

111TH CONGRESS
2D SESSION

S. 3165

To authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

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

A BILL

To authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Com-
5 munity Partner Relief Act of 2010”.

6 **SEC. 2. MATCHING REQUIREMENTS UNDER SMALL BUSI-**
7 **NESS PROGRAMS.**

8 (a) MICROLOAN PROGRAM.—Section 7(m) of the
9 Small Business Act (15 U.S.C. 636(m)) is amended—

1 (1) in paragraph (3)(B)—

2 (A) by striking “As a condition” and in-
3 serting the following:

4 “(i) IN GENERAL.—Subject to clause
5 (ii), as a condition”;

6 (B) by striking “the Administration” and
7 inserting “the Administrator”; and

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

9 “(ii) WAIVER OF NON-FEDERAL
10 SHARE.—

11 “(I) IN GENERAL.—Upon request
12 by an intermediary, and in accordance
13 with this clause, the Administrator
14 may waive, in whole or in part, the re-
15 quirement to obtain non-Federal
16 funds under clause (i) for a fiscal
17 year. The Administrator may not
18 waive the requirement for an inter-
19 mediary to obtain non-Federal funds
20 under this clause for more than a
21 total of 2 fiscal years.

22 “(II) CONSIDERATIONS.—In de-
23 termining whether to waive the re-
24 quirement to obtain non-Federal

1 funds under this clause, the Adminis-
 2 trator shall consider—

3 “(aa) the economic condi-
 4 tions affecting the intermediary;

5 “(bb) the impact a waiver
 6 under this clause would have on
 7 the credibility of the microloan
 8 program under this subsection;

9 “(cc) the demonstrated abil-
 10 ity of the intermediary to raise
 11 non-Federal funds; and

12 “(dd) the performance of
 13 the intermediary.

14 “(III) LIMITATION.—The Admin-
 15 istrator may not waive the require-
 16 ment to obtain non-Federal funds
 17 under this clause if granting the waiv-
 18 er would undermine the credibility of
 19 the microloan program under this
 20 subsection.”; and

21 (2) in paragraph (4)(B)—

22 (A) by striking “As a condition” and all
 23 that follows through “the Administration shall
 24 require” and inserting the following:

1 “(i) IN GENERAL.—Subject to clause
 2 (ii), as a condition of a grant made under
 3 subparagraph (A), the Administrator shall
 4 require”; and
 5 (B) by adding at the end the following:

6 “(ii) WAIVER OF NON-FEDERAL
 7 SHARE.—

8 “(I) IN GENERAL.—Upon request
 9 by an intermediary, and in accordance
 10 with this clause, the Administrator
 11 may waive, in whole or in part, the re-
 12 quirement to obtain non-Federal
 13 funds under clause (i) for a fiscal
 14 year. The Administrator may not
 15 waive the requirement for an inter-
 16 mediary to obtain non-Federal funds
 17 under this clause for more than a
 18 total of 2 fiscal years.

19 “(II) CONSIDERATIONS.—In de-
 20 termining whether to waive the re-
 21 quirement to obtain non-Federal
 22 funds under this clause, the Adminis-
 23 trator shall consider—

24 “(aa) the economic condi-
 25 tions affecting the intermediary;

1 “(bb) the impact a waiver
 2 under this clause would have on
 3 the credibility of the microloan
 4 program under this subsection;

5 “(cc) the demonstrated abil-
 6 ity of the intermediary to raise
 7 non-Federal funds; and

8 “(dd) the performance of
 9 the intermediary.

10 “(III) LIMITATION.—The Admin-
 11 istrator may not waive the require-
 12 ment to obtain non-Federal funds
 13 under this clause if granting the waiv-
 14 er would undermine the credibility of
 15 the microloan program under this
 16 subsection.”.

17 (b) WOMEN’S BUSINESS CENTER PROGRAM.—Sec-
 18 tion 29(c) of the Small Business Act (15 U.S.C. 656(c))
 19 is amended—

20 (1) in paragraph (1), by striking “As a condi-
 21 tion” and inserting “Subject to paragraph (5), as a
 22 condition”; and

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

1 “(5) WAIVER OF NON-FEDERAL SHARE RELAT-
2 ING TO TECHNICAL ASSISTANCE AND COUN-
3 SELING.—

4 “(A) IN GENERAL.—Upon request by a re-
5 cipient organization, and in accordance with
6 this paragraph, the Administrator may waive,
7 in whole or in part, the requirement to obtain
8 non-Federal funds under this subsection for the
9 technical assistance and counseling activities of
10 the recipient organization carried out using fi-
11 nancial assistance under this section for a fiscal
12 year. The Administrator may not waive the re-
13 quirement for a recipient organization to obtain
14 non-Federal funds under this paragraph for
15 more than a total of 2 fiscal years.

16 “(B) CONSIDERATIONS.—In determining
17 whether to waive the requirement to obtain
18 non-Federal funds under this paragraph, the
19 Administrator shall consider—

20 “(i) the economic conditions affecting
21 the recipient organization;

22 “(ii) the impact a waiver under this
23 clause would have on the credibility of the
24 women’s business center program under
25 this section;

1 “(iii) the demonstrated ability of the
2 recipient organization to raise non-Federal
3 funds; and

4 “(iv) the performance of the recipient
5 organization.

6 “(C) LIMITATION.—The Administrator
7 may not waive the requirement to obtain non-
8 Federal funds under this paragraph if granting
9 the waiver would undermine the credibility of
10 the women’s business center program under
11 this section.”.

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