C. 1099b), or to a women’s business center operating
 12 pursuant to section 29 as a small business development
 13 center, unless the applicant was receiving a grant (includ-
 14 ing a contract or cooperative agreement) on December 31,
 15 2007.”.

16 (b) EFFECTIVE DATE.—The amendment made by
 17 subsection (a) shall take effect on December 31, 2007.

18 **SEC. 603. HEALTH INSURANCE OPTIONS INFORMATION FOR**

19 **SMALL BUSINESS CONCERNS.**

20 (a) DEFINITIONS.—In this section, the following defi-
 21 nitions shall apply:

22 (1) ASSOCIATION.—The term “association”
 23 means an association established under section
 24 21(a)(3)(A) of the Small Business Act (15 U.S.C.

1 648(a)(3)(A)) representing a majority of small busi-
 2 ness development centers:

3 (2) PARTICIPATING SMALL BUSINESS DEVELOP-
 4 MENT CENTER.—The term “participating small
 5 business development center” means a small busi-
 6 ness development center described in section 21 of
 7 the Small Business Act (15 U.S.C. 648) that—

8 (A) is certified under section 21(k)(2) of
 9 the Small Business Act (15 U.S.C. 648(k)(2));
 10 and

11 (B) receives a grant under the pilot pro-
 12 gram.

13 (3) PILOT PROGRAM.—The term “pilot pro-
 14 gram” means the small business health insurance in-
 15 formation pilot program established under this sec-
 16 tion.

17 (4) STATE.—The term “State” means each of
 18 the several States of the United States, the District
 19 of Columbia, the Commonwealth of Puerto Rico, the
 20 Virgin Islands, American Samoa, and Guam.

21 (b) SMALL BUSINESS HEALTH INSURANCE INFOR-
 22 MATION PILOT PROGRAM.—The Administrator shall es-
 23 tablish a pilot program to make grants to small business
 24 development centers to provide neutral and objective infor-
 25 mation and educational materials regarding health insur-

1 ance options, including coverage options within the small
2 group market, to small business concerns.

3 (c) APPLICATIONS.—

4 (1) POSTING OF INFORMATION.—Not later than
5 90 days after the date of enactment of this Act, the
6 Administrator shall post on the website of the Ad-
7 ministration and publish in the Federal Register a
8 guidance document describing—

9 (A) the requirements of an application for
10 a grant under the pilot program; and

11 (B) the types of informational and edu-
12 cational materials regarding health insurance
13 options to be created under the pilot program,
14 including by referencing materials and re-
15 sources developed by the National Association
16 of Insurance Commissioners, the Kaiser Family
17 Foundation, and the Healthcare Leadership
18 Council.

19 (2) SUBMISSION.—A small business develop-
20 ment center desiring a grant under the pilot pro-
21 gram shall submit an application at such time, in
22 such manner, and accompanied by such information
23 as the Administrator may reasonably require.

24 (d) SELECTION OF PARTICIPATING SMALL BUSINESS
25 DEVELOPMENT CENTERS.—

1 (1) ~~IN GENERAL.~~—The Administrator shall se-
2 lect not more than 20 small business development
3 centers to receive a grant under the pilot program.

4 (2) ~~SELECTION OF PROGRAMS.~~—In selecting
5 small business development centers under paragraph
6 (1), the Administrator may not select—

7 (A) more than 2 programs from each of
8 the groups of States described in paragraph
9 (3); and

10 (B) more than 1 program in any State.

11 (3) ~~GROUPINGS.~~—The groups of States de-
12 scribed in this paragraph are the following:

13 (A) ~~GROUP 1.~~—Group 1 shall consist of
14 Maine, Massachusetts, New Hampshire, Con-
15 necticut, Vermont, and Rhode Island.

16 (B) ~~GROUP 2.~~—Group 2 shall consist of
17 New York, New Jersey, Puerto Rico, and the
18 Virgin Islands.

19 (C) ~~GROUP 3.~~—Group 3 shall consist of
20 Pennsylvania, Maryland, West Virginia, Vir-
21 ginia, the District of Columbia, and Delaware.

22 (D) ~~GROUP 4.~~—Group 4 shall consist of
23 Georgia, Alabama, North Carolina, South Caro-
24 lina, Mississippi, Florida, Kentucky, and Ten-
25 nessee.

1 (E) GROUP 5.—Group 5 shall consist of Il-
2 linois, Ohio, Michigan, Indiana, Wisconsin, and
3 Minnesota.

4 (F) GROUP 6.—Group 6 shall consist of
5 Texas, New Mexico, Arkansas, Oklahoma, and
6 Louisiana.

7 (G) GROUP 7.—Group 7 shall consist of
8 Missouri, Iowa, Nebraska, and Kansas.

9 (H) GROUP 8.—Group 8 shall consist of
10 Colorado, Wyoming, North Dakota, South Da-
11 kota, Montana, and Utah.

12 (I) GROUP 9.—Group 9 shall consist of
13 California, Guam, American Samoa, Hawaii,
14 Nevada, and Arizona.

15 (J) GROUP 10.—Group 10 shall consist of
16 Washington, Alaska, Idaho, and Oregon.

17 (4) DEADLINE FOR SELECTION.—The Adminis-
18 trator shall make selections under this subsection
19 not later than 6 months after the later of the date
20 on which the information described in subsection
21 (c)(1) is posted on the website of the Administration
22 and the date on which the information described in
23 subsection (c)(1) is published in the Federal Reg-
24 ister.

25 (e) USE OF FUNDS.—

1 (1) ~~IN GENERAL.~~—A participating small busi-
2 ness development center shall use funds provided
3 under the pilot program to—

4 (A) create and distribute informational
5 materials; and

6 (B) conduct training and educational ac-
7 tivities.

8 (2) ~~CONTENT OF MATERIALS.~~—

9 (A) ~~IN GENERAL.~~—In creating materials
10 under the pilot program, a participating small
11 business development center shall evaluate and
12 incorporate relevant portions of existing infor-
13 mational materials regarding health insurance
14 options, including materials and resources de-
15 veloped by the National Association of Insur-
16 ance Commissioners, the Kaiser Family Foun-
17 dation, and the Healthcare Leadership Council.

18 (B) ~~HEALTH INSURANCE OPTIONS.~~—In in-
19 corporating information regarding health insur-
20 ance options under subparagraph (A), a partici-
21 pating small business development center shall
22 provide neutral and objective information re-
23 garding health insurance options in the geo-
24 graphic area served by the participating small
25 business development center, including tradi-

1 tional employer sponsored health insurance for
2 the group insurance market, such as the health
3 insurance options defined in section ~~2791~~ of the
4 Public Health Services Act (~~42 U.S.C. 300gg-~~
5 ~~91~~) or section 125 of the Internal Revenue
6 Code of 1986, and Federal and State health in-
7 surance programs.

8 (f) GRANT AMOUNTS.—Each participating small
9 business development center program shall receive a grant
10 in an amount equal to—

- 11 (1) not less than \$150,000 per fiscal year; and
12 (2) not more than \$300,000 per fiscal year.

13 (g) MATCHING REQUIREMENT.—Subparagraphs (A)
14 and (B) of section 21(a)(4) of the Small Business Act (~~15~~
15 ~~U.S.C. 648(a)(4)~~) shall apply to assistance made available
16 under the pilot program.

17 (h) REPORTS.—Each participating small business de-
18 velopment center shall transmit to the Committee on
19 Small Business and Entrepreneurship of the Senate and
20 the Committee on Small Business of the House of Rep-
21 resentatives, a quarterly report that includes—

- 22 (1) a summary of the information and edu-
23 cational materials regarding health insurance op-
24 tions provided by the participating small business
25 development center under the pilot program; and

1 ~~(2)~~ the number of small business concerns as-
 2 sisted under the pilot program.

3 ~~(i) AUTHORIZATION OF APPROPRIATIONS.—~~

4 ~~(1) IN GENERAL.—~~There are authorized to be
 5 appropriated to carry out this section—

6 ~~(A)~~ \$5,000,000 for the first fiscal year be-
 7 ginning after the date of enactment of this Act;
 8 and

9 ~~(B)~~ \$5,000,000 for each of the ~~3~~ fiscal
 10 years following the fiscal year described in sub-
 11 paragraph ~~(A)~~.

12 ~~(2) LIMITATION ON USE OF OTHER FUNDS.—~~

13 The Administrator may carry out the pilot program
 14 only with amounts appropriated in advance specifi-
 15 cally to carry out this section.

16 **SEC. 604. NATIONAL SMALL BUSINESS DEVELOPMENT CEN-**
 17 **TER ADVISORY BOARD.**

18 Section 21(i)(1) of the Small Business Act (~~15~~
 19 U.S.C. 648(i)(1)) is amended by striking “nine members”
 20 and inserting “10 members”.

21 **SEC. 605. OFFICE OF NATIVE AMERICAN AFFAIRS PILOT**
 22 **PROGRAM.**

23 ~~(a) DEFINITION.—~~In this section, the term “Indian
 24 tribe” means any band, nation, or organized group or
 25 community of Indians located in the contiguous United

1 States, and the Metlakatla Indian Community, whose
2 members are recognized as eligible for the services pro-
3 vided to Indians by the Secretary of the Interior because
4 of their status as Indians:

5 (b) AUTHORIZATION.—The Office of Native Amer-
6 ican Affairs of the Administration may conduct a pilot
7 program—

8 (1) to develop and publish a self-assessment
9 tool for Indian tribes that will allow such tribes to
10 evaluate and implement best practices for economic
11 development; and

12 (2) to provide assistance to Indian tribes,
13 through the Inter-Agency Working Group, in identi-
14 fying and implementing economic development op-
15 portunities available from the Federal Government
16 and private enterprise, including—

17 (A) the Administration;

18 (B) the Department of Energy;

19 (C) the Environmental Protection Agency;

20 (D) the Department of Commerce;

21 (E) the Federal Communications Commis-

22 sion;

23 (F) the Department of Justice;

24 (G) the Department of Labor;

1 (H) the Office of National Drug Control
2 Policy; and

3 (I) the Department of Agriculture.

4 (e) **TERMINATION OF PROGRAM.**—The authority to
5 conduct a pilot program under this section shall terminate
6 on September 30, 2009.

7 (d) **REPORT.**—Not later than September 30, 2009,
8 the Office of Native American Affairs shall submit a re-
9 port to the Committee on Small Business and Entrepre-
10 neurship of the Senate and the Committee on Small Busi-
11 ness of the House of Representatives regarding the effec-
12 tiveness of the self-assessment tool developed under sub-
13 section (b)(1).

14 **SEC. 606. PRIVACY REQUIREMENTS FOR SCORE CHAPTERS.**

15 Section 8 of the Small Business Act (15 U.S.C. 637)
16 is amended by inserting after subsection (b) the following

17 “(e) **PRIVACY REQUIREMENTS.**—

18 “(1) **IN GENERAL.**—A chapter of the Service
19 Corps of Retired Executives program authorized by
20 subsection (b)(1) or an agent of such a chapter may
21 not disclose the name, address, or telephone number
22 of any individual or small business concern receiving
23 assistance from that chapter or agent without the
24 consent of such individual or small business concern,
25 unless—

1 “(A) the Administrator is ordered to make
2 such a disclosure by a court in any civil or
3 criminal enforcement action initiated by a Fed-
4 eral or State agency; or

5 “(B) the Administrator considers such a
6 disclosure to be necessary for the purpose of
7 conducting a financial audit of a chapter of the
8 Service Corps of Retired Executives program
9 authorized by subsection (b)(1); but a disclo-
10 sure under this subparagraph shall be limited
11 to the information necessary for such audit.

12 ~~“(2) ADMINISTRATOR USE OF INFORMATION.—~~

13 This subsection shall not—

14 ~~“(A) restrict Administrator access to pro-~~
15 ~~gram activity data; or~~

16 ~~“(B) prevent the Administrator from using~~
17 ~~client information to conduct client surveys.~~

18 ~~“(3) REGULATIONS.—~~

19 ~~“(A) IN GENERAL.—The Administrator~~
20 ~~shall issue regulations to establish standards—~~

21 ~~“(i) for disclosures with respect to fi-~~
22 ~~nancial audits under paragraph (1)(B);~~
23 ~~and~~

24 ~~“(ii) for client surveys under para-~~
25 ~~graph (2)(B), including standards for over-~~

1 sight of such surveys and for dissemination
2 and use of client information.

3 “(B) **MAXIMUM PRIVACY PROTECTION.**—

4 Regulations under this paragraph shall, to the
5 extent practicable, provide for the maximum
6 amount of privacy protection.

7 “(C) **INSPECTOR GENERAL.**—Until the ef-

8 fective date of regulations under this para-
9 graph, any client survey and the use of such in-
10 formation shall be approved by the Inspector
11 General who shall include such approval in the
12 semi-annual report of the Inspector General.”.

13 **SEC. 607. NATIONAL SMALL BUSINESS SUMMIT.**

14 (a) **IN GENERAL.**—Not later than December 31,
15 2009, the President shall convene a National Small Busi-
16 ness Summit to examine the present conditions and future
17 of the community of small business concerns in the United
18 States. The summit shall include owners of small business
19 concerns, representatives of small business groups, labor,
20 academia, State and Federal government, Federal re-
21 search and development agencies, and nonprofit policy
22 groups concerned with the issues of small business con-
23 cerns.

24 (b) **REPORT.**—Not later than 90 days after the date
25 of the conclusion of the summit convened under subsection

1 (a), the President shall issue a report on the results of
 2 the summit. The report shall identify key challenges and
 3 recommendations for promoting entrepreneurship and the
 4 growth of small business concerns.

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “Entrepreneurial Devel-*
 7 *opment Act of 2007”.*

8 **SEC. 2. TABLE OF CONTENTS.**

9 *The table of contents of this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—REAUTHORIZATION

Sec. 101. Reauthorization.

TITLE II—WOMEN’S SMALL BUSINESS OWNERSHIP PROGRAMS

Sec. 201. Office of Women’s Business Ownership.

Sec. 202. Women’s Business Center Program.

Sec. 203. National Women’s Business Council.

Sec. 204. Interagency Committee on Women’s Business Enterprise.

Sec. 205. Preserving the independence of the National Women’s Business Council.

TITLE III—INTERNATIONAL TRADE

Sec. 301. Small Business Administration Associate Administrator for Inter-
national Trade.

Sec. 302. Office of International Trade.

**TITLE IV—NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT
PROGRAM**

Sec. 401. Short title.

Sec. 402. Native American Small Business Development Program.

Sec. 403. Pilot programs.

TITLE V—NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE

Sec. 501. Short title.

Sec. 502. Purpose.

Sec. 503. Small Business Regulatory Assistance Pilot Program.

Sec. 504. Rulemaking.

TITLE VI—OTHER PROVISIONS

Sec. 601. Minority Entrepreneurship and Innovation Pilot Program.

Sec. 602. Institutions of higher education.

Sec. 603. Health insurance options information for small business concerns.

Sec. 604. National Small Business Development Center Advisory Board.

Sec. 605. Office of Native American Affairs pilot program.

Sec. 606. Privacy requirements for SCORE chapters.

Sec. 607. National Small Business Summit.

1 **SEC. 3. DEFINITIONS.**

2 *In this Act—*

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

6 (2) *the term “small business concern” has the*
 7 *meaning given that term in section 3 of the Small*
 8 *Business Act (15 U.S.C. 632).*

9 **TITLE I—REAUTHORIZATION**

10 **SEC. 101. REAUTHORIZATION.**

11 (a) *IN GENERAL.—Section 20 of the Small Business*
 12 *Act (15 U.S.C. 631 note) is amended—*

13 (1) *by striking subsections (d), (e), and (j); and*

14 (2) *by adding at the end the following:*

15 “(d) *SCORE PROGRAM.—There are authorized to be*
 16 *appropriated to the Administrator to carry out the Service*
 17 *Corps of Retired Executives program authorized by section*
 18 *8(b)(1) such sums as are necessary for the Administrator*
 19 *to make grants or enter into cooperative agreements for a*
 20 *total of—*

21 “(1) *\$7,000,000 in fiscal year 2008;*

1 “(2) \$8,000,000 in fiscal year 2009; and

2 “(3) \$9,000,000 in fiscal year 2010.”.

3 (b) *SMALL BUSINESS DEVELOPMENT CENTERS.*—Sec-
4 *tion 21 of the Small Business Act (15 U.S.C. 648) is*
5 *amended—*

6 (1) *in subsection (a)(4)(C), by amending clause*
7 *(vii) to read as follows:*

8 “(vii) *AUTHORIZATION OF APPROPRIA-*
9 *TIONS.—There are authorized to be appro-*
10 *priated to carry out this subparagraph—*

11 “(I) \$135,000,000 for fiscal year
12 2008;

13 “(II) \$140,000,000 for fiscal year
14 2009; and

15 “(III) \$145,000,000 for fiscal year
16 2010.”; and

17 (2) *in subsection (c)(3)(T), by striking “October*
18 *1, 2006” and inserting “October 1, 2010”.*

19 (c) *PAUL D. COVERDELL DRUG-FREE WORKPLACE*
20 *PROGRAM.—*

21 (1) *IN GENERAL.*—*Section 27(g) of the Small*
22 *Business Act (15 U.S.C. 654(g)) is amended—*

23 (A) *in paragraph (1), by striking “fiscal*
24 *years 2005 and 2006” and inserting “fiscal*
25 *years 2008 through 2010”;* and

1 (B) in paragraph (2), by striking “fiscal
2 years 2005 and 2006” and inserting “fiscal
3 years 2008 through 2010”.

4 (2) CONFORMING AMENDMENT.—Section
5 21(c)(3)(T) of the Small Business Act (15 U.S.C.
6 648(c)(3)(T)) is amended by striking “October 1,
7 2006” and inserting “October 1, 2010”.

8 **TITLE II—WOMEN’S SMALL BUSI-**
9 **NESS OWNERSHIP PROGRAMS**

10 **SEC. 201. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

11 Section 29(g) of the Small Business Act (15 U.S.C.
12 656(g)) is amended—

13 (1) in paragraph (2)—

14 (A) in subparagraph (B)(i), by striking “in
15 the areas” and all that follows through the end
16 of subclause (I), and inserting the following: “to
17 address issues concerning management, oper-
18 ations, manufacturing, technology, finance, retail
19 and product sales, international trade, and other
20 disciplines required for—

21 “(I) starting, operating, and
22 growing a small business concern;”;
23 and

24 (B) in subparagraph (C), by inserting be-
25 fore the period at the end the following: “, the

1 *National Women’s Business Council, and any*
2 *association of women’s business centers”;* and

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

4 “(3) *PROGRAMS AND SERVICES FOR WOMEN-*
5 *OWNED SMALL BUSINESSES.—The Assistant Adminis-*
6 *trator, in consultation with the National Women’s*
7 *Business Council, the Interagency Committee on*
8 *Women’s Business Enterprise, and 1 or more associa-*
9 *tions of women’s business centers, shall develop pro-*
10 *grams and services for women-owned businesses (as*
11 *defined in section 408 of the Women’s Business Own-*
12 *ership Act of 1988 (15 U.S.C. 631 note)) in business*
13 *areas, which may include—*

14 “(A) *manufacturing;*

15 “(B) *technology;*

16 “(C) *professional services;*

17 “(D) *retail and product sales;*

18 “(E) *travel and tourism;*

19 “(F) *international trade; and*

20 “(G) *Federal Government contract business*
21 *development.*

22 “(4) *TRAINING.—The Administrator shall pro-*
23 *vide annual programmatic and financial oversight*
24 *training for women’s business ownership representa-*
25 *tives and district office technical representatives of the*

1 *Administration to enable representatives to carry out*
2 *their responsibilities under this section.*

3 *“(5) GRANT PROGRAM AND TRANSPARENCY IM-*
4 *PROVEMENTS.—The Administrator shall improve the*
5 *transparency of the women’s business center grant*
6 *proposal process and the programmatic and financial*
7 *oversight process by—*

8 *“(A) providing notice to the public of each*
9 *women’s business center grant announcement for*
10 *an initial and renewal grant, not later than 6*
11 *months before awarding such grant;*

12 *“(B) providing notice to grant applicants*
13 *and recipients of program evaluation and award*
14 *criteria, not later than 12 months before any*
15 *such evaluation;*

16 *“(C) reducing paperwork and reporting re-*
17 *quirements for grant applicants and recipients;*

18 *“(D) standardizing the oversight and review*
19 *process of the Administration; and*

20 *“(E) providing to each women’s business*
21 *center, not later than 30 days after the comple-*
22 *tion of a site visit (whether conducted for an*
23 *audit, performance review, or other reason) at*
24 *that center, a copy of site visit reports and eval-*
25 *uation reports prepared by district office tech-*

1 *nical representatives or Administration offi-*
2 *cials.”.*

3 **SEC. 202. WOMEN’S BUSINESS CENTER PROGRAM.**

4 *(a) WOMEN’S BUSINESS CENTER GRANTS PRO-*
5 *GRAM.—Section 29 of the Small Business Act (15 U.S.C.*
6 *656) is amended—*

7 *(1) in subsection (a)—*

8 *(A) by redesignating paragraphs (2), (3),*
9 *and (4), as paragraphs (3), (4), and (5), respec-*
10 *tively; and*

11 *(B) by inserting after paragraph (1) the fol-*
12 *lowing:*

13 *“(2) the term ‘association of women’s business*
14 *centers’ means an organization that represents not*
15 *fewer than 30 percent of the women’s business centers*
16 *that are participating in a program under this sec-*
17 *tion, and whose primary purpose is to represent*
18 *women’s business centers;”;*

19 *(2) in subsection (b)—*

20 *(A) by redesignating paragraphs (1), (2),*
21 *and (3) as subparagraphs (A), (B), and (C), and*
22 *adjusting the margins accordingly;*

23 *(B) by striking “The Administration” and*
24 *inserting the following:*

25 *“(1) IN GENERAL.—The Administration”;*

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

3 “(2) USE OF FUNDS.—The projects shall”; and

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

5 “(3) AMOUNT OF GRANTS.—

6 “(A) IN GENERAL.—The Administrator
7 may award a grant under this subsection of not
8 more than \$150,000 per year.

9 “(B) EQUAL ALLOCATIONS.—In the event
10 that the Administration has insufficient funds to
11 provide grants of \$150,000 for each grant recipi-
12 ent under this subsection in any fiscal year,
13 available funds shall be allocated equally to
14 grant recipients, unless any recipient requests a
15 lower amount than the allocable amount.

16 “(4) ASSOCIATIONS OF WOMEN’S BUSINESS CEN-
17 TERS.—

18 “(A) RECOGNITION.—The Administrator
19 shall recognize the existence and activities of any
20 association of women’s business centers estab-
21 lished to address matters of common concern.

22 “(B) CONSULTATION.—The Administrator
23 shall consult with each association of women’s
24 business centers to develop—

1 “(i) a training program for the staff of
2 the women’s business centers and the Ad-
3 ministration; and

4 “(ii) recommendations to improve the
5 policies and procedures for governing the
6 general operations and administration of
7 the Women’s Business Center Program, in-
8 cluding grant program improvements under
9 subsection (g)(5).”;

10 (3) by striking subsection (f) and inserting the
11 following:

12 “(f) *APPLICATIONS AND CRITERIA FOR INITIAL*
13 *GRANTS.*—

14 “(1) *APPLICATION.*—Each organization desiring
15 a grant under subsection (b) shall submit to the Ad-
16 ministrator an application that contains—

17 “(A) a certification that the applicant—

18 “(i) is a private nonprofit organiza-
19 tion;

20 “(ii) has designated an executive direc-
21 tor or program manager, who may be com-
22 pensated from grant funds or other sources,
23 to manage the center; and

24 “(iii) as a condition of receiving a
25 grant under subsection (b), agrees—

1 “(I) to receive a site visit as part
2 of the final selection process;

3 “(II) to undergo an annual pro-
4 grammatic and financial examination;
5 and

6 “(III) to the maximum extent
7 practicable, to remedy any problems
8 identified pursuant to the site visit or
9 examination under subclauses (I) and
10 (II);

11 “(B) information demonstrating that the
12 applicant has the ability and resources to meet
13 the needs of the market to be served by the wom-
14 en’s business center site for which a grant under
15 subsection (b) is sought, including the ability to
16 comply with the matching requirement under
17 subsection (c);

18 “(C) information relating to assistance to
19 be provided by the women’s business center site
20 for which a grant under subsection (b) is sought
21 in the area in which the site is located;

22 “(D) information demonstrating the effec-
23 tive experience of the applicant in—

24 “(i) conducting financial, manage-
25 ment, and marketing assistance programs,

1 *as described under subsection (b)(2), which*
2 *are designed to teach or upgrade the busi-*
3 *ness skills of women who are business own-*
4 *ers or potential business owners;*

5 *“(ii) providing training and services*
6 *to a representative number of women who*
7 *are both socially and economically dis-*
8 *advantaged; and*

9 *“(iii) using resource partners of the*
10 *Administration and other entities, such as*
11 *universities;*

12 *“(E) a 5-year plan that projects the ability*
13 *of the women’s business center site for which a*
14 *grant is sought—*

15 *“(i) to serve women who are business*
16 *owners or potential owners in the future by*
17 *improving training and counseling activi-*
18 *ties; and*

19 *“(ii) to provide training and services*
20 *to a representative number of women who*
21 *are both socially and economically dis-*
22 *advantaged; and*

23 *“(F) any additional information that the*
24 *Administrator may reasonably require.*

1 “(2) *REVIEW AND APPROVAL OF APPLICATIONS*
2 *FOR AN INITIAL GRANT.*—

3 “(A) *IN GENERAL.*—*The Administrator*
4 *shall—*

5 “(i) *review each application submitted*
6 *under paragraph (1), based on the informa-*
7 *tion described in such paragraph and the*
8 *criteria set forth under subparagraph (B) of*
9 *this paragraph; and*

10 “(ii) *as part of the final selection proc-*
11 *ess, conduct a site visit at each women’s*
12 *business center for which a grant under sub-*
13 *section (b) is sought.*

14 “(B) *SELECTION CRITERIA.*—

15 “(i) *IN GENERAL.*—*The Administrator*
16 *shall evaluate applicants for grants under*
17 *subsection (b) in accordance with predeter-*
18 *mined selection criteria that shall be stated*
19 *in terms of relative importance. Such cri-*
20 *teria and their relative importance shall be*
21 *made publicly available and stated in each*
22 *solicitation for applications made by the*
23 *Administrator.*

1 “(i) *REQUIRED CRITERIA.*—*The selec-*
2 *tion criteria for a grant under subsection*
3 *(b) shall include—*

4 “(I) *the experience of the appli-*
5 *cant in conducting programs or ongo-*
6 *ing efforts designed to teach or upgrade*
7 *the business skills of women who are*
8 *business owners or potential owners;*

9 “(II) *the ability of the applicant*
10 *to commence a project within a min-*
11 *imum amount of time;*

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

17 “(IV) *the location for the women’s*
18 *business center site proposed by the ap-*
19 *plicant.*

20 “(C) *NOTICE.*—*The Administrator may not*
21 *award a grant under subsection (b) to an appli-*
22 *cant whose principle place of business is located*
23 *less than 50 miles from the principle place of*
24 *business of another organization receiving a*
25 *grant under this section unless the Adminis-*

1 *trator submits a written justification for the*
 2 *need to award another grant under this section*
 3 *in that area to the Committee on Small Business*
 4 *and Entrepreneurship of the Senate and the*
 5 *Committee on Small Business of the House of*
 6 *Representatives.*

7 “(D) *RECORD RETENTION.*—*The Adminis-*
 8 *trator shall maintain a copy of each application*
 9 *submitted under this subsection for not less than*
 10 *7 years.”; and*

11 *(4) in subsection (m), by striking paragraph (3)*
 12 *and inserting the following:*

13 “(3) *APPLICATION AND APPROVAL.*—

14 “(A) *APPLICATION.*—*Each organization de-*
 15 *siring a grant this subsection, shall submit to the*
 16 *Administrator, not later than 3 months before*
 17 *the expiration of a grant under subsection (b) or*
 18 *this subsection, as the case may be, an applica-*
 19 *tion that contains—*

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

22 “(I) *is a private nonprofit organi-*
 23 *zation;*

1 “(II) has designated an executive
2 director or program manager to man-
3 age the center; and

4 “(III) as a condition of receiving
5 a grant under this subsection, agrees—

6 “(aa) to receive a site visit as
7 part of the final selection process;

8 “(bb) to submit, for the pre-
9 ceding 2 years, annual pro-
10 grammatic and financial exam-
11 ination reports or certified copies
12 of the applicant’s compliance sup-
13 plemental audits under OMB Cir-
14 cular A–133; and

15 “(cc) to the maximum extent
16 practicable, to remedy any prob-
17 lems identified pursuant to the
18 site visit or examination under
19 items (aa) and (bb);

20 “(ii) information demonstrating that
21 the applicant has the ability and resources
22 to meet the needs of the market to be served
23 by the women’s business center site for
24 which a grant under this subsection is
25 sought, including the ability to comply with

1 *the matching requirement under paragraph*
2 *(4)(C);*

3 *“(iii) information relating to assist-*
4 *ance to be provided by the women’s business*
5 *center site for which a grant under this sub-*
6 *section is sought in the area in which the*
7 *site is located;*

8 *“(iv) information demonstrating the*
9 *utilization of resource partners of the Ad-*
10 *ministration and other entities;*

11 *“(v) a 3-year plan that projects the*
12 *ability of the women’s business center site*
13 *for which a grant under this subsection is*
14 *sought—*

15 *“(I) to serve women who are busi-*
16 *ness owners or potential owners in the*
17 *future by improving training and*
18 *counseling activities; and*

19 *“(II) to provide training and*
20 *services to a representative number of*
21 *women who are both socially and eco-*
22 *nomically disadvantaged; and*

23 *“(vi) any additional information that*
24 *the Administrator may reasonably require.*

1 “(B) *REVIEW AND APPROVAL OF APPLICA-*
2 *TIONS FOR GRANTS.—*

3 “(i) *IN GENERAL.—The Administrator*
4 *shall—*

5 “(I) *review each application sub-*
6 *mitted under subparagraph (A), based*
7 *on the information described in such*
8 *subparagraph and the criteria set forth*
9 *under clause (ii) of this subparagraph;*
10 *and*

11 “(II) *as part of the final selection*
12 *process, conduct a site visit at each*
13 *women’s business center for which a*
14 *grant under this subsection is sought.*

15 “(ii) *SELECTION CRITERIA.—*

16 “(I) *IN GENERAL.—The Adminis-*
17 *trator shall evaluate applicants in ac-*
18 *cordance with predetermined selection*
19 *criteria that shall be stated in terms of*
20 *relative importance. Such criteria and*
21 *their relative importance shall be made*
22 *publicly available and stated in each*
23 *solicitation for applications made by*
24 *the Administrator.*

1 “(II) *REQUIRED CRITERIA.*—*The*
2 *selection criteria for a grant under this*
3 *subsection shall include—*

4 “(aa) *the total number of en-*
5 *trepreneurs served by the appli-*
6 *cant;*

7 “(bb) *the total number of*
8 *new start-up companies assisted*
9 *by the applicant;*

10 “(cc) *the percentage of the*
11 *clients of the applicant that are*
12 *socially or economically disadvan-*
13 *taged; and*

14 “(dd) *the percentage of indi-*
15 *viduals in the community served*
16 *by the applicant who are socially*
17 *or economically disadvantaged.*

18 “(iii) *CONDITIONS FOR CONTINUED*
19 *FUNDING.*—*In determining whether to make*
20 *a grant under this subsection, the Adminis-*
21 *trator—*

22 “(I) *shall consider the results of*
23 *the most recent evaluation of the cen-*
24 *ter, and, to a lesser extent, previous*
25 *evaluations; and*

1 “(II) may withhold such a grant,
2 if the Administrator determines that
3 the center has failed to provide the in-
4 formation required to be provided
5 under this paragraph, or the informa-
6 tion provided by the center is inad-
7 equate.

8 “(C) NOTIFICATION.—Not later than 60
9 days after the date of the deadline to submit ap-
10 plications for each fiscal year, the Administrator
11 shall approve or deny any application under
12 this paragraph and notify the applicant for each
13 such application.

14 “(D) RECORD RETENTION.—The Adminis-
15 trator shall maintain a copy of each application
16 submitted under this paragraph for not less than
17 7 years.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

19 (1) IN GENERAL.—Section 29 of the Small Busi-
20 ness Act (15 U.S.C. 656) is amended—

21 (A) in subsection (h)(2), by striking “to
22 award a contract (as a sustainability grant)
23 under subsection (l) or”;

24 (B) in subsection (j)(1), by striking “The
25 Administration” and inserting “Not later than

1 *November 1st of each year, the Administrator”;*

2 *and*

3 *(C) in subsection (k)—*

4 *(i) by striking paragraph (4);*

5 *(ii) by redesignating paragraph (3) as*
6 *paragraph (5); and*

7 *(iii) by striking paragraphs (1) and*
8 *(2) and inserting the following:*

9 “(1) *IN GENERAL.—There are authorized to be*
10 *appropriated to the Administration to carry out this*
11 *section, to remain available until expended—*

12 “(A) *\$15,000,000 for fiscal year 2008;*

13 “(B) *\$16,000,000 for fiscal year 2009; and*

14 “(C) *\$17,500,000 for fiscal year 2010.*

15 “(2) *ALLOCATION.—Of amounts made available*
16 *pursuant to paragraph (1), the Administrator shall*
17 *use not less than 60 percent for grants under sub-*
18 *section (m).*

19 “(3) *USE OF AMOUNTS.—Amounts made avail-*
20 *able under this subsection may only be used for grant*
21 *awards and may not be used for costs incurred by the*
22 *Administration in connection with the management*
23 *and administration of the program under this section.*

24 “(4) *CONTINUING GRANT AND COOPERATIVE*
25 *AGREEMENT AUTHORITY.—*

1 “(A) *IN GENERAL.*—*The authority of the*
2 *Administrator to make grants under this section*
3 *shall be in effect for each fiscal year only to the*
4 *extent and in the amounts as are provided in*
5 *advance in appropriations Acts.*

6 “(B) *PROMPT DISBURSEMENT.*—*In order to*
7 *help women’s business centers operate smoothly*
8 *and predictably, upon receiving funds to carry*
9 *out this section for a fiscal year, the Adminis-*
10 *trator shall promptly disburse funds to any*
11 *women’s business center awarded a grant under*
12 *this section.*

13 “(C) *RENEWAL.*—*After the Administrator*
14 *has entered into a grant or cooperative agree-*
15 *ment with any women’s business center under*
16 *this section, the Administrator shall not suspend,*
17 *terminate, or fail to renew or extend any such*
18 *grant or cooperative agreement, unless the Ad-*
19 *ministrator provides the women’s business center*
20 *with written notification setting forth the rea-*
21 *sons for that action and affords the center an op-*
22 *portunity for a hearing, appeal, or other admin-*
23 *istrative proceeding under chapter 5 of title 5,*
24 *United States Code.”.*

25 (2) *RENEWAL GRANTS.*—

1 (A) *IN GENERAL.*—Section 29 of the Small
 2 Business Act (15 U.S.C. 656) is amended by re-
 3 designating subsections (m) and (n) as sub-
 4 sections (l) and (m), respectively.

5 (B) *REFERENCE.*—Subsection (l)(4)(D) of
 6 section 29 of the Small Business Act (15 U.S.C.
 7 656), as redesignated by subparagraph (A) of
 8 this paragraph, is amended by striking “or sub-
 9 section (l)”.

10 (C) *ALLOCATION.*—Section 29(k)(2) of the
 11 Small Business Act (15 U.S.C. 656(k)(2)), as
 12 amended by this Act, is amended by striking
 13 “subsection (m)” and inserting “subsection (l)”.

14 (D) *EFFECTIVE DATE.*—The amendments
 15 made by this paragraph shall take effect on the
 16 day after the effective date of the amendments
 17 made by section 8305(b) of the Small Business
 18 and Work Opportunity Act of 2007 (Public Law
 19 110-28) (striking subsection (l)).

20 **SEC. 203. NATIONAL WOMEN’S BUSINESS COUNCIL.**

21 (a) *COSPONSORSHIP AUTHORITY.*—Section 406 of the
 22 Women’s Business Ownership Act of 1988 (15 U.S.C. 7106)
 23 is amended by adding at the end the following:

24 “(f) *COSPONSORSHIP AUTHORITY.*—The Council is au-
 25 thorized to enter into agreements as a cosponsor with public

1 *and private entities, in the same manner as is provided*
2 *in section 4(h) of the Small Business Act (15 U.S.C.*
3 *633(h)), to carry out its duties under this section.”.*

4 (b) *MEMBERSHIP.—Section 407(f) of the Women’s*
5 *Business Ownership Act of 1988 (15 U.S.C. 7107(f)) is*
6 *amended by adding at the end the following:*

7 “(3) *REPRESENTATION OF MEMBER ORGANIZA-*
8 *TIONS.—In consultation with the chairperson of the*
9 *Council and the Administrator, a national women’s*
10 *business organization or small business concern that*
11 *is represented on the Council may replace its rep-*
12 *resentative member on the Council during the service*
13 *term to which that member was appointed.”.*

14 (c) *ESTABLISHMENT OF WORKING GROUPS.—Title IV*
15 *of the Women’s Business Ownership Act of 1988 (15 U.S.C.*
16 *7101 et seq.) is amended by inserting after section 410, the*
17 *following new section:*

18 **“SEC. 411. WORKING GROUPS.**

19 “(a) *ESTABLISHMENT.—There are established within*
20 *the Council, working groups, as directed by the chairperson.*

21 “(b) *DUTIES.—The working groups established under*
22 *subsection (a) shall perform such duties as the chairperson*
23 *shall direct.”.*

24 (d) *ELECTRONIC CLEARINGHOUSE FOR HISTORICAL*
25 *DOCUMENTS.—Section 409 of the Women’s Business Own-*

1 *ership Act of 1988 (15 U.S.C. 7109) is amended by adding*
 2 *at the end the following:*

3 “(c) *ELECTRONIC CLEARINGHOUSE FOR HISTORICAL*
 4 *DOCUMENTS.—The Council shall serve as an electronic*
 5 *clearinghouse for information on small businesses owned*
 6 *and controlled by women, including research conducted by*
 7 *other organizations and individuals relating to ownership*
 8 *by women of small business concerns in the United States.”.*

9 (e) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 10 *410(a) of the Women’s Business Ownership Act of 1988 (15*
 11 *U.S.C. 7110(a)) is amended by striking “2001 through*
 12 *2003, of which \$550,000” and inserting “2008 through*
 13 *2010, of which not less than 30 percent”.*

14 **SEC. 204. INTERAGENCY COMMITTEE ON WOMEN’S BUSI-**
 15 **NESS ENTERPRISE.**

16 (a) *CHAIRPERSON.—Section 403(b) of the Women’s*
 17 *Business Ownership Act of 1988 (15 U.S.C. 7103(b)) is*
 18 *amended—*

19 (1) *by striking “Not later” and inserting the fol-*
 20 *lowing:*

21 “(1) *IN GENERAL.—Not later”;* and

22 (2) *by adding at the end the following:*

23 “(2) *VACANCY.—In the event that a chairperson*
 24 *is not appointed under paragraph (1), the Deputy*
 25 *Administrator of the Small Business Administration*

1 *shall serve as acting chairperson of the Interagency*
2 *Committee until a chairperson is appointed under*
3 *paragraph (1).”.*

4 ***(b) POLICY ADVISORY GROUP.—Section 401 of the***
5 ***Women’s Business Ownership Act of 1988 (15 U.S.C. 7101)***
6 ***is amended—***

7 ***(1) by striking “There” and inserting the fol-***
8 ***lowing:***

9 ***“(a) IN GENERAL.—There”; and***

10 ***(2) by adding at the end the following:***

11 ***“(b) POLICY ADVISORY GROUP.—***

12 ***“(1) ESTABLISHMENT.—There is established a***
13 ***Policy Advisory Group to assist the chairperson in***
14 ***developing policies and programs under this Act.***

15 ***“(2) MEMBERSHIP.—The Policy Advisory Group***
16 ***shall be composed of 7 policy making officials, of***
17 ***whom—***

18 ***“(A) 1 shall be a representative of the Small***
19 ***Business Administration;***

20 ***“(B) 1 shall be a representative of the De-***
21 ***partment of Commerce;***

22 ***“(C) 1 shall be a representative of the De-***
23 ***partment of Labor;***

24 ***“(D) 1 shall be a representative of the De-***
25 ***partment of Defense;***

1 “(E) 1 shall be a representative of the De-
2 partment of the Treasury; and

3 “(F) 2 shall be representatives of the Coun-
4 cil.

5 “(3) MEETINGS.—The Policy Advisory Group es-
6 tablished under paragraph (1) shall meet not less fre-
7 quently than 3 times each year to—

8 “(A) plan activities for the new fiscal year;

9 “(B) track year-to-date agency contracting
10 goals; and

11 “(C) evaluate the progress during the fiscal
12 year and prepare an annual report.”.

13 **SEC. 205. PRESERVING THE INDEPENDENCE OF THE NA-**
14 **TIONAL WOMEN’S BUSINESS COUNCIL.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) The National Women’s Business Council pro-
17 vides an independent source of advice and policy rec-
18 ommendations regarding women’s business develop-
19 ment and the needs of women entrepreneurs in the
20 United States to—

21 (A) the President;

22 (B) Congress;

23 (C) the Interagency Committee on Women’s
24 Business Enterprise; and

25 (D) the Administrator.

1 (2) *The members of the National Women’s Busi-*
2 *ness Council are small business owners, representa-*
3 *tives of business organizations, and representatives of*
4 *women’s business centers.*

5 (3) *The chair and ranking member of the Com-*
6 *mittee on Small Business and Entrepreneurship of*
7 *the Senate and the Committee on Small Business of*
8 *the House of Representatives make recommendations*
9 *to the Administrator to fill 8 of the positions on the*
10 *National Women’s Business Council. Four of the posi-*
11 *tions are reserved for small business owners who are*
12 *affiliated with the political party of the President and*
13 *4 of the positions are reserved for small business own-*
14 *ers who are not affiliated with the political party of*
15 *the President. This method of appointment ensures*
16 *that the National Women’s Business Council will pro-*
17 *vide Congress with nonpartisan, balanced, and inde-*
18 *pendent advice.*

19 (4) *In order to maintain the independence of the*
20 *National Women’s Business Council and to ensure*
21 *that the Council continues to provide the President,*
22 *the Interagency Committee on Women’s Business En-*
23 *terprise, the Administrator, and Congress with advice*
24 *on a nonpartisan basis, it is essential that the Coun-*
25 *cil maintain the bipartisan balance established under*

1 *section 407 of the Women’s Business Ownership Act*
2 *of 1988 (15 U.S.C. 7107).*

3 *(b) MAINTENANCE OF PARTISAN BALANCE.—Section*
4 *407(f) of the Women’s Business Ownership Act of 1988 (15*
5 *U.S.C. 7107(f)), as amended by this Act, is amended by*
6 *adding at the end the following:*

7 *“(4) PARTISAN BALANCE.—When filling a va-*
8 *cancy under paragraph (1) of this subsection of a*
9 *member appointed under paragraph (1) or (2) of sub-*
10 *section (b), the Administrator shall, to the extent*
11 *practicable, ensure that there are an equal number of*
12 *members on the Council from each of the 2 major po-*
13 *litical parties.*

14 *“(5) ACCOUNTABILITY.—If a vacancy is not*
15 *filled within the 30-day period required under para-*
16 *graph (1), or if there exists an imbalance of party-*
17 *affiliated members on the Council for a period exceed-*
18 *ing 30 days, the Administrator shall submit a report,*
19 *not later than 10 days after the expiration of either*
20 *such 30-day deadline, to the Committee on Small*
21 *Business and Entrepreneurship of the Senate and the*
22 *Committee on Small Business of the House of Rep-*
23 *resentatives, that explains why the respective deadline*
24 *was not met and provides an estimated date on which*
25 *any vacancies will be filled, as applicable.”.*

1 **TITLE III—INTERNATIONAL**
2 **TRADE**

3 **SEC. 301. SMALL BUSINESS ADMINISTRATION ASSOCIATE**
4 **ADMINISTRATOR FOR INTERNATIONAL**
5 **TRADE.**

6 (a) *ESTABLISHMENT.*—Section 22(a) of the Small
7 *Business Act (15 U.S.C. 649(a)) is amended by adding at*
8 *the end the following: “The head of the Office shall be the*
9 *Associate Administrator for International Trade, who shall*
10 *be responsible to the Administrator.”.*

11 (b) *AUTHORITY FOR ADDITIONAL ASSOCIATE ADMINIS-*
12 *TRATOR.*—Section 4(b)(1) of the Small Business Act (15
13 *U.S.C. 633(b)(1)) is amended—*

14 (1) *in the fifth sentence, by striking “five Asso-*
15 *ciate Administrators” and inserting “Associate Ad-*
16 *ministrators”; and*

17 (2) *by adding at the end the following: “One of*
18 *the Associate Administrators shall be the Associate*
19 *Administrator for International Trade, who shall be*
20 *the head of the Office of International Trade estab-*
21 *lished under section 22.”.*

22 (c) *DISCHARGE OF ADMINISTRATION INTERNATIONAL*
23 *TRADE RESPONSIBILITIES.*—Section 22 of the Small Busi-
24 *ness Act (15 U.S.C. 649) is amended by adding at the end*
25 *the following:*

1 “(h) *DISCHARGE OF ADMINISTRATION INTERNATIONAL*
2 *TRADE RESPONSIBILITIES.*—*The Administrator shall en-*
3 *sure that—*

4 “(1) *the responsibilities of the Administration re-*
5 *garding international trade are carried out through*
6 *the Associate Administrator for International Trade;*

7 “(2) *the Associate Administrator for Inter-*
8 *national Trade has sufficient resources to carry out*
9 *such responsibilities; and*

10 “(3) *the Associate Administrator for Inter-*
11 *national Trade has direct supervision and control*
12 *over the staff of the Office of International Trade, and*
13 *over any employee of the Administration whose prin-*
14 *cipal duty station is a United States Export Assist-*
15 *ance Center or any successor entity.”.*

16 “(d) *ROLE OF ASSOCIATE ADMINISTRATOR IN CAR-*
17 *RYING OUT INTERNATIONAL TRADE POLICY.*—*Section*
18 *2(b)(1) of the Small Business Act (15 U.S.C. 631(b)(1)) is*
19 *amended in the matter preceding subparagraph (A)—*

20 “(1) *by inserting “the Administrator of” before*
21 *“the Small Business Administration”;* and

22 “(2) *by inserting “through the Associate Adminis-*
23 *trator for International Trade, and” before “in co-*
24 *operation with”.*

1 (e) *TECHNICAL AMENDMENT.*—Section 22(c)(5) of the
2 *Small Business Act (15 U.S.C. 649(c)(5))* is amended by
3 *striking the period at the end and inserting a semicolon.*

4 (f) *EFFECTIVE DATE.*—Not later than 90 days after
5 *the date of enactment of this Act, the Administrator shall*
6 *appoint an Associate Administrator for International*
7 *Trade under section 22 of the Small Business Act (15*
8 *U.S.C. 649), as amended by this section.*

9 **SEC. 302. OFFICE OF INTERNATIONAL TRADE.**

10 *Section 22 of the Small Business Act (15 U.S.C. 649)*
11 *is amended—*

12 (1) *by striking “SEC. 22. (a) There” and insert-*
13 *ing the following:*

14 **“SEC. 22. OFFICE OF INTERNATIONAL TRADE.**

15 “(a) *ESTABLISHMENT.*—*There*”.

16 (2) *in subsection (a), by inserting “(referred to*
17 *in this section as the ‘Office’),” after “Trade”;*

18 (3) *in subsection (b)—*

19 (A) *by striking “The Office” and inserting*
20 *the following:*

21 “(b) *TRADE DISTRIBUTION NETWORK.*—*The Office,*
22 *including United States Export Assistance Centers (referred*
23 *to as ‘one-stop shops’ in section 2301(b)(8) of the Omnibus*
24 *Trade and Competitiveness Act of 1988 (15 U.S.C.*
25 *4721(b)(8)) and as ‘export centers’ in this section)”;* and

1 (B) by amending paragraph (1) to read as
2 follows:

3 “(1) assist in maintaining a distribution net-
4 work using regional and local offices of the Adminis-
5 tration, the small business development center net-
6 work, the women’s business center network, and ex-
7 port centers for—

8 “(A) trade promotion;

9 “(B) trade finance;

10 “(C) trade adjustment;

11 “(D) trade remedy assistance; and

12 “(E) trade data collection.”;

13 (4) in subsection (c)—

14 (A) by redesignating paragraphs (1)
15 through (8) as paragraphs (2) through (9), re-
16 spectively;

17 (B) by inserting before paragraph (2), as so
18 redesignated, the following:

19 “(1) establish annual goals for the Office relating
20 to—

21 “(A) enhancing the exporting capability of
22 small business concerns and small manufactur-
23 ers;

24 “(B) facilitating technology transfers;

1 “(C) enhancing programs and services to
2 assist small business concerns and small manu-
3 facturers to compete effectively and efficiently
4 against foreign entities;

5 “(D) increasing the access to capital by
6 small business concerns;

7 “(E) disseminating information concerning
8 Federal, State, and private programs and initia-
9 tives; and

10 “(F) ensuring that the interests of small
11 business concerns are adequately represented in
12 trade negotiations;”;

13 (C) in paragraph (2), as so redesignated, by
14 striking “mechanism for” and all that follows
15 through “(D)” and inserting the following:
16 “mechanism for—

17 “(A) identifying subsectors of the small
18 business community with strong export poten-
19 tial;

20 “(B) identifying areas of demand in foreign
21 markets;

22 “(C) prescreening foreign buyers for com-
23 mercial and credit purposes; and

24 “(D)”;

25 (D) in paragraph (9), as so redesignated—

1 (i) in the matter preceding subpara-
2 graph (A)—

3 (I) by striking “full-time export
4 development specialists to each Admin-
5 istration regional office and assign-
6 ing”; and

7 (II) by striking “office. Such spe-
8 cialists” and inserting “office and pro-
9 viding each Administration regional
10 office with a full-time export develop-
11 ment specialist, who”;

12 (ii) in subparagraph (D), by striking
13 “and” at the end;

14 (iii) in subparagraph (E), by striking
15 the period at the end and inserting a semi-
16 colon; and

17 (iv) by adding at the end the following:

18 “(F) participate jointly with employees of
19 the Office in an annual training program that
20 focuses on current small business needs for ex-
21 porting; and

22 “(G) jointly develop and conduct training
23 programs for exporters and lenders in coopera-
24 tion with the United States Export Assistance
25 Centers, the Department of Commerce, small

1 *business development centers, and other relevant*
2 *Federal agencies.”;*

3 *(5) in subsection (d)—*

4 *(A) by inserting “EXPORT FINANCING PRO-*
5 *GRAMS.—” after “(d)”;*

6 *(B) by redesignating paragraphs (1)*
7 *through (5) as clauses (i) through (v), respec-*
8 *tively, and adjusting the margins accordingly;*

9 *(C) by striking “The Office shall work in*
10 *cooperation” and inserting the following:*

11 *“(1) IN GENERAL.—The Office shall work in co-*
12 *operation”;* and

13 *(D) by striking “To accomplish this goal,*
14 *the Office shall work” and inserting the fol-*
15 *lowing:*

16 *“(2) TRADE FINANCIAL SPECIALIST.—To accom-*
17 *plish the goal established under paragraph (1), the*
18 *Office shall—*

19 *“(A) designate at least 1 individual within*
20 *the Administration as a trade financial spe-*
21 *cialist to oversee international loan programs*
22 *and assist Administration employees with trade*
23 *finance issues; and*

24 *“(B) work”;*

1 (6) in subsection (e), by inserting “*TRADE REM-*
2 *EDIES.—*” after “(e)”;

3 (7) by amending subsection (f) to read as follows:

4 “(f) *REPORTING REQUIREMENT.—The Office shall sub-*
5 *mit an annual report to the Committee on Small Business*
6 *and Entrepreneurship of the Senate and the Committee on*
7 *Small Business of the House of Representatives that con-*
8 *tains—*

9 “*(1) a description of the progress of the Office in*
10 *implementing the requirements of this section;*

11 “*(2) the destinations of travel by Office staff and*
12 *benefits to the Administration and to small business*
13 *concerns therefrom; and*

14 “*(3) a description of the participation by the Of-*
15 *fice in trade negotiations.*”;

16 (8) in subsection (g), by inserting “*STUDIES.—*
17 ” after “(g)”;

18 (9) by adding at the end the following:

19 “(i) *EXPORT ASSISTANCE CENTERS.—*

20 “*(1) IN GENERAL.—During the period beginning*
21 *on October 1, 2007, and ending on September 30,*
22 *2010, the Administrator shall ensure that the number*
23 *of full-time equivalent employees of the Office as-*
24 *signed to the one-stop shops referred to in section*
25 *2301(b) of the Omnibus Trade and Competitiveness*

1 *Act of 1988 (15 U.S.C. 4721 (b)) is not less than the*
2 *number of such employees so assigned on January 1,*
3 *2003.*

4 “(2) *PRIORITY OF PLACEMENT.*—*Priority shall*
5 *be given, to the maximum extent practicable, to plac-*
6 *ing employees of the Administration at any Export*
7 *Assistance Center that—*

8 “(A) *had an Administration employee as-*
9 *signed to such center before January 2003; and*

10 “(B) *has not had an Administration em-*
11 *ployee assigned to such center during the period*
12 *beginning January 2003, and ending on the date*
13 *of enactment of this subsection, either through re-*
14 *tirement or reassignment.*

15 “(3) *NEEDS OF EXPORTERS.*—*The Administrator*
16 *shall, to the maximum extent practicable, strategi-*
17 *cally assign Administration employees to Export As-*
18 *sistance Centers, based on the needs of exporters.*

19 “(4) *GOALS.*—*The Office shall work with the De-*
20 *partment of Commerce and the Export-Import Bank*
21 *to establish shared annual goals for the Export Cen-*
22 *ters.*

23 “(5) *OVERSIGHT.*—*The Office shall designate an*
24 *individual within the Administration to oversee all*

1 *activities conducted by Administration employees as-*
 2 *signed to Export Centers.”.*

3 **TITLE IV—NATIVE AMERICAN**
 4 **SMALL BUSINESS DEVELOP-**
 5 **MENT PROGRAM**

6 **SEC. 401. SHORT TITLE.**

7 *This title may be cited as the “Native American Small*
 8 *Business Development Act of 2007”.*

9 **SEC. 402. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 10 **MENT PROGRAM.**

11 *The Small Business Act (15 U.S.C. 631 et seq.) is*
 12 *amended—*

13 *(1) by redesignating section 37 as section 38;*

14 *and*

15 *(2) by inserting after section 36 the following:*

16 **“SEC. 37. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 17 **MENT PROGRAM.**

18 *“(a) DEFINITIONS.—In this section—*

19 *“(1) the term ‘Alaska Native’ has the same*
 20 *meaning as the term ‘Native’ in section 3(b) of the*
 21 *Alaska Native Claims Settlement Act (43 U.S.C.*
 22 *1602(b));*

23 *“(2) the term ‘Alaska Native corporation’ has the*
 24 *same meaning as the term ‘Native Corporation’ in*

1 *section 3(m) of the Alaska Native Claims Settlement*
2 *Act (43 U.S.C. 1602(m));*

3 “(3) the term ‘Assistant Administrator’ means
4 *the Assistant Administrator of the Office of Native*
5 *American Affairs established under subsection (b);*

6 “(4) the terms ‘center’ and ‘Native American
7 *business center’ mean a center established under sub-*
8 *section (c);*

9 “(5) the term ‘Native American business enter-
10 *prise center’ means an entity providing business de-*
11 *velopment assistance to federally recognized tribes and*
12 *Native Americans under a grant from the Minority*
13 *Business Development Agency of the Department of*
14 *Commerce;*

15 “(6) the term ‘Native American small business
16 *concern’ means a small business concern that is*
17 *owned and controlled by—*

18 “(A) *a member of an Indian tribe or tribal*
19 *government;*

20 “(B) *an Alaska Native or Alaska Native*
21 *corporation; or*

22 “(C) *a Native Hawaiian or Native Hawai-*
23 *ian Organization;*

1 “(7) the term ‘Native Hawaiian’ has the same
2 meaning as in section 625 of the Older Americans Act
3 of 1965 (42 U.S.C. 3057k);

4 “(8) the term ‘Native Hawaiian Organization’
5 has the same meaning as in section 8(a)(15);

6 “(9) the term ‘tribal college’ has the same mean-
7 ing as the term ‘tribally controlled college or univer-
8 sity’ has in section 2(a)(4) of the Tribally Controlled
9 Community College Assistance Act of 1978 (25 U.S.C.
10 1801(a)(4));

11 “(10) the term ‘tribal government’ has the same
12 meaning as the term ‘Indian tribe’ has in section
13 7501(a)(9) of title 31, United States Code; and

14 “(11) the term ‘tribal lands’ means all lands
15 within the exterior boundaries of any Indian reserva-
16 tion.

17 “(b) OFFICE OF NATIVE AMERICAN AFFAIRS.—

18 “(1) ESTABLISHMENT.—There is established
19 within the Administration the Office of Native Amer-
20 ican Affairs, which, under the direction of the Assist-
21 ant Administrator, shall implement the Administra-
22 tion’s programs for the development of business enter-
23 prises by Native Americans.

1 “(2) *PURPOSE.*—*The purpose of the Office of Na-*
2 *tive American Affairs is to assist Native American*
3 *entrepreneurs to—*

4 “(A) *start, operate, and grow small business*
5 *concerns;*

6 “(B) *develop management and technical*
7 *skills;*

8 “(C) *seek Federal procurement opportuni-*
9 *ties;*

10 “(D) *increase employment opportunities for*
11 *Native Americans through the start and expan-*
12 *sion of small business concerns; and*

13 “(E) *increase the access of Native Ameri-*
14 *cans to capital markets.*

15 “(3) *ASSISTANT ADMINISTRATOR.*—

16 “(A) *APPOINTMENT.*—*The Administrator*
17 *shall appoint a qualified individual to serve as*
18 *Assistant Administrator of the Office of Native*
19 *American Affairs in accordance with this para-*
20 *graph.*

21 “(B) *QUALIFICATIONS.*—*The Assistant Ad-*
22 *ministrator appointed under subparagraph (A)*
23 *shall have—*

24 “(i) *knowledge of the Native American*
25 *culture; and*

1 “(ii) *experience providing culturally*
2 *tailored small business development assist-*
3 *ance to Native Americans.*

4 “(C) *EMPLOYMENT STATUS.—The Assistant*
5 *Administrator shall be a Senior Executive Serv-*
6 *ice position under section 3132(a)(2) of title 5,*
7 *United States Code, and shall serve as a non-*
8 *career appointee, as defined in section*
9 *3132(a)(7) of title 5, United States Code.*

10 “(D) *RESPONSIBILITIES AND DUTIES.—The*
11 *Assistant Administrator shall—*

12 “(i) *administer and manage the Native*
13 *American Small Business Development pro-*
14 *gram established under this section;*

15 “(ii) *recommend the annual adminis-*
16 *trative and program budgets for the Office*
17 *of Native American Affairs;*

18 “(iii) *consult with Native American*
19 *business centers in carrying out the pro-*
20 *gram established under this section;*

21 “(iv) *recommend appropriate funding*
22 *levels;*

23 “(v) *review the annual budgets sub-*
24 *mitted by each applicant for the Native*

1 *American Small Business Development pro-*
2 *gram;*

3 “(vi) *select applicants to participate in*
4 *the program under this section;*

5 “(vii) *implement this section; and*

6 “(viii) *maintain a clearinghouse to*
7 *provide for the dissemination and exchange*
8 *of information between Native American*
9 *business centers.*

10 “(E) *CONSULTATION REQUIREMENTS.—In*
11 *carrying out the responsibilities and duties de-*
12 *scribed in this paragraph, the Assistant Admin-*
13 *istrator shall confer with and seek the advice*
14 *of—*

15 “(i) *Administration officials working*
16 *in areas served by Native American busi-*
17 *ness centers and Native American business*
18 *enterprise centers;*

19 “(ii) *representatives of tribal govern-*
20 *ments;*

21 “(iii) *tribal colleges;*

22 “(iv) *Alaska Native corporations; and*

23 “(v) *Native Hawaiian Organizations.*

24 “(c) *NATIVE AMERICAN SMALL BUSINESS DEVELOP-*
25 *MENT PROGRAM.—*

1 “(1) *AUTHORIZATION.*—

2 “(A) *IN GENERAL.*—*The Administration,*
3 *through the Office of Native American Affairs,*
4 *shall provide financial assistance to tribal gov-*
5 *ernments, tribal colleges, Native Hawaiian Orga-*
6 *nizations, and Alaska Native corporations to cre-*
7 *ate Native American business centers in accord-*
8 *ance with this section.*

9 “(B) *USE OF FUNDS.*—*The financial and*
10 *resource assistance provided under this sub-*
11 *section shall be used to overcome obstacles imped-*
12 *ing the creation, development, and expansion of*
13 *small business concerns, in accordance with this*
14 *section, by—*

15 “(i) *reservation-based American Indi-*
16 *ans;*

17 “(ii) *Alaska Natives; and*

18 “(iii) *Native Hawaiians.*

19 “(2) *5-YEAR PROJECTS.*—

20 “(A) *IN GENERAL.*—*Each Native American*
21 *business center that receives assistance under*
22 *paragraph (1)(A) shall conduct a 5-year project*
23 *that offers culturally tailored business develop-*
24 *ment assistance in the form of—*

1 “(i) *financial education, including*
2 *training and counseling in—*

3 “(I) *applying for and securing*
4 *business credit and investment capital;*

5 “(II) *preparing and presenting fi-*
6 *nancial statements; and*

7 “(III) *managing cash flow and*
8 *other financial operations of a business*
9 *concern;*

10 “(ii) *management education, including*
11 *training and counseling in planning, orga-*
12 *nizing, staffing, directing, and controlling*
13 *each major activity and function of a small*
14 *business concern; and*

15 “(iii) *marketing education, including*
16 *training and counseling in—*

17 “(I) *identifying and segmenting*
18 *domestic and international market op-*
19 *portunities;*

20 “(II) *preparing and executing*
21 *marketing plans;*

22 “(III) *developing pricing strate-*
23 *gies;*

24 “(IV) *locating contract opportuni-*
25 *ties;*

1 “(V) negotiating contracts; and

2 “(VI) utilizing varying public re-
3 lations and advertising techniques.

4 “(B) *BUSINESS DEVELOPMENT ASSISTANCE*
5 *RECIPIENTS.*—*The business development assist-*
6 *ance under subparagraph (A) shall be offered to*
7 *prospective and current owners of small business*
8 *concerns that are owned by—*

9 “(i) *American Indians or tribal gov-*
10 *ernments, and located on or near tribal*
11 *lands;*

12 “(ii) *Alaska Natives or Alaska Native*
13 *corporations; or*

14 “(iii) *Native Hawaiians or Native Ha-*
15 *waiian Organizations.*

16 “(3) *FORM OF FEDERAL FINANCIAL ASSIST-*
17 *ANCE.*—

18 “(A) *DOCUMENTATION.*—

19 “(i) *IN GENERAL.*—*The financial as-*
20 *istance to Native American business centers*
21 *authorized under this subsection may be*
22 *made by grant, contract, or cooperative*
23 *agreement.*

24 “(ii) *EXCEPTION.*—*Financial assist-*
25 *ance under this subsection to Alaska Native*

1 *corporations or Native Hawaiian Organiza-*
2 *tions may only be made by grant.*

3 “(B) *PAYMENTS.*—

4 “(i) *TIMING.*—*Payments made under*
5 *this subsection may be disbursed in an an-*
6 *annual lump sum or in periodic installments,*
7 *at the request of the recipient.*

8 “(ii) *ADVANCE.*—*The Administration*
9 *may disburse not more than 25 percent of*
10 *the annual amount of Federal financial as-*
11 *sistance awarded to a Native American*
12 *small business center after notice of the*
13 *award has been issued.*

14 “(iii) *NO MATCHING REQUIREMENT.*—
15 *The Administration shall not require a*
16 *grant recipient to match grant funding re-*
17 *ceived under this subsection with non-Fed-*
18 *eral resources as a condition of receiving the*
19 *grant.*

20 “(4) *CONTRACT AND COOPERATIVE AGREEMENT*
21 *AUTHORITY.*—*A Native American business center may*
22 *enter into a contract or cooperative agreement with a*
23 *Federal department or agency to provide specific as-*
24 *sistance to Native American and other underserved*
25 *small business concerns located on or near tribal*

1 *lands, to the extent that such contract or cooperative*
2 *agreement is consistent with the terms of any assist-*
3 *ance received by the Native American business center*
4 *from the Administration.*

5 *“(5) APPLICATION PROCESS.—*

6 *“(A) SUBMISSION OF A 5-YEAR PLAN.—*

7 *Each applicant for assistance under paragraph*
8 *(1) shall submit a 5-year plan to the Adminis-*
9 *tration on proposed assistance and training ac-*
10 *tivities.*

11 *“(B) CRITERIA.—*

12 *“(i) IN GENERAL.—The Administra-*
13 *tion shall evaluate and rank applicants in*
14 *accordance with predetermined selection cri-*
15 *teria that shall be stated in terms of relative*
16 *importance.*

17 *“(ii) PUBLIC NOTICE.—The criteria re-*
18 *quired by this paragraph and their relative*
19 *importance shall be made publicly avail-*
20 *able, within a reasonable time, and stated*
21 *in each solicitation for applications made*
22 *by the Administration.*

23 *“(iii) CONSIDERATIONS.—The criteria*
24 *required by this paragraph shall include—*

1 “(I) *the experience of the appli-*
2 *cant in conducting programs or ongo-*
3 *ing efforts designed to impart or up-*
4 *grade the business skills of current or*
5 *potential owners of Native American*
6 *small business concerns;*

7 “(II) *the ability of the applicant*
8 *to commence a project within a min-*
9 *imum amount of time;*

10 “(III) *the ability of the applicant*
11 *to provide quality training and serv-*
12 *ices to a significant number of Native*
13 *Americans;*

14 “(IV) *previous assistance from the*
15 *Administration to provide services in*
16 *Native American communities; and*

17 “(V) *the proposed location for the*
18 *Native American business center site,*
19 *with priority given based on the prox-*
20 *imity of the center to the population*
21 *being served and to achieve a broad ge-*
22 *ographic dispersion of the centers.*

23 “(6) *PROGRAM EXAMINATION.—*

24 “(A) *IN GENERAL.—Each Native American*
25 *business center established pursuant to this sub-*

1 *section shall annually provide the Administra-*
2 *tion with an itemized cost breakdown of actual*
3 *expenditures incurred during the preceding year.*

4 “(B) *ADMINISTRATION ACTION.*—*Based on*
5 *information received under subparagraph (A),*
6 *the Administration shall—*

7 “(i) *develop and implement an annual*
8 *programmatic and financial examination of*
9 *each Native American business center as-*
10 *sisted pursuant to this subsection; and*

11 “(ii) *analyze the results of each exam-*
12 *ination conducted under clause (i) to deter-*
13 *mine the programmatic and financial via-*
14 *bility of each Native American business cen-*
15 *ter.*

16 “(C) *CONDITIONS FOR CONTINUED FUND-*
17 *ING.*—*In determining whether to renew a grant,*
18 *contract, or cooperative agreement with a Native*
19 *American business center, the Administration—*

20 “(i) *shall consider the results of the*
21 *most recent examination of the center under*
22 *subparagraph (B), and, to a lesser extent,*
23 *previous examinations; and*

24 “(ii) *may withhold such renewal, if the*
25 *Administration determines that—*

1 “(I) the center has failed to pro-
2 vide adequate information required to
3 be provided under subparagraph (A),
4 or the information provided by the cen-
5 ter is inadequate; or

6 “(II) the center has failed to pro-
7 vide adequate information required to
8 be provided by the center for purposes
9 of the report of the Administration
10 under subparagraph (E).

11 “(D) CONTINUING CONTRACT AND COOPERA-
12 TIVE AGREEMENT AUTHORITY.—

13 “(i) IN GENERAL.—The authority of
14 the Administrator to enter into contracts or
15 cooperative agreements in accordance with
16 this subsection shall be in effect for each fis-
17 cal year only to the extent and in the
18 amounts as are provided in advance in ap-
19 propriations Acts.

20 “(ii) RENEWAL.—After the Adminis-
21 trator has entered into a contract or cooper-
22 ative agreement with any Native American
23 business center under this subsection, it
24 shall not suspend, terminate, or fail to
25 renew or extend any such contract or coop-

1 *erative agreement unless the Administrator*
2 *provides the center with written notification*
3 *setting forth the reasons therefore and af-*
4 *fords the center an opportunity for a hear-*
5 *ing, appeal, or other administrative pro-*
6 *ceeding under chapter 5 of title 5, United*
7 *States Code.*

8 *“(E) MANAGEMENT REPORT.—*

9 *“(i) IN GENERAL.—The Administra-*
10 *tion shall prepare and submit to the Com-*
11 *mittee on Small Business and Entrepre-*
12 *neurship of the Senate and the Committee*
13 *on Small Business of the House of Rep-*
14 *resentatives an annual report on the effec-*
15 *tiveness of all projects conducted by Native*
16 *American business centers under this sub-*
17 *section and any pilot programs adminis-*
18 *tered by the Office of Native American Af-*
19 *airs.*

20 *“(ii) CONTENTS.—Each report sub-*
21 *mitted under clause (i) shall include, with*
22 *respect to each Native American business*
23 *center receiving financial assistance under*
24 *this subsection—*

1 “(I) the number of individuals re-
2 ceiving assistance from the Native
3 American business center;

4 “(II) the number of startup busi-
5 ness concerns created;

6 “(III) the number of existing busi-
7 nesses seeking to expand employment;

8 “(IV) jobs created or maintained,
9 on an annual basis, by Native Amer-
10 ican small business concerns assisted
11 by the center since receiving funding
12 under this Act;

13 “(V) to the maximum extent prac-
14 ticable, the capital investment and
15 loan financing utilized by emerging
16 and expanding businesses that were as-
17 sisted by a Native American business
18 center; and

19 “(VI) the most recent examina-
20 tion, as required under subparagraph
21 (B), and the subsequent determination
22 made by the Administration under
23 that subparagraph.

24 “(7) ANNUAL REPORT.—Each entity receiving fi-
25 nancial assistance under this subsection shall annu-

1 *ally report to the Administration on the services pro-*
2 *vided with such financial assistance, including—*

3 *“(A) the number of individuals assisted,*
4 *categorized by ethnicity;*

5 *“(B) the number of hours spent providing*
6 *counseling and training for those individuals;*

7 *“(C) the number of startup small business*
8 *concerns created or maintained;*

9 *“(D) the gross receipts of assisted small*
10 *business concerns;*

11 *“(E) the number of jobs created or main-*
12 *tained at assisted small business concerns; and*

13 *“(F) the number of Native American jobs*
14 *created or maintained at assisted small business*
15 *concerns.*

16 *“(8) RECORD RETENTION.—*

17 *“(A) APPLICATIONS.—The Administration*
18 *shall maintain a copy of each application sub-*
19 *mitted under this subsection for not less than 7*
20 *years.*

21 *“(B) ANNUAL REPORTS.—The Administra-*
22 *tion shall maintain copies of the information*
23 *collected under paragraph (6)(A) indefinitely.*

24 *“(d) AUTHORIZATION OF APPROPRIATIONS.—There*
25 *are authorized to be appropriated \$5,000,000 for each of*

1 *the fiscal years 2008 through 2010, to carry out the Native*
2 *American Small Business Development Program, author-*
3 *ized under subsection (c).”.*

4 **SEC. 403. PILOT PROGRAMS.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *INCORPORATION BY REFERENCE.—The terms*
7 *defined in section 37(a) of the Small Business Act (as*
8 *added by this title) have the same meanings as in*
9 *that section 37(a) when used in this section.*

10 (2) *JOINT PROJECT.—The term “joint project”*
11 *means the combined resources and expertise of 2 or*
12 *more distinct entities at a physical location dedicated*
13 *to assisting the Native American community.*

14 (b) *NATIVE AMERICAN DEVELOPMENT GRANT PILOT*
15 *PROGRAM.—*

16 (1) *AUTHORIZATION.—*

17 (A) *IN GENERAL.—There is established a 4-*
18 *year pilot program under which the Administra-*
19 *tion is authorized to award Native American de-*
20 *velopment grants to provide culturally tailored*
21 *business development training and related serv-*
22 *ices to Native Americans and Native American*
23 *small business concerns.*

1 (B) *ELIGIBLE ORGANIZATIONS.*—*The grants*
2 *authorized under subparagraph (A) may be*
3 *awarded to—*

4 (i) *any small business development*
5 *center; or*

6 (ii) *any private, nonprofit organiza-*
7 *tion that—*

8 (I) *has members of an Indian*
9 *tribe comprising a majority of its*
10 *board of directors;*

11 (II) *is a Native Hawaiian Orga-*
12 *nization; or*

13 (III) *is an Alaska Native corpora-*
14 *tion.*

15 (C) *AMOUNTS.*—*The Administration shall*
16 *not award a grant under this subsection in an*
17 *amount which exceeds \$100,000 for each year of*
18 *the project.*

19 (D) *GRANT DURATION.*—*Each grant under*
20 *this subsection shall be awarded for not less than*
21 *a 2-year period and not more than a 4-year pe-*
22 *riod.*

23 (2) *CONDITIONS FOR PARTICIPATION.*—*Each en-*
24 *tity desiring a grant under this subsection shall sub-*

1 *mit an application to the Administration that con-*
2 *tains—*

3 *(A) a certification that the applicant—*

4 *(i) is a small business development*
5 *center or a private, nonprofit organization*
6 *under paragraph (1)(B);*

7 *(ii) employs an executive director or*
8 *program manager to manage the facility;*
9 *and*

10 *(iii) agrees—*

11 *(I) to a site visit as part of the*
12 *final selection process;*

13 *(II) to an annual programmatic*
14 *and financial examination; and*

15 *(III) to the maximum extent*
16 *practicable, to remedy any problems*
17 *identified pursuant to that site visit or*
18 *examination;*

19 *(B) information demonstrating that the ap-*
20 *plicant has the ability and resources to meet the*
21 *needs, including cultural needs, of the Native*
22 *Americans to be served by the grant;*

23 *(C) information relating to proposed assist-*
24 *ance that the grant will provide, including—*

1 (i) the number of individuals to be as-
2 sisted; and

3 (ii) the number of hours of counseling,
4 training, and workshops to be provided;

5 (D) information demonstrating the effective
6 experience of the applicant in—

7 (i) conducting financial, management,
8 and marketing assistance programs de-
9 signed to impart or upgrade the business
10 skills of current or prospective Native Amer-
11 ican business owners;

12 (ii) providing training and services to
13 a representative number of Native Ameri-
14 cans;

15 (iii) using resource partners of the Ad-
16 ministration and other entities, including
17 universities, tribal governments, or tribal
18 colleges; and

19 (iv) the prudent management of fi-
20 nances and staffing;

21 (E) the location where the applicant will
22 provide training and services to Native Ameri-
23 cans; and

24 (F) a multiyear plan, corresponding to the
25 length of the grant, that describes—

1 (i) *the number of Native Americans*
2 *and Native American small business con-*
3 *cerns to be served by the grant;*

4 (ii) *in the continental United States,*
5 *the number of Native Americans to be*
6 *served by the grant; and*

7 (iii) *the training and services to be*
8 *provided to a representative number of Na-*
9 *tive Americans.*

10 (3) *REVIEW OF APPLICATIONS.—The Adminis-*
11 *tration shall—*

12 (A) *evaluate and rank applicants under*
13 *paragraph (2) in accordance with predetermined*
14 *selection criteria that is stated in terms of rel-*
15 *ative importance;*

16 (B) *include such criteria in each sollicita-*
17 *tion under this subsection and make such infor-*
18 *mation available to the public; and*

19 (C) *approve or disapprove each completed*
20 *application submitted under this subsection not*
21 *later than 60 days after the date of submission.*

22 (4) *ANNUAL REPORT.—Each recipient of a Na-*
23 *tive American development grant under this sub-*
24 *section shall annually report to the Administration*
25 *on the impact of the grant funding, including—*

1 (A) *the number of individuals assisted, cat-*
2 *egorized by ethnicity;*

3 (B) *the number of hours spent providing*
4 *counseling and training for those individuals;*

5 (C) *the number of startup small business*
6 *concerns created or maintained with assistance*
7 *from a Native American business center;*

8 (D) *the gross receipts of assisted small busi-*
9 *ness concerns;*

10 (E) *the number of jobs created or main-*
11 *tained at assisted small business concerns; and*

12 (F) *the number of Native American jobs cre-*
13 *ated or maintained at assisted small business*
14 *concerns.*

15 (5) *RECORD RETENTION.—*

16 (A) *APPLICATIONS.—The Administration*
17 *shall maintain a copy of each application sub-*
18 *mitted under this subsection for not less than 7*
19 *years.*

20 (B) *ANNUAL REPORTS.—The Administra-*
21 *tion shall maintain copies of the information*
22 *collected under paragraph (4) indefinitely.*

23 (c) *AMERICAN INDIAN TRIBAL ASSISTANCE CENTER*
24 *GRANT PILOT PROGRAM.—*

25 (1) *AUTHORIZATION.—*

1 (A) *IN GENERAL.*—*There is established a 4-*
2 *year pilot program, under which the Adminis-*
3 *tration shall award not less than 3 American In-*
4 *Indian Tribal Assistance Center grants to establish*
5 *joint projects to provide culturally tailored busi-*
6 *ness development assistance to prospective and*
7 *current owners of small business concerns located*
8 *on or near tribal lands.*

9 (B) *ELIGIBLE ORGANIZATIONS.*—

10 (i) *CLASS 1.*—*Not fewer than 1 grant*
11 *shall be awarded to a joint project per-*
12 *formed by a Native American business cen-*
13 *ter, a Native American business enterprise*
14 *center, and a small business development*
15 *center.*

16 (ii) *CLASS 2.*—*Not fewer than 2 grants*
17 *shall be awarded to joint projects performed*
18 *by a Native American business center and*
19 *a Native American business enterprise cen-*
20 *ter.*

21 (C) *AMOUNTS.*—*The Administration shall*
22 *not award a grant under this subsection in an*
23 *amount which exceeds \$200,000 for each year of*
24 *the project.*

1 (D) *GRANT DURATION.*—*Each grant under*
2 *this subsection shall be awarded for a 3-year pe-*
3 *riod.*

4 (2) *CONDITIONS FOR PARTICIPATION.*—*Each en-*
5 *tity desiring a grant under this subsection shall sub-*
6 *mit to the Administration a joint application that*
7 *contains—*

8 (A) *a certification that each participant of*
9 *the joint application—*

10 (i) *is either a Native American busi-*
11 *ness center, a Native American business en-*
12 *terprise center, or a small business develop-*
13 *ment center;*

14 (ii) *employs an executive director or*
15 *program manager to manage the center;*
16 *and*

17 (iii) *as a condition of receiving an*
18 *American Indian Tribal Assistance Center*
19 *grant, agrees—*

20 (I) *to an annual programmatic*
21 *and financial examination; and*

22 (II) *to the maximum extent prac-*
23 *ticable, to remedy any problems identi-*
24 *fied pursuant to that examination;*

1 (B) information demonstrating an historic
2 commitment to providing assistance to Native
3 Americans—

4 (i) residing on or near tribal lands; or
5 (ii) operating a small business concern
6 on or near tribal lands;

7 (C) information demonstrating that each
8 participant of the joint application has the abil-
9 ity and resources to meet the needs, including the
10 cultural needs, of the Native Americans to be
11 served by the grant;

12 (D) information relating to proposed assist-
13 ance that the grant will provide, including—

14 (i) the number of individuals to be as-
15 sisted; and

16 (ii) the number of hours of counseling,
17 training, and workshops to be provided;

18 (E) information demonstrating the effective
19 experience of each participant of the joint appli-
20 cation in—

21 (i) conducting financial, management,
22 and marketing assistance programs, de-
23 signed to impart or upgrade the business
24 skills of current or prospective Native Amer-
25 ican business owners; and

1 (ii) the prudent management of fi-
2 nances and staffing; and

3 (F) a plan for the length of the grant, that
4 describes—

5 (i) the number of Native Americans
6 and Native American small business con-
7 cerns to be served by the grant; and

8 (ii) the training and services to be pro-
9 vided.

10 (3) REVIEW OF APPLICATIONS.—The Adminis-
11 tration shall—

12 (A) evaluate and rank applicants under
13 paragraph (2) in accordance with predetermined
14 selection criteria that is stated in terms of rel-
15 ative importance;

16 (B) include such criteria in each sollicita-
17 tion under this subsection and make such infor-
18 mation available to the public; and

19 (C) approve or disapprove each application
20 submitted under this subsection not later than 60
21 days after the date of submission.

22 (4) ANNUAL REPORT.—Each recipient of an
23 American Indian tribal assistance center grant under
24 this subsection shall annually report to the Adminis-
25 tration on the impact of the grant funding received

1 *during the reporting year, and the cumulative impact*
2 *of the grant funding received since the initiation of*
3 *the grant, including—*

4 *(A) the number of individuals assisted, cat-*
5 *egorized by ethnicity;*

6 *(B) the number of hours of counseling and*
7 *training provided and workshops conducted;*

8 *(C) the number of startup business concerns*
9 *created or maintained with assistance from a*
10 *Native American business center;*

11 *(D) the gross receipts of assisted small busi-*
12 *ness concerns;*

13 *(E) the number of jobs created or main-*
14 *tained at assisted small business concerns; and*

15 *(F) the number of Native American jobs cre-*
16 *ated or maintained at assisted small business*
17 *concerns.*

18 (5) *RECORD RETENTION.—*

19 *(A) APPLICATIONS.—The Administration*
20 *shall maintain a copy of each application sub-*
21 *mitted under this subsection for not less than 7*
22 *years.*

23 *(B) ANNUAL REPORTS.—The Administra-*
24 *tion shall maintain copies of the information*
25 *collected under paragraph (4) indefinitely.*

1 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated—*

3 (1) *\$1,000,000 for each of fiscal years 2008*
4 *through 2010, to carry out the Native American De-*
5 *velopment Grant Pilot Program, authorized under*
6 *subsection (b); and*

7 (2) *\$1,000,000 for each of fiscal years 2008*
8 *through 2010, to carry out the American Indian Trib-*
9 *al Assistance Center Grant Pilot Program, authorized*
10 *under subsection (c).*

11 ***TITLE V—NATIONAL SMALL***
12 ***BUSINESS REGULATORY AS-***
13 ***SISTANCE***

14 ***SEC. 501. SHORT TITLE.***

15 *This title may be cited as the “National Small Busi-*
16 *ness Regulatory Assistance Act of 2007”.*

17 ***SEC. 502. PURPOSE.***

18 *The purpose of this title is to establish a 4-year pilot*
19 *program to—*

20 (1) *provide confidential assistance to small busi-*
21 *ness concerns;*

22 (2) *provide small business concerns with the in-*
23 *formation necessary to improve their rate of compli-*
24 *ance with Federal and State regulations derived from*
25 *Federal law;*

1 (3) create a partnership among Federal agencies
2 to increase outreach efforts to small business concerns
3 with respect to regulatory compliance;

4 (4) provide a mechanism for unbiased feedback
5 to Federal agencies on the regulatory environment for
6 small business concerns; and

7 (5) expand the services delivered by the small
8 business development centers under section
9 21(c)(3)(H) of the Small Business Act to improve ac-
10 cess to programs to assist small business concerns
11 with regulatory compliance.

12 **SEC. 503. SMALL BUSINESS REGULATORY ASSISTANCE**
13 **PILOT PROGRAM.**

14 (a) *DEFINITIONS.*—In this section:

15 (1) *ASSOCIATION.*—The term “association”
16 means the association established pursuant to section
17 21(a)(3)(A) of the Small Business Act (15 U.S.C.
18 648(a)(3)(A)) representing a majority of small busi-
19 ness development centers.

20 (2) *PARTICIPATING SMALL BUSINESS DEVELOP-*
21 *MENT CENTER.*—The term “participating small busi-
22 ness development center” means a small business de-
23 velopment center participating in the pilot program
24 established under this title.

1 (3) *REGULATORY COMPLIANCE ASSISTANCE.*—

2 *The term “regulatory compliance assistance” means*
3 *assistance provided by a small business development*
4 *center to a small business concern to assist and facili-*
5 *tate the concern in complying with Federal and State*
6 *regulatory requirements derived from Federal law.*

7 (4) *SMALL BUSINESS DEVELOPMENT CENTER.*—

8 *The term “small business development center” means*
9 *a small business development center described in sec-*
10 *tion 21 of the Small Business Act (15 U.S.C. 648).*

11 (5) *STATE.*—*The term “State” means each of the*
12 *several States, the District of Columbia, the Common-*
13 *wealth of Puerto Rico, the Virgin Islands, American*
14 *Samoa, and Guam.*

15 (b) *AUTHORITY.*—*In accordance with this section, the*
16 *Administrator shall establish a pilot program to provide*
17 *regulatory compliance assistance to small business concerns*
18 *through participating small business development centers.*

19 (c) *SMALL BUSINESS DEVELOPMENT CENTERS.*—

20 (1) *IN GENERAL.*—*In carrying out the pilot pro-*
21 *gram established under this section, the Adminis-*
22 *trator shall enter into arrangements with partici-*
23 *parting small business development centers under*
24 *which such centers shall—*

1 (A) provide access to information and re-
2 sources, including current Federal and State
3 nonpunitive compliance and technical assistance
4 programs similar to those established under sec-
5 tion 507 of the Clean Air Act Amendments of
6 1990 (42 U.S.C. 7661f);

7 (B) conduct training and educational ac-
8 tivities;

9 (C) offer confidential, free of charge, one-on-
10 one, in-depth counseling to the owners and oper-
11 ators of small business concerns regarding com-
12 pliance with Federal and State regulations de-
13 rived from Federal law, provided that such coun-
14 seling is not considered to be the practice of law
15 in a State in which a small business develop-
16 ment center is located or in which such coun-
17 seling is conducted;

18 (D) provide technical assistance;

19 (E) give referrals to experts and other pro-
20 viders of compliance assistance who meet such
21 standards for educational, technical, and profes-
22 sional competency as are established by the Ad-
23 ministrators; and

24 (F) form partnerships with Federal compli-
25 ance programs.

1 (2) *REPORTS.*—*Each participating small busi-*
2 *ness development center shall transmit to the Admin-*
3 *istrator and the Chief Counsel for Advocacy of the Ad-*
4 *ministration, as the Administrator may direct, a*
5 *quarterly report that includes—*

6 (A) *a summary of the regulatory compli-*
7 *ance assistance provided by the center under the*
8 *pilot program;*

9 (B) *the number of small business concerns*
10 *assisted under the pilot program; and*

11 (C) *for every fourth report, any regulatory*
12 *compliance information based on Federal law*
13 *that a Federal or State agency has provided to*
14 *the center during the preceding year and re-*
15 *quested that it be disseminated to small business*
16 *concerns.*

17 (d) *ELIGIBILITY.*—*A small business development cen-*
18 *ter shall be eligible to receive assistance under the pilot pro-*
19 *gram established under this section only if such center is*
20 *accredited under section 21(k)(2) of the Small Business Act*
21 *(15 U.S.C. 648(k)(2)).*

22 (e) *SELECTION OF PARTICIPATING SMALL BUSINESS*
23 *DEVELOPMENT CENTERS.*—

24 (1) *GROUPINGS.*—

1 (A) *CONSULTATION.*—*The Administrator*
2 *shall select the small business development center*
3 *programs of 2 States from each of the groups of*
4 *States described in subparagraph (B) to partici-*
5 *pate in the pilot program established under this*
6 *section.*

7 (B) *GROUPS.*—*The groups described in this*
8 *subparagraph as follows:*

9 (i) *GROUP 1.*—*Group 1 shall consist of*
10 *Maine, Massachusetts, New Hampshire,*
11 *Connecticut, Vermont, and Rhode Island.*

12 (ii) *GROUP 2.*—*Group 2 shall consist*
13 *of New York, New Jersey, Puerto Rico, and*
14 *the Virgin Islands.*

15 (iii) *GROUP 3.*—*Group 3 shall consist*
16 *of Pennsylvania, Maryland, West Virginia,*
17 *Virginia, the District of Columbia, and*
18 *Delaware.*

19 (iv) *GROUP 4.*—*Group 4 shall consist*
20 *of Georgia, Alabama, North Carolina, South*
21 *Carolina, Mississippi, Florida, Kentucky,*
22 *and Tennessee.*

23 (v) *GROUP 5.*—*Group 5 shall consist of*
24 *Illinois, Ohio, Michigan, Indiana, Wis-*
25 *consin, and Minnesota.*

1 (vi) *GROUP 6.*—Group 6 shall consist
2 of Texas, New Mexico, Arkansas, Oklahoma,
3 and Louisiana.

4 (vii) *GROUP 7.*—Group 7 shall consist
5 of Missouri, Iowa, Nebraska, and Kansas.

6 (viii) *GROUP 8.*—Group 8 shall consist
7 of Colorado, Wyoming, North Dakota, South
8 Dakota, Montana, and Utah.

9 (ix) *GROUP 9.*—Group 9 shall consist
10 of California, Guam, American Samoa, Ha-
11 wahi, Nevada, and Arizona.

12 (x) *GROUP 10.*—Group 10 shall consist
13 of Washington, Alaska, Idaho, and Oregon.

14 (C) *COORDINATION TO AVOID DUPLICATION*
15 *WITH OTHER PROGRAMS.*—In selecting small
16 business development center programs under this
17 paragraph, the Administrator shall give a pref-
18 erence to any such program that has a plan for
19 consulting with Federal and State agencies to
20 ensure that any assistance provided under this
21 section is not duplicated by a Federal or State
22 program.

23 (2) *DEADLINE FOR SELECTION.*—The Adminis-
24 trator shall make selections under this subsection not

1 *later than 6 months after the date of publication of*
2 *final regulations under section 1704.*

3 (f) *MATCHING REQUIREMENT.*—Subparagraphs (A)
4 and (B) of section 21(a)(4) of the Small Business Act (15
5 U.S.C. 648(a)(4)) shall apply to assistance made available
6 under the pilot program established under this section.

7 (g) *GRANT AMOUNTS.*—Each State program selected to
8 receive a grant under subsection (e) shall be eligible to re-
9 ceive a grant in an amount equal to—

10 (1) *not less than \$150,000 per fiscal year; and*

11 (2) *not more than \$300,000 per fiscal year.*

12 (h) *EVALUATION AND REPORT.*—The Comptroller Gen-
13 eral of the United States shall—

14 (1) *not later than 30 months after the date of*
15 *disbursement of the first grant under the pilot pro-*
16 *gram established under this section, initiate an eval-*
17 *uation of the pilot program; and*

18 (2) *not later than 6 months after the date of the*
19 *initiation of the evaluation under paragraph (1),*
20 *transmit to the Administrator, the Chief Counsel for*
21 *Advocacy, the Committee on Small Business and En-*
22 *trepreneurship of the Senate, and the Committee on*
23 *Small Business of the House of Representatives, a re-*
24 *port containing—*

25 (A) *the results of the evaluation; and*

1 (B) any recommendations as to whether the
2 pilot program, with or without modification,
3 should be extended to include the participation of
4 all small business development centers.

5 (i) *POSTING OF INFORMATION.*—Not later than 90
6 days after the date of enactment of this Act, the Adminis-
7 trator shall post on the website of the Administration and
8 publish in the Federal Register a guidance document de-
9 scribing the requirements of an application for assistance
10 under this section.

11 (j) *AUTHORIZATION OF APPROPRIATIONS.*—

12 (1) *IN GENERAL.*—There are authorized to be ap-
13 propriated to carry out this section—

14 (A) \$5,000,000 for the first fiscal year be-
15 ginning after the date of enactment of this Act;
16 and

17 (B) \$5,000,000 for each of the 3 fiscal years
18 following the fiscal year described in subpara-
19 graph (A).

20 (2) *LIMITATION ON USE OF OTHER FUNDS.*—The
21 Administrator may carry out the pilot program es-
22 tablished under this section only with amounts appro-
23 priated in advance specifically to carry out this sec-
24 tion.

1 (k) *TERMINATION.*—*The Small Business Regulatory*
2 *Assistance Pilot Program established under this section*
3 *shall terminate 4 years after the date of disbursement of*
4 *the first grant under the pilot program.*

5 **SEC. 504. RULEMAKING.**

6 *After providing notice and an opportunity for com-*
7 *ment, and after consulting with the association (but not*
8 *later than 180 days after the date of enactment of this Act),*
9 *the Administrator shall promulgate final regulations to*
10 *carry out this title, including regulations that establish—*

11 (1) *priorities for the types of assistance to be*
12 *provided under the pilot program established under*
13 *this title;*

14 (2) *standards relating to educational, technical,*
15 *and support services to be provided by participating*
16 *small business development centers;*

17 (3) *standards relating to any national service*
18 *delivery and support function to be provided by the*
19 *association under the pilot program;*

20 (4) *standards relating to any work plan that the*
21 *Administrator may require a participating small*
22 *business development center to develop; and*

23 (5) *standards relating to the educational, tech-*
24 *nical, and professional competency of any expert or*
25 *other assistance provider to whom a small business*

1 *concern may be referred for compliance assistance*
 2 *under the pilot program.*

3 **TITLE VI—OTHER PROVISIONS**

4 **SEC. 601. MINORITY ENTREPRENEURSHIP AND INNOVA-** 5 **TION PILOT PROGRAM.**

6 *(a) DEFINITIONS.—In this section—*

7 *(1) the terms “Alaska Native-serving institution”*
 8 *and “Native Hawaiian-serving institution” have the*
 9 *meanings given those terms in section 317 of the*
 10 *Higher Education Act of 1965 (20 U.S.C. 1059d);*

11 *(2) the term “Hispanic serving institution” has*
 12 *the meaning given the term in section 502 of the*
 13 *Higher Education Act of 1965 (20 U.S.C. 1101a);*

14 *(3) the term “historically Black college and uni-*
 15 *versity” has the meaning given the term “part B in-*
 16 *stitution” in section 322 of the Higher Education Act*
 17 *of 1965 (20 U.S.C. 1061);*

18 *(4) the term “small business development center”*
 19 *has the same meaning as in section 21 of the Small*
 20 *Business Act (15 U.S.C. 648); and*

21 *(5) the term “Tribal College” has the meaning*
 22 *given the term “tribally controlled college or univer-*
 23 *sity” in section 2 of the Tribally Controlled College*
 24 *or University Assistance Act of 1978 (25 U.S.C.*
 25 *1801).*

1 (b) *MINORITY ENTREPRENEURSHIP AND INNOVATION*
2 *GRANTS.*—

3 (1) *IN GENERAL.*—*The Administrator shall make*
4 *grants to historically Black colleges and universities,*
5 *Tribal Colleges, Hispanic serving institutions, Alaska*
6 *Native-serving institutions, and Native Hawaiian-*
7 *serving institutions, or to any entity formed by a*
8 *combination of such institutions—*

9 (A) *to assist in establishing an entrepre-*
10 *neurship curriculum for undergraduate or grad-*
11 *uate studies; and*

12 (B) *for placement of small business develop-*
13 *ment centers on the physical campus of the insti-*
14 *tution.*

15 (2) *CURRICULUM REQUIREMENT.*—*An institu-*
16 *tion of higher education receiving a grant under this*
17 *subsection shall develop a curriculum that includes*
18 *training in various skill sets needed by successful en-*
19 *trepreneurs, including—*

20 (A) *business management and marketing,*
21 *financial management and accounting, market*
22 *analysis and competitive analysis, innovation*
23 *and strategic planning; and*

24 (B) *additional entrepreneurial skill sets spe-*
25 *cific to the needs of the student population and*

1 *the surrounding community, as determined by*
2 *the institution.*

3 (3) *SMALL BUSINESS DEVELOPMENT CENTER RE-*
4 *QUIREMENT.—Each institution receiving a grant*
5 *under this subsection shall open a small business de-*
6 *velopment center that—*

7 (A) *performs studies, research, and coun-*
8 *seling concerning the management, financing,*
9 *and operation of small business concerns;*

10 (B) *performs management training and*
11 *technical assistance regarding the participation*
12 *of small business concerns in international mar-*
13 *kets, export promotion and technology transfer,*
14 *and the delivery or distribution of such services*
15 *and information;*

16 (C) *offers referral services for entrepreneurs*
17 *and small business concerns to business develop-*
18 *ment, financing, and legal experts; and*

19 (D) *promotes market-specific innovation,*
20 *niche marketing, capacity building, inter-*
21 *national trade, and strategic planning as keys to*
22 *long-term growth for its small business concern*
23 *and entrepreneur clients.*

24 (4) *GRANT LIMITATIONS.—A grant under this*
25 *subsection—*

1 (A) may not exceed \$500,000 for any fiscal
2 year for any 1 institution of higher education;

3 (B) may not be used for any purpose other
4 than those associated with the direct costs in-
5 curred to develop and implement a curriculum
6 that fosters entrepreneurship and the costs in-
7 curred to organize and run a small business de-
8 velopment center on the grounds of the institu-
9 tion; and

10 (C) may not be used for building expenses,
11 administrative travel budgets, or other expenses
12 not directly related to the implementation of the
13 curriculum or activities authorized by this sec-
14 tion.

15 (5) *EXCEPTION FROM SMALL BUSINESS ACT RE-*
16 *QUIREMENT.*—Subparagraphs (A) and (B) of section
17 21(a)(4) of the Small Business Act (15 U.S.C.
18 648(a)(4)) do not apply to assistance made available
19 under this subsection.

20 (6) *REPORT.*—Not later than November 1 of each
21 year, the Associate Administrator of Entrepreneurial
22 Development of the Administration shall submit to
23 the Committee on Small Business and Entrepreneur-
24 ship of the Senate and the Committee on Small Busi-
25 ness of the House of Representatives, a report evalu-

1 *ating the award and use of grants under this sub-*
 2 *section during the preceding fiscal year, which shall*
 3 *include—*

4 *(A) a description of each entrepreneurship*
 5 *program developed with grant funds, the date of*
 6 *the award of such grant, and the number of par-*
 7 *ticipants in each such program;*

8 *(B) the number of small business concerns*
 9 *assisted by each small business development cen-*
 10 *ter established with a grant under this sub-*
 11 *section; and*

12 *(C) data regarding the economic impact of*
 13 *the small business development center counseling*
 14 *provided under a grant under this subsection.*

15 *(c) AUTHORIZATION OF APPROPRIATIONS.—There is*
 16 *authorized to be appropriated to carry out this section*
 17 *\$10,000,000, to remain available until expended, for each*
 18 *of fiscal years 2008 and 2010.*

19 *(d) LIMITATION ON USE OF OTHER FUNDS.—The Ad-*
 20 *ministrator shall carry out this section only with amounts*
 21 *appropriated in advance specifically to carry out this sec-*
 22 *tion.*

23 **SEC. 602. INSTITUTIONS OF HIGHER EDUCATION.**

24 *(a) IN GENERAL.—Section 21(a)(1) of the Small Busi-*
 25 *ness Act (15 U.S.C. 648(a)(1)) is amended by striking “:*

1 *Provided, That” and all that follows through “on such*
 2 *date.” and inserting the following: “On and after December*
 3 *31, 2007, the Administration may only make a grant under*
 4 *this paragraph to an applicant that is an institution of*
 5 *higher education, as defined in section 101(a) of the Higher*
 6 *Education Act of 1965 (20 U.S.C. 1001(a)) that is accred-*
 7 *ited (and not merely in preaccreditation status) by a na-*
 8 *tionally recognized accrediting agency or association, recog-*
 9 *nized by the Secretary of Education for such purpose in*
 10 *accordance with section 496 of that Act (20 U.S.C. 1099b),*
 11 *or to a women’s business center operating pursuant to sec-*
 12 *tion 29 as a small business development center, unless the*
 13 *applicant was receiving a grant (including a contract or*
 14 *cooperative agreement) on December 31, 2007.”.*

15 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
 16 *section (a) shall take effect on December 31, 2007.*

17 **SEC. 603. HEALTH INSURANCE OPTIONS INFORMATION FOR**
 18 **SMALL BUSINESS CONCERNS.**

19 (a) *DEFINITIONS.*—*In this section, the following defi-*
 20 *initions shall apply:*

21 (1) *ASSOCIATION.*—*The term “association”*
 22 *means an association established under section*
 23 *21(a)(3)(A) of the Small Business Act (15 U.S.C.*
 24 *648(a)(3)(A)) representing a majority of small busi-*
 25 *ness development centers.*

1 (2) *PARTICIPATING SMALL BUSINESS DEVELOP-*
2 *MENT CENTER.*—*The term “participating small busi-*
3 *ness development center” means a small business de-*
4 *velopment center described in section 21 of the Small*
5 *Business Act (15 U.S.C. 648) that—*

6 (A) *is accredited under section 21(k)(2) of*
7 *the Small Business Act (15 U.S.C. 648(k)(2));*
8 *and*

9 (B) *receives a grant under the pilot pro-*
10 *gram.*

11 (3) *PILOT PROGRAM.*—*The term “pilot program”*
12 *means the small business health insurance informa-*
13 *tion pilot program established under this section.*

14 (4) *STATE.*—*The term “State” means each of the*
15 *several States of the United States, the District of Co-*
16 *lumbia, the Commonwealth of Puerto Rico, the Virgin*
17 *Islands, American Samoa, and Guam.*

18 (b) *SMALL BUSINESS HEALTH INSURANCE INFORMA-*
19 *TION PILOT PROGRAM.*—*The Administrator shall establish*
20 *a pilot program to make grants to small business develop-*
21 *ment centers to provide neutral and objective information*
22 *and educational materials regarding health insurance op-*
23 *tions, including coverage options within the small group*
24 *market, to small business concerns.*

25 (c) *APPLICATIONS.*—

1 (1) *POSTING OF INFORMATION.*—Not later than
2 90 days after the date of enactment of this Act, the
3 Administrator shall post on the website of the Admin-
4 istration and publish in the *Federal Register* a guid-
5 ance document describing—

6 (A) the requirements of an application for
7 a grant under the pilot program; and

8 (B) the types of informational and edu-
9 cational materials regarding health insurance
10 options to be created under the pilot program,
11 including by referencing materials and resources
12 developed by the National Association of Insur-
13 ance Commissioners, the Kaiser Family Founda-
14 tion, and the Healthcare Leadership Council.

15 (2) *SUBMISSION.*—A small business development
16 center desiring a grant under the pilot program shall
17 submit an application at such time, in such manner,
18 and accompanied by such information as the Admin-
19 istrator may reasonably require.

20 (d) *SELECTION OF PARTICIPATING SMALL BUSINESS*
21 *DEVELOPMENT CENTERS.*—

22 (1) *IN GENERAL.*—The Administrator shall select
23 not more than 20 small business development centers
24 to receive a grant under the pilot program.

1 (2) *SELECTION OF PROGRAMS.*—*In selecting*
2 *small business development centers under paragraph*
3 *(1), the Administrator may not select—*

4 (A) *more than 2 programs from each of the*
5 *groups of States described in paragraph (3); and*

6 (B) *more than 1 program in any State.*

7 (3) *GROUPINGS.*—*The groups of States described*
8 *in this paragraph are the following:*

9 (A) *GROUP 1.*—*Group 1 shall consist of*
10 *Maine, Massachusetts, New Hampshire, Con-*
11 *necticut, Vermont, and Rhode Island.*

12 (B) *GROUP 2.*—*Group 2 shall consist of*
13 *New York, New Jersey, Puerto Rico, and the Vir-*
14 *gin Islands.*

15 (C) *GROUP 3.*—*Group 3 shall consist of*
16 *Pennsylvania, Maryland, West Virginia, Vir-*
17 *ginia, the District of Columbia, and Delaware.*

18 (D) *GROUP 4.*—*Group 4 shall consist of*
19 *Georgia, Alabama, North Carolina, South Caro-*
20 *lina, Mississippi, Florida, Kentucky, and Ten-*
21 *nessee.*

22 (E) *GROUP 5.*—*Group 5 shall consist of Illi-*
23 *nois, Ohio, Michigan, Indiana, Wisconsin, and*
24 *Minnesota.*

1 (F) *GROUP 6.*—Group 6 shall consist of
2 Texas, New Mexico, Arkansas, Oklahoma, and
3 Louisiana.

4 (G) *GROUP 7.*—Group 7 shall consist of
5 Missouri, Iowa, Nebraska, and Kansas.

6 (H) *GROUP 8.*—Group 8 shall consist of
7 Colorado, Wyoming, North Dakota, South Da-
8 kota, Montana, and Utah.

9 (I) *GROUP 9.*—Group 9 shall consist of
10 California, Guam, American Samoa, Hawaii,
11 Nevada, and Arizona.

12 (J) *GROUP 10.*—Group 10 shall consist of
13 Washington, Alaska, Idaho, and Oregon.

14 (4) *DEADLINE FOR SELECTION.*—The Adminis-
15 trator shall make selections under this subsection not
16 later than 6 months after the later of the date on
17 which the information described in subsection (c)(1)
18 is posted on the website of the Administration and the
19 date on which the information described in subsection
20 (c)(1) is published in the Federal Register.

21 (e) *USE OF FUNDS.*—

22 (1) *IN GENERAL.*—A participating small busi-
23 ness development center shall use funds provided
24 under the pilot program to—

1 (A) create and distribute informational ma-
2 terials; and

3 (B) conduct training and educational ac-
4 tivities.

5 (2) *CONTENT OF MATERIALS.*—

6 (A) *IN GENERAL.*—*In creating materials*
7 *under the pilot program, a participating small*
8 *business development center shall evaluate and*
9 *incorporate relevant portions of existing infor-*
10 *mational materials regarding health insurance*
11 *options, including materials and resources devel-*
12 *oped by the National Association of Insurance*
13 *Commissioners, the Kaiser Family Foundation,*
14 *and the Healthcare Leadership Council.*

15 (B) *HEALTH INSURANCE OPTIONS.*—*In in-*
16 *corporating information regarding health insur-*
17 *ance options under subparagraph (A), a partici-*
18 *parting small business development center shall*
19 *provide neutral and objective information re-*
20 *garding health insurance options in the geo-*
21 *graphic area served by the participating small*
22 *business development center, including tradi-*
23 *tional employer sponsored health insurance for*
24 *the group insurance market, such as the health*
25 *insurance options defined in section 2791 of the*

1 *Public Health Services Act (42 U.S.C. 300gg–91)*
2 *or section 125 of the Internal Revenue Code of*
3 *1986, and Federal and State health insurance*
4 *programs.*

5 *(f) GRANT AMOUNTS.—Each participating small busi-*
6 *ness development center program shall receive a grant in*
7 *an amount equal to—*

- 8 *(1) not less than \$150,000 per fiscal year; and*
9 *(2) not more than \$300,000 per fiscal year.*

10 *(g) MATCHING REQUIREMENT.—Subparagraphs (A)*
11 *and (B) of section 21(a)(4) of the Small Business Act (15*
12 *U.S.C. 648(a)(4)) shall apply to assistance made available*
13 *under the pilot program.*

14 *(h) REPORTS.—Each participating small business de-*
15 *velopment center shall transmit to the Committee on Small*
16 *Business and Entrepreneurship of the Senate and the Com-*
17 *mittee on Small Business of the House of Representatives,*
18 *a quarterly report that includes—*

19 *(1) a summary of the information and edu-*
20 *catational materials regarding health insurance options*
21 *provided by the participating small business develop-*
22 *ment center under the pilot program; and*

23 *(2) the number of small business concerns as-*
24 *sisted under the pilot program.*

25 *(i) AUTHORIZATION OF APPROPRIATIONS.—*

1 (1) *IN GENERAL.*—*There are authorized to be ap-*
 2 *propriated to carry out this section—*

3 (A) *\$5,000,000 for the first fiscal year be-*
 4 *ginning after the date of enactment of this Act;*
 5 *and*

6 (B) *\$5,000,000 for each of the 3 fiscal years*
 7 *following the fiscal year described in subpara-*
 8 *graph (A).*

9 (2) *LIMITATION ON USE OF OTHER FUNDS.*—*The*
 10 *Administrator may carry out the pilot program only*
 11 *with amounts appropriated in advance specifically to*
 12 *carry out this section.*

13 **SEC. 604. NATIONAL SMALL BUSINESS DEVELOPMENT CEN-**
 14 **TER ADVISORY BOARD.**

15 *Section 21(i)(1) of the Small Business Act (15 U.S.C.*
 16 *648(i)(1)) is amended by striking “nine members” and in-*
 17 *serting “10 members”.*

18 **SEC. 605. OFFICE OF NATIVE AMERICAN AFFAIRS PILOT**
 19 **PROGRAM.**

20 (a) *DEFINITION.*—*In this section, the term “Indian*
 21 *tribe” means any band, nation, or organized group or com-*
 22 *munity of Indians located in the contiguous United States,*
 23 *and the Metlakatla Indian Community, whose members are*
 24 *recognized as eligible for the services provided to Indians*

1 *by the Secretary of the Interior because of their status as*
2 *Indians.*

3 **(b) AUTHORIZATION.**—*The Office of Native American*
4 *Affairs of the Administration may conduct a pilot pro-*
5 *gram—*

6 *(1) to develop and publish a self-assessment tool*
7 *for Indian tribes that will allow such tribes to evalu-*
8 *ate and implement best practices for economic devel-*
9 *opment; and*

10 *(2) to provide assistance to Indian tribes,*
11 *through the Inter-Agency Working Group, in identi-*
12 *fying and implementing economic development oppor-*
13 *tunities available from the Federal Government and*
14 *private enterprise, including—*

15 *(A) the Administration;*

16 *(B) the Department of Energy;*

17 *(C) the Environmental Protection Agency;*

18 *(D) the Department of Commerce;*

19 *(E) the Federal Communications Commis-*
20 *sion;*

21 *(F) the Department of Justice;*

22 *(G) the Department of Labor;*

23 *(H) the Office of National Drug Control*
24 *Policy; and*

25 *(I) the Department of Agriculture.*

1 (c) *TERMINATION OF PROGRAM.*—The authority to
2 conduct a pilot program under this section shall terminate
3 on September 30, 2009.

4 (d) *REPORT.*—Not later than September 30, 2009, the
5 Office of Native American Affairs shall submit a report to
6 the Committee on Small Business and Entrepreneurship of
7 the Senate and the Committee on Small Business of the
8 House of Representatives regarding the effectiveness of the
9 self-assessment tool developed under subsection (b)(1).

10 **SEC. 606. PRIVACY REQUIREMENTS FOR SCORE CHAPTERS.**

11 Section 8 of the Small Business Act (15 U.S.C. 637)
12 is amended by inserting after subsection (b) the following

13 “(c) *PRIVACY REQUIREMENTS.*—

14 “(1) *IN GENERAL.*—A chapter of the Service
15 Corps of Retired Executives program authorized by
16 subsection (b)(1) or an agent of such a chapter may
17 not disclose the name, address, or telephone number of
18 any individual or small business concern receiving
19 assistance from that chapter or agent without the con-
20 sent of such individual or small business concern, un-
21 less—

22 “(A) the Administrator is ordered to make
23 such a disclosure by a court in any civil or
24 criminal enforcement action initiated by a Fed-
25 eral or State agency; or

1 “(B) *the Administrator considers such a*
2 *disclosure to be necessary for the purpose of con-*
3 *ducting a financial audit of a chapter of the*
4 *Service Corps of Retired Executives program au-*
5 *thorized by subsection (b)(1), but a disclosure*
6 *under this subparagraph shall be limited to the*
7 *information necessary for such audit.*

8 “(2) *ADMINISTRATOR USE OF INFORMATION.—*

9 *This subsection shall not—*

10 “(A) *restrict Administrator access to pro-*
11 *gram activity data; or*

12 “(B) *prevent the Administrator from using*
13 *client information to conduct client surveys.*

14 “(3) *REGULATIONS.—*

15 “(A) *IN GENERAL.—The Administrator*
16 *shall issue regulations to establish standards—*

17 “(i) *for disclosures with respect to fi-*
18 *nancial audits under paragraph (1)(B);*
19 *and*

20 “(ii) *for client surveys under para-*
21 *graph (2)(B), including standards for over-*
22 *sight of such surveys and for dissemination*
23 *and use of client information.*

24 “(B) *MAXIMUM PRIVACY PROTECTION.—*

25 *Regulations under this paragraph shall, to the*

1 *extent practicable, provide for the maximum*
2 *amount of privacy protection.*

3 “(C) *INSPECTOR GENERAL.*—*Until the effec-*
4 *tive date of regulations under this paragraph,*
5 *any client survey and the use of such informa-*
6 *tion shall be approved by the Inspector General*
7 *who shall include such approval in the semi-an-*
8 *nual report of the Inspector General.”.*

9 **SEC. 607. NATIONAL SMALL BUSINESS SUMMIT.**

10 *(a) IN GENERAL.*—*Not later than December 31, 2009,*
11 *the President shall convene a National Small Business*
12 *Summit to examine the present conditions and future of*
13 *the community of small business concerns in the United*
14 *States. The summit shall include owners of small business*
15 *concerns, representatives of small business groups, labor,*
16 *academia, State and Federal government, Federal research*
17 *and development agencies, and nonprofit policy groups con-*
18 *cerned with the issues of small business concerns.*

19 *(b) REPORT.*—*Not later than 90 days after the date*
20 *of the conclusion of the summit convened under subsection*
21 *(a), the President shall issue a report on the results of the*
22 *summit. The report shall identify key challenges and rec-*
23 *ommendations for promoting entrepreneurship and the*
24 *growth of small business concerns.*

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110TH CONGRESS
1ST Session

S. 1671

[Report No. 110-185]

A BILL

To reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes.

SEPTEMBER 26, 2007

Reported with an amendment