

112TH CONGRESS
2D SESSION

S. 3246

To improve the Service Corps of Retired Executives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2012

Ms. SNOWE introduced the following bill; which was read twice and referred
to the Committee on Small Business and Entrepreneurship

A BILL

To improve the Service Corps of Retired Executives, 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 “SCORE Program Im-
5 provement Act of 2012”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

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

1 (2) the term “SCORE” means the Service
2 Corps of Retired Executives established under sec-
3 tion 8(b)(1) of the Small Business Act (15 U.S.C.
4 637(b)(1));

5 (3) the term “SCORE Advisory Board” means
6 the SCORE Advisory Board established under sec-
7 tion 101 of this Act;

8 (4) the term “SCORE chapter” means a chap-
9 ter of the Service Corps of Retired Executives; and

10 (5) the term “small business concern” has the
11 meaning given that term under section 3 of the
12 Small Business Act (15 U.S.C. 632).

13 **TITLE I—SCORE ADVISORY** 14 **BOARD**

15 **SEC. 101. ESTABLISHMENT OF ADVISORY BOARD.**

16 (a) ESTABLISHMENT.—There is established the
17 SCORE Advisory Board.

18 (b) MEMBERSHIP.—

19 (1) COMPOSITION.—The SCORE Advisory
20 Board shall be composed of 6 members, who shall be
21 appointed from among individuals having out-
22 standing qualifications and known to be familiar
23 with and sympathetic to the needs and problems of
24 small business concerns.

1 (2) LIMITATIONS.—Of the individuals appointed
2 under paragraph (1)—

3 (A) not more than 3 may be members of
4 a SCORE chapter; and

5 (B) 3 shall be owners or employees of
6 small business concerns or members of an asso-
7 ciation that represents small business concerns.

8 (3) PROHIBITION.—The members of the
9 SCORE Advisory Board may not be employees of
10 the Federal Government.

11 (4) DATE.—The appointments of the members
12 of the SCORE Advisory Board shall be made not
13 later than 90 days after the date of enactment of
14 this Act.

15 (c) TERMS.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), a member of the SCORE Advisory Board
18 shall be appointed for a term of 3 years.

19 (2) FIRST MEMBERS.—Of the members first
20 appointed to the SCORE Advisory Board—

21 (A) 2 shall be appointed for a term of 4
22 years, of whom 1 shall be a member described
23 in subsection (b)(2)(A) and 1 shall be a mem-
24 ber described in subsection (b)(2)(B);

1 (B) 2 shall be appointed for a term of 3
2 years, of whom 1 shall be a member described
3 in subsection (b)(2)(A) and 1 shall be a mem-
4 ber described in subsection (b)(2)(B); and

5 (C) 2 shall be appointed for a term of 2
6 years, of whom 1 shall be a member described
7 in subsection (b)(2)(A) and 1 shall be a mem-
8 ber described in subsection (b)(2)(B).

9 (d) VACANCIES.—

10 (1) IN GENERAL.—A vacancy on the SCORE
11 Advisory Board shall be filled in the manner in
12 which the original appointment was made and shall
13 be subject to any conditions which applied with re-
14 spect to the original appointment.

15 (2) FILLING UNEXPIRED TERM.—An individual
16 chosen to fill a vacancy shall be appointed for the
17 unexpired term of the member replaced.

18 (e) INITIAL MEETING.—Not later than 60 days after
19 the date on which all members of the SCORE Advisory
20 Board have been appointed, the SCORE Advisory Board
21 shall hold its first meeting.

22 (f) MEETINGS.—The SCORE Advisory Board shall
23 meet—

24 (1) not less frequently than semiannually; and

25 (2) at the call of the Chairman.

1 (g) QUORUM.—A majority of the members of the
2 SCORE Advisory Board shall constitute a quorum, but
3 a lesser number of members may hold hearings.

4 (h) CHAIRMAN.—The SCORE Advisory Board shall
5 select a Chairman from among its members.

6 **SEC. 102. DUTIES OF THE SCORE ADVISORY BOARD.**

7 (a) DUTIES.—The SCORE Advisory Board shall—

8 (1) review and monitor plans and programs de-
9 veloped in the public and private sector which affect
10 SCORE chapters;

11 (2) provide advice on improving coordination
12 between plans and programs described in paragraph
13 (1);

14 (3) advise SCORE chapters on the use of Fed-
15 eral funds allocated to SCORE;

16 (4) develop and promote initiatives, policies,
17 programs, and plans designed to assist with the
18 mentoring services offered by SCORE chapters
19 throughout the United States; and

20 (5) advise the Administrator on the develop-
21 ment and implementation of an annual comprehen-
22 sive plan under subsection (b).

23 (b) DEVELOPMENT OF PLAN.—The Administrator
24 shall develop and implement an annual comprehensive
25 plan for joint efforts by the public and private sectors to

1 facilitate the formation and development of mentoring by
 2 SCORE volunteers.

3 (c) ANNUAL REPORT.—Not later than 30 days after
 4 the end of each fiscal year, the SCORE Advisory Board
 5 shall submit to the President, the Committee on Small
 6 Business and Entrepreneurship of the Senate, and the
 7 Committee on Small Business of the House of Representa-
 8 tives a report that contains—

9 (1) the minutes of each meeting of the SCORE
 10 Advisory Board during the fiscal year to which the
 11 report relates;

12 (2) a detailed description of the activities of the
 13 SCORE Advisory Board during the fiscal year to
 14 which the report relates, including how the SCORE
 15 Advisory Board carried out the duties described in
 16 subsection (a);

17 (3) recommendations for promoting SCORE
 18 chapters and mentoring services; and

19 (4) any concurring or dissenting views of the
 20 Administrator.

21 **SEC. 103. POWERS OF THE SCORE ADVISORY BOARD.**

22 (a) HEARINGS.—The SCORE Advisory Board may
 23 hold such hearings, sit and act at such times and places,
 24 take such testimony, and receive such evidence as the

1 SCORE Advisory Board considers advisable to carry out
2 this Act.

3 (b) TASK GROUPS.—The SCORE Advisory Board
4 may establish a temporary task group to carry out any
5 duty of the SCORE Advisory Board described in section
6 4.

7 (c) INFORMATION FROM FEDERAL AGENCIES.—The
8 SCORE Advisory Board may secure directly from any
9 Federal department or agency such information as the
10 SCORE Advisory Board considers necessary to carry out
11 this Act. Upon request of the Chairman of the SCORE
12 Advisory Board, the head of such department or agency
13 shall furnish such information to the SCORE Advisory
14 Board.

15 (d) POSTAL SERVICES.—The SCORE Advisory
16 Board may use the United States mails in the same man-
17 ner and under the same conditions as other departments
18 and agencies of the Federal Government.

19 (e) GIFTS.—The SCORE Advisory Board may ac-
20 cept, use, and dispose of gifts or donations of services or
21 property.

22 **SEC. 104. SCORE ADVISORY BOARD PERSONNEL MATTERS.**

23 (a) COMPENSATION.—Members of the SCORE Advi-
24 sory Board shall not be compensated for services per-
25 formed on behalf of the SCORE Advisory Board.

1 (b) TRAVEL EXPENSES.—The members of the
 2 SCORE Advisory Board shall be allowed travel expenses,
 3 including per diem in lieu of subsistence, at rates author-
 4 ized for employees of agencies under subchapter I of chap-
 5 ter 57 of title 5, United States Code, while away from
 6 their homes or regular places of business in the perform-
 7 ance of services for the SCORE Advisory Board.

8 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Any
 9 Federal Government employee may be detailed to the
 10 SCORE Advisory Board without reimbursement, and such
 11 detail shall be without interruption or loss of civil service
 12 status or privilege.

13 **SEC. 105. INAPPLICABILITY OF THE FEDERAL ADVISORY**
 14 **COMMITTEE ACT TO THE SCORE ADVISORY**
 15 **BOARD.**

16 Section 14 of the Federal Advisory Committee Act
 17 (5 U.S.C. App.) shall not apply with respect to the
 18 SCORE Advisory Board.

19 **SEC. 106. FUNDING.**

20 The expenses of the SCORE Advisory Board, includ-
 21 ing expenses relating to personnel, as described in section
 22 104, shall be paid by SCORE, from amounts made avail-
 23 able to SCORE to carry out section 8(b)(1)(B) of the
 24 Small Business Act (15 U.S.C. 637(b)(1)(B)).

1 **TITLE II—FINANCIAL REFORMS**

2 **SEC. 201. REAUTHORIZATION.**

3 Section 20 of the Small Business Act (15 U.S.C. 631
4 note) is amended—

5 (1) by redesignating subsection (j) as sub-
6 section (f); and

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

8 “(g) SCORE PROGRAM.—The Administrator may
9 make grants and enter into cooperative agreements to
10 carry out the SCORE program authorized by section
11 8(b)(1) in a total amount that does not exceed \$7,000,000
12 for each of fiscal years 2013, 2014, and 2015.”.

13 **SEC. 202. CHIEF EXECUTIVE OFFICER OF SCORE.**

14 (a) LIMITATION ON AMOUNT OF SALARY.—The rate
15 of basic pay of the chief executive officer of SCORE may
16 not exceed the maximum rate of basic pay established
17 under section 5382 of title 5, United States Code, for a
18 position in the Senior Executive Service.

19 (b) FEDERAL SHARE OF SALARY.—For any year
20 during which the chief executive officer of SCORE serves
21 in a leadership capacity on a foundation affiliated with
22 SCORE, the Federal share of the basic pay of the chief
23 executive officer of SCORE may not exceed 80 percent.

1 **SEC. 203. ALLOCATION COMMITTEE.**

2 (a) ESTABLISHMENT.—SCORE shall establish a
3 committee to determine the amount allocated each year
4 to each SCORE chapter.

5 (b) MEMBERS.—The members of the committee es-
6 tablished under subsection (a) shall include—

7 (1) 1 member of the staff of SCORE who is not
8 the chief executive officer of SCORE; and

9 (2) not fewer than 4 members of the SCORE
10 Advisory Board.

11 **SEC. 204. ALLOCATION OF AMOUNTS.**

12 SCORE shall establish a method for allocating
13 amounts received by SCORE from the Federal Govern-
14 ment, which shall—

15 (1) ensure that not less than 50 percent of the
16 amounts are allocated to SCORE chapters; and

17 (2) be subject to the approval of the Adminis-
18 trator and the committee established under section
19 203.

20 **SEC. 205. GAO STUDY AND REPORT.**

21 (a) STUDY.—The Comptroller General of the United
22 States shall conduct a study of the technology activities
23 of SCORE that includes an examination of each expendi-
24 ture by SCORE for technology activities and the result
25 of each such expenditure.

1 (b) REPORT.—Not later than 1 year after the date
2 of enactment of this Act, the Comptroller General shall
3 submit to Congress and the Administrator a report that
4 contains—

5 (1) a detailed description of the amounts
6 SCORE has expended for technology activities, in-
7 cluding how SCORE expended Federal funds to
8 carry out and sustain technology initiatives during
9 the 4-year period ending on the date of enactment
10 of this Act;

11 (2) a determination of whether SCORE has ex-
12 pended Federal funds efficiently and effectively to
13 carry out technology activities;

14 (3) an evaluation of—

15 (A) how well SCORE has met objectives
16 relating to technology spending; and

17 (B) the policy that resulted in the estab-
18 lishment of objectives relating to technology
19 spending; and

20 (4) recommendations for actions by SCORE to
21 achieve objectives relating to technology spending
22 while safeguarding Federal funds.

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