

Calendar No. 480114TH CONGRESS
2^D SESSION**S. 2812**

To amend the Small Business Act to reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2016

Mrs. SHAHEEN (for herself, Mr. VITTER, Mr. MARKEY, and Ms. AYOTTE) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

MAY 24, 2016

Reported by Mr. VITTER, with an amendment

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

A BILL

To amend the Small Business Act to reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “SBIR and STTR Re-
3 authorization and Improvement Act of 2016”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—REAUTHORIZATION OF PROGRAMS

Sec. 101. Permanency of SBIR program and STTR program.

**TITLE II—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL
INNOVATION INVESTMENTS**

Sec. 201. Allocation increases and transparency in base calculation.

Sec. 202. Regular oversight of award amounts.

TITLE III—COMMERCIALIZATION IMPROVEMENTS

Sec. 301. Permanency of the commercialization pilot program for civilian agencies.

Sec. 302. Enforcement of national small business goal for Federal research and development.

Sec. 303. Tracking rapid innovation fund awards in annual congressional report.

Sec. 304. Intellectual property protection for technology development.

Sec. 305. Annual GAO audit of compliance with commercialization goals.

Sec. 306. Clarifying the Phase III preference.

Sec. 307. Improvements to technical and business assistance.

TITLE IV—PROGRAM DIVERSIFICATION INITIATIVES

Sec. 401. Regional SBIR State collaborative initiative pilot program.

Sec. 402. Federal and State Technology Partnership Program.

TITLE V—OVERSIGHT AND SIMPLIFICATION INITIATIVES

Sec. 501. Data modernization summit.

Sec. 502. Implementation of outstanding reauthorization provisions.

Sec. 503. Strengthening of the requirement to shorten the application review and decision time.

Sec. 504. Continued GAO oversight of allocation compliance and accuracy in funding base calculations.

TITLE VI—TECHNICAL CHANGES

Sec. 601. Uniform reference to the Department of Health and Human Services.

Sec. 602. Flexibility for Phase II award invitations.

1 **TITLE I—REAUTHORIZATION OF**
 2 **PROGRAMS**

3 **SEC. 101. PERMANENCY OF SBIR PROGRAM AND STTR PRO-**
 4 **GRAM.**

5 (a) SBIR.—Section 9(m) of the Small Business Act
 6 (15 U.S.C. 638(m)) is amended—

7 (1) in the subsection heading, by striking
 8 “TERMINATION” and inserting “SBIR PROGRAM
 9 AUTHORIZATION”; and

10 (2) by striking “terminate on September 30,
 11 2017” and inserting “be in effect for each fiscal
 12 year”.

13 (b) STTR.—Section 9(n)(1)(A) of the Small Busi-
 14 ness Act (15 U.S.C. 638(n)(1)(A)) is amended by striking
 15 “through fiscal year 2017”.

16 **TITLE II—ENHANCED SMALL**
 17 **BUSINESS ACCESS TO FED-**
 18 **ERAL INNOVATION INVEST-**
 19 **MENTS**

20 **SEC. 201. ALLOCATION INCREASES AND TRANSPARENCY IN**
 21 **BASE CALCULATION.**

22 (a) SBIR.—Section 9(f) of the Small Business Act
 23 (15 U.S.C. 638(f)) is amended—

24 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “expend” and inserting “obli-
3 gate for expenditure”;

4 (B) in subparagraph (H), by striking
5 “and” at the end;

6 (C) in subparagraph (I), by striking “and
7 each fiscal year thereafter,” and inserting a
8 semicolon; and

9 (D) by inserting after subparagraph (I) the
10 following:

11 “(J) for a Federal agency other than the
12 Department of Defense—

13 “(i) not less than 3.5 percent of the
14 extramural budget for research or research
15 and development of the Federal agency in
16 each of fiscal years 2018 and 2019;

17 “(ii) not less than 4 percent of such
18 extramural in each of fiscal years 2020
19 and 2021;

20 “(iii) not less than 4.5 percent of such
21 extramural in each of fiscal years 2022
22 and 2023;

23 “(iv) not less than 5 percent of such
24 extramural in each of fiscal years 2024
25 and 2025;

1 “(v) not less than 5.5 percent of such
2 extramural in each of fiscal years 2026
3 and 2027; and

4 “(vi) not less than 6 percent of such
5 extramural in fiscal year 2028 and each
6 fiscal year thereafter; and

7 “(K) for the Department of Defense—

8 “(i) not less than 2.5 percent of the
9 budget for research and development of the
10 Department of Defense in each of fiscal
11 years 2018 and 2019;

12 “(ii) not less than 3 percent of such
13 budget in each of fiscal years 2020 and
14 2021;

15 “(iii) not less than 3.5 percent of such
16 budget in each of fiscal years 2022 and
17 2023;

18 “(iv) not less than 4 percent of such
19 budget in each of fiscal years 2024 and
20 2025;

21 “(v) not less than 4.5 percent of such
22 budget in each of fiscal years 2026 and
23 2027; and

1 “(vi) not less than 5 percent of such
2 budget in fiscal year 2028 and each fiscal
3 year thereafter,”;

4 (2) in paragraph (2)(B), by inserting “(or for
5 the Department of Defense, an amount of the budg-
6 et for basic research of the Department of Defense)”
7 after “research”; and

8 (3) in paragraph (4), by inserting “(or for the
9 Department of Defense an amount of the budget for
10 research of the Department of Defense)” after “of
11 the agency”.

12 (b) STTR.—Section 9(n)(1) of the Small Business
13 Act (15 U.S.C. 638(n)(1)) is amended—

14 (1) in subparagraph (A)—

15 (A) by striking “expend” and inserting
16 “obligate for expenditure”; and

17 (B) by striking “not less than the percent-
18 age of that extramural budget specified in sub-
19 paragraph (B)” and inserting “for a Federal
20 agency other than the Department of Defense,
21 not less than the percentage of that extramural
22 budget specified in subparagraph (B) and, for
23 the Department of Defense, not less than the
24 percentage of the budget for research and de-

1 development of the Department of Defense speci-
2 fied in subparagraph (B)”; and

3 ~~(2)~~ in subparagraph (B)—

4 (A) in the matter preceding clause (i), by
5 striking “the extramural budget required to be
6 expended by an agency” and inserting “the ex-
7 tramural budget, for a Federal agency other
8 than the Department of Defense, and of the
9 budget for research and development, for the
10 Department of Defense, required to be obli-
11 gated for expenditure with small business con-
12 cerns”;

13 (B) in clause (iv), by striking “and” at the
14 end;

15 (C) in clause (v), by striking “fiscal year
16 2016 and each fiscal year thereafter.” and in-
17 serting “each of fiscal years 2016 and 2017;”;
18 and

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

20 “(vi) 0.55 percent for each of fiscal
21 years 2018 and 2019;

22 “(vii) 0.65 percent for each of fiscal
23 years 2020 and 2021;

24 “(viii) 0.75 percent for each of fiscal
25 years 2022 and 2023; and

1 “(ix) 1 percent for fiscal year 2024
2 and each fiscal year thereafter.”.

3 **SEC. 202. REGULAR OVERSIGHT OF AWARD AMOUNTS.**

4 (a) **ELIMINATION OF AUTOMATIC INFLATION AD-**
5 **JUSTMENTS.**—Section 9(j) of the Small Business Act (15
6 U.S.C. 638(j)) is amended—

7 (1) in paragraph (2)(D), by inserting “through
8 fiscal year 2016” after “every year”; and

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

10 “(4) **2016 MODIFICATIONS FOR DOLLAR VALUE**
11 **OF AWARDS.**—Not later than 120 days after the
12 date of enactment of the SBIR and STTR Reau-
13 thORIZATION and Improvement Act of 2016, the Ad-
14 ministratoR shall modify the policy directives issued
15 under this subsection to—

16 “(A) eliminate the annual adjustments for
17 inflation of the dollar value of awards described
18 in paragraph (2)(D); and

19 “(B) clarify that Congress intends to re-
20 view the dollar value of awards every 3 fiscal
21 years.”.

22 (b) **SENSE OF CONGRESS REGARDING REGULAR RE-**
23 **VIEW OF THE AWARD SIZES.**—It is the sense of Congress
24 that for fiscal year 2019, and every third fiscal year there-
25 after, Congress should evaluate whether the maximum

1 award sizes under the Small Business Innovation Re-
 2 search Program under section 9 of the Small Business Act
 3 (15 U.S.C. 638) should be adjusted and, if so, take appro-
 4 priate action to direct that such adjustments be made
 5 under the policy directives issued under subsection (j) of
 6 such section.

7 (e) CLARIFICATION OF SEQUENTIAL PHASE II
 8 AWARDS.—Section 9(ff) of the Small Business Act (15
 9 U.S.C. 638(ff)) is amended by adding at the end the fol-
 10 lowing:

11 “(3) CLARIFICATION OF SEQUENTIAL PHASE II
 12 AWARDS.—The head of a Federal agency shall en-
 13 sure that any sequential Phase II award is made in
 14 accordance with the limitations on award sizes under
 15 subsection (aa).”.

16 **TITLE III—COMMERCIALIZATION** 17 **IMPROVEMENTS**

18 **SEC. 301. PERMANENCY OF THE COMMERCIALIZATION** 19 **PILOT PROGRAM FOR CIVILIAN AGENCIES.**

20 Section 9(gg) of the Small Business Act (15 U.S.C.
 21 638(gg)) is amended—

22 (1) in the subsection heading, by striking
 23 “PILOT PROGRAM” and inserting “COMMERCIALIZA-
 24 TION DEVELOPMENT AWARDS”;

25 (2) by striking paragraphs (2), (7), and (8);

1 (3) by redesignating paragraphs (3), (4), (5),
2 and (6) as paragraphs (2), (3), (4), and (5), respec-
3 tively;

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

5 “(6) DEFINITIONS.—In this subsection—

6 “(A) the term ‘commercialization develop-
7 ment program’ means a program established by
8 a covered Federal agency under paragraph (1);
9 and

10 “(B) the term ‘covered Federal agency’—

11 “(i) means a Federal agency partici-
12 pating in the SBIR program or the STTR
13 program; and

14 “(ii) does not include the Department
15 of Defense.”; and

16 (5) by striking “pilot program” each place it
17 appears and inserting “commercialization develop-
18 ment program”.

19 **SEC. 302. ENFORCEMENT OF NATIONAL SMALL BUSINESS**
20 **GOAL FOR FEDERAL RESEARCH AND DEVEL-**
21 **OPMENT.**

22 Section 9(h) of the Small Business Act (15 U.S.C.
23 638(h)) is amended by inserting “, which may not be less
24 than 10 percent for fiscal year 2018, and each fiscal year
25 thereafter,” after “shall establish goals”.

1 **SEC. 303. TRACKING RAPID INNOVATION FUND AWARDS IN**
2 **ANNUAL CONGRESSIONAL REPORT.**

3 Section 9(b)(7) of the Small Business Act (15 U.S.C.
4 ~~638(b)(7)~~) is amended—

5 (1) in subparagraph (F), by striking “and” at
6 the end;

7 (2) in subparagraph (G), by striking the period
8 at the end and inserting “; and”; and

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

10 “(H) information regarding awards under
11 the Rapid Innovation Program under section
12 ~~1073~~ of the Ike Skelton National Defense Au-
13 thorization Act for Fiscal Year 2011 (Public
14 Law ~~111-383~~; 124 Stat. 4366; 10 U.S.C. 2359
15 note); including—

16 “(i) the number and dollar amount of
17 awards made under the Rapid Innovation
18 Program to business concerns receiving an
19 award under the SBIR program or the
20 STTR program;

21 “(ii) the proportion of awards under
22 the Rapid Innovation Program made to
23 business concerns receiving an award
24 under the SBIR program or the STTR
25 program;

1 “(iii) the proportion of awards under
2 the Rapid Innovation Program made to
3 small business concerns; and

4 “(iv) a projection of the effect on the
5 number of awards under the Rapid Inno-
6 vation Program if amounts to carry out the
7 program were made available as a fixed al-
8 location of the amount appropriated to the
9 Department of Defense for research, devel-
10 opment, test, and evaluation, excluding
11 amounts appropriated for the defense uni-
12 versities;”.

13 **SEC. 304. INTELLECTUAL PROPERTY PROTECTION FOR**
14 **TECHNOLOGY DEVELOPMENT.**

15 Section 9 of the Small Business Act (15 U.S.C. 638)
16 is amended by adding at the end the following:

17 “(tt) INTELLECTUAL PROPERTY PROTECTIONS.—

18 “(1) IN GENERAL.—Subject to paragraph
19 (2)(B), the cost of seeking protection for intellectual
20 property, including a trademark, copyright, or pat-
21 ent, that was created through work performed under
22 an SBIR or STTR award is allowable as an indirect
23 cost under that award.

24 “(2) CLARIFICATION OF PATENT COSTS.—

1 “(A) IN GENERAL.—A Federal agency
2 shall not directly or indirectly inhibit, through
3 the policies, directives, or practices of the Fed-
4 eral agency, an otherwise eligible small business
5 concern performing under an SBIR or STTR
6 award from recovering patent costs incurred as
7 requirements under that award, including—

8 “(i) the costs of preparing—

9 “(I) invention disclosures;

10 “(II) reports; and

11 “(III) other documents;

12 “(ii) the costs for searching the art to
13 the extent necessary to make the invention
14 disclosures;

15 “(iii) other costs in connection with
16 the filing and prosecution of a United
17 States patent application where title or
18 royalty-free license is to be conveyed to the
19 Federal Government; and

20 “(iv) general counseling services relat-
21 ing to patent matters, including advice on
22 patent laws, regulations, clauses, and em-
23 ployee agreements.

24 “(B) RECOVERY LIMITATIONS.—After con-
25 sultation with contracting or auditing authori-

1 ties, the patent costs described in subparagraph
 2 (A) shall be allowable for technology developed
 3 under a—

4 “(i) Phase I award, as indirect costs
 5 in an amount not greater than \$5,000;

6 “(ii) Phase II award, as indirect costs
 7 in an amount not greater than \$15,000;
 8 and

9 “(iii) Phase III award in which the
 10 Federal Government has government pur-
 11 pose rights (as defined in section
 12 ~~227.7103-5~~ of title 48, Code of Federal
 13 Regulations).”.

14 **SEC. 305. ANNUAL GAO AUDIT OF COMPLIANCE WITH COM-**
 15 **MERCIALIZATION GOALS.**

16 Section 9(nn) of the Small Business Act (15 U.S.C.
 17 ~~638~~(nn)) is amended to read as follows:

18 “(nn) **ANNUAL GAO REPORT ON GOVERNMENT**
 19 **COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III**
 20 **PREFERENCE.**—Not later than 1 year after the date of
 21 enactment of the SBIR and STTR Reauthorization and
 22 Improvement Act of 2016, and every year thereafter until
 23 the date that is 5 years after the date of enactment of
 24 the SBIR and STTR Reauthorization and Improvement
 25 Act of 2016, the Comptroller General of the United States

1 shall submit to the Committee on Small Business and En-
2 trepreneurship of the Senate and the Committee on Small
3 Business of the House of Representatives a report that—

4 “(1) discusses the status of the compliance of
5 Federal agencies with the requirements or authori-
6 ties established under—

7 “(A) subsection (h), relating to the estab-
8 lishment by certain Federal agencies of a goal
9 for funding agreements for research and re-
10 search and development with small business
11 concerns;

12 “(B) subsection (y)(5)(A), relating to the
13 requirement for the Department of Defense to
14 establish goals for the transition of Phase III
15 technologies in subcontracting plans;

16 “(C) subsection (y)(5)(B), relating to the
17 requirement for the Department of Defense to
18 establish procedures for a prime contractor to
19 report the number and dollar amount of con-
20 tracts with small business concerns for Phase
21 III SBIR projects or STTR projects of the
22 prime contractor; and

23 “(D) subsection (y)(6), relating to the re-
24 quirement for the Department of Defense to set
25 a goal to increase the number of Phase II SBIR

1 and STTR contracts that transition into pro-
2 grams of record or fielded systems;

3 “(2) includes, for a Federal agency that is in
4 compliance with a requirement described under
5 paragraph (1), a description of how the Federal
6 agency achieved compliance; and

7 “(3) includes a list, organized by Federal agen-
8 cy, of small business concerns that have asserted
9 that—

10 “(A) technology of the small business con-
11 cern was stolen by the Government or a prime
12 contractor; or

13 “(B) the Federal agency solicited bids for
14 a contract that was for work that derived from,
15 extended, or completed efforts made under prior
16 funding agreements under the SBIR program
17 or STTR program.”.

18 **SEC. 306. CLARIFYING THE PHASE III PREFERENCE.**

19 Section 9(r) of the Small Business Act (15 U.S.C.
20 638(r)) is amended—

21 (1) by striking paragraph (4);

22 (2) by redesignating paragraph (2) as para-
23 graph (4), and transferring such paragraph to after
24 paragraph (3); and

1 (3) by inserting after paragraph (1) the fol-
2 lowing:

3 “~~(2) PHASE III AWARD DIRECTION FOR AGEN-~~
4 ~~CIES AND PRIME CONTRACTORS.—To the greatest~~
5 ~~extent practicable, Federal agencies and Federal~~
6 ~~prime contractors shall issue Phase III awards relat-~~
7 ~~ing to technology, including sole source awards and~~
8 ~~awards under the Defense Research and Develop-~~
9 ~~ment Rapid Innovation Program under section 1073~~
10 ~~of the Ike Skelton National Defense Authorization~~
11 ~~Act for Fiscal Year 2011 (Public Law 111–383; 124~~
12 ~~Stat. 4366; 10 U.S.C. 2359 note), to the SBIR and~~
13 ~~STTR award recipients that developed the tech-~~
14 ~~nology.”.~~

15 **SEC. 307. IMPROVEMENTS TO TECHNICAL AND BUSINESS**
16 **ASSISTANCE.**

17 Section 9(q) of the Small Business Act (15 U.S.C.
18 ~~638(q))~~ is amended—

19 (1) in the subsection heading, by inserting
20 “~~AND BUSINESS~~” after “~~TECHNICAL~~”;

21 (2) in paragraph (1)—

22 (A) in the matter preceding subparagraph

23 (A)—

24 (i) by inserting “and business” before

25 “assistance services”; and

1 (ii) by inserting “assistance with
2 product sales, intellectual property protec-
3 tions, market research,” after “tech-
4 nologies,”; and

5 (B) in subparagraph (D), by inserting “,
6 including intellectual property protections” be-
7 fore the period at the end; and

8 (3) in paragraph (3)—

9 (A) in subparagraph (A), by striking
10 “\$5,000 per year” each place that term appears
11 and inserting “\$6,500 per project”;

12 (B) in subparagraph (B), by striking
13 “\$5,000 per year” each place that term appears
14 and inserting “\$15,000 per project”;

15 (C) in subparagraph (C), by inserting “or
16 business” after “technical”; and

17 (D) in subparagraph (D), by inserting “or
18 business” after “technical” each place that
19 term appears.

20 **TITLE IV—PROGRAM**
21 **DIVERSIFICATION INITIATIVES**

22 **SEC. 401. REGIONAL SBIR STATE COLLABORATIVE INITIA-**
23 **TIVE PILOT PROGRAM.**

24 Section 9 of the Small Business Act (15 U.S.C. 638)
25 is amended—

1 (1) in subsection (mm)—

2 (A) in paragraph (1), in the matter pre-
3 ceding subparagraph (A), by striking “2017”
4 and inserting “2021”; and

5 (B) by adding at the end the following:

6 “(7) SBIR AND STTR PROGRAMS; FAST PRO-
7 GRAM.—

8 “(A) DEFINITION.—In this paragraph, the
9 term ‘covered Federal agency’ means a Federal
10 agency that—

11 “(i) is required to conduct an SBIR
12 program; and

13 “(ii) elects to use the funds allocated
14 to the SBIR program of the Federal agen-
15 cy for the purposes described in paragraph
16 (1).

17 “(B) REQUIREMENT.—Each covered Fed-
18 eral agency shall transfer an amount equal to
19 15 percent of the funds that are used for the
20 purposes described in paragraph (1) to the Ad-
21 ministration—

22 “(i) for the Regional SBIR State Col-
23 laborative Initiative Pilot Program estab-
24 lished under subsection (uu);

1 “(ii) for the Federal and State Tech-
2 nology Partnership Program established
3 under section 34; and

4 “(iii) to support the Office of the Ad-
5 ministration that administers the SBIR
6 program and the STTR program, subject
7 to agreement from other agencies about
8 how the funds will be used, in carrying out
9 those programs and the programs de-
10 scribed in clauses (i) and (ii).

11 “(8) PILOT PROGRAM.—

12 “(A) IN GENERAL.—Of amounts provided
13 to the Administration under paragraph (7), not
14 less than \$5,000,000 shall be used to provide
15 awards under the Regional SBIR State Collabo-
16 rative Initiative Pilot Program established
17 under subsection (uu) for each fiscal year in
18 which the program is in effect.

19 “(B) DISBURSEMENT FLEXIBILITY.—The
20 Administration may use any unused funds
21 made available under subparagraph (A) as of
22 April 1 of each fiscal year for awards to carry
23 out clauses (ii) and (iii) of paragraph (7)(B)
24 after providing written notice to—

1 “(i) the Committee on Small Business
2 and Entrepreneurship and the Committee
3 on Appropriations of the Senate; and

4 “(ii) the Committee on Small Busi-
5 ness and the Committee on Appropriations
6 of the House of Representatives.”; and

7 (2) by adding after subsection (tt), as added by
8 section 304 of this Act, the following:

9 “(uu) REGIONAL SBIR STATE COLLABORATIVE INI-
10 TIATIVE PILOT PROGRAM.—

11 “(1) DEFINITIONS.—In this subsection—

12 “(A) the term ‘eligible entity’ means—

13 “(i) a research institution; and

14 “(ii) a small business concern;

15 “(B) the term ‘eligible State’ means—

16 “(i) a State that the Administrator
17 determines is in the bottom half of States,
18 based on the average number of annual
19 SBIR program awards made to companies
20 in the State for the preceding 3 years for
21 which the Administration has applicable
22 data; and

23 “(ii) an EPSCoR State that—

24 “(I) is a State described in clause
25 (i); or

1 “(H) is—

2 “(aa) not a State described
3 in clause (i); and

4 “(bb) invited to participate
5 in a regional collaborative;

6 “(C) the term ‘EPSCoR State’ means a
7 State that participates in the Experimental
8 Program to Stimulate Competitive Research of
9 the National Science Foundation, as established
10 under section 113 of the National Science
11 Foundation Authorization Act of 1988 (42
12 U.S.C. 1862g);

13 “(D) the term ‘FAST program’ means the
14 Federal and State Technology Partnership Pro-
15 gram established under section 34;

16 “(E) the term ‘pilot program’ means the
17 Regional SBIR State Collaborative Initiative
18 Pilot Program established under paragraph (2);

19 “(F) the term ‘regional collaborative’
20 means a collaborative consisting of eligible enti-
21 ties that are located in not less than 3 eligible
22 States; and

23 “(G) the term ‘State’ means any State of
24 the United States; the District of Columbia; the

1 Commonwealth of Puerto Rico, and any terri-
2 tory or possession of the United States.

3 “(2) ESTABLISHMENT.—The Administrator
4 shall establish a pilot program, to be known as the
5 Regional SBIR State Collaborative Initiative Pilot
6 Program, under which the Administrator shall pro-
7 vide awards to regional collaboratives to address the
8 needs of small business concerns in order to be more
9 competitive in the proposal and selection process for
10 awards under the SBIR program and the STTR
11 program and to increase technology transfer and
12 commercialization.

13 “(3) GOALS.—The goals of the pilot program
14 are—

15 “(A) to create regional collaboratives that
16 allow eligible entities to work cooperatively to
17 leverage resources to address the needs of small
18 business concerns;

19 “(B) to grow SBIR program and STTR
20 program cooperative research and development
21 and commercialization through increased
22 awards under those programs;

23 “(C) to increase the participation of States
24 that have historically received a lower level of

1 awards under the SBIR program and the
2 STTR program;

3 “(D) to utilize the strengths and advan-
4 tages of regional collaboratives to better lever-
5 age resources, best practices, and economies of
6 scale in a region for the purpose of increasing
7 awards and increasing the commercialization of
8 the SBIR program and STTR projects;

9 “(E) to increase the competitiveness of the
10 SBIR program and the STTR program;

11 “(F) to identify sources of outside funding
12 for applicants for an award under the SBIR
13 program or the STTR program, including ven-
14 ture capitalists, angel investor groups, private
15 industry, crowd funding, and special loan pro-
16 grams; and

17 “(G) to offer increased one-on-one engage-
18 ments with companies and entrepreneurs for
19 SBIR program and STTR program education,
20 assistance, and successful outcomes.

21 “(4) APPLICATION.—

22 “(A) IN GENERAL.—A regional collabo-
23 rative that desires to participate in the pilot
24 program shall submit to the Administrator an
25 application at such time, in such manner, and

1 containing such information as the Adminis-
2 trator may require.

3 “(B) INCLUSION OF LEAD ELIGIBLE ENTI-
4 THES AND COORDINATOR.—A regional collabo-
5 rative shall include in an application submitted
6 under subparagraph (A)—

7 “(i) the name of each lead eligible en-
8 tity from each eligible State in the regional
9 collaborative, as designated under para-
10 graph (5)(A); and

11 “(ii) the name of the coordinator for
12 the regional collaborative, as designated
13 under paragraph (6).

14 “(C) AVOIDANCE OF DUPLICATION.—A re-
15 gional collaborative shall include in an applica-
16 tion submitted under subparagraph (A) an ex-
17 planation as to how the activities of the regional
18 collaborative under the pilot program would dif-
19 fer from other State and Federal outreach ac-
20 tivities in each eligible State in the regional col-
21 laborative.

22 “(5) LEAD ELIGIBLE ENTITY.—

23 “(A) IN GENERAL.—Each eligible State in
24 a regional collaborative shall designate 1 eligible

1 entity located in the eligible State to serve as
2 the lead eligible entity for the eligible State.

3 “(B) AUTHORIZATION BY GOVERNOR.—

4 Each lead eligible entity designated under sub-
5 paragraph (A) shall be authorized to act as the
6 lead eligible entity by the Governor of the appli-
7 cable eligible State.

8 “(C) RESPONSIBILITIES.—Each lead eligi-

9 ble entity designated under subparagraph (A)
10 shall be responsible for administering the activi-
11 ties and program initiatives described in para-
12 graph (7) in the applicable eligible State.

13 “(6) REGIONAL COLLABORATIVE COORDI-

14 NATOR.—Each regional collaborative shall designate
15 a coordinator from amongst the eligible entities lo-
16 cated in the eligible States in the regional collabo-
17 rative, who shall serve as the interface between the
18 regional collaborative and the Administration with
19 respect to measuring cross-State collaboration and
20 program effectiveness and documenting best prac-
21 tices.

22 “(7) USE OF FUNDS.—Each regional collabo-

23 rative that is provided an award under the pilot pro-
24 gram may, in each eligible State in which an eligible
25 entity of the regional collaborative is located—

1 “(A) establish an initiative under which
2 first-time applicants for an award under the
3 SBIR program or the STTR program are re-
4 viewed by experienced, national experts in the
5 United States, as determined by the lead eligi-
6 ble entity designated under paragraph (5)(A);

7 “(B) engage national mentors on a fre-
8 quent basis to work directly with applicants for
9 an award under the SBIR program or the
10 STTR program, particularly during Phase II,
11 to assist with the process of preparing and sub-
12 mitting a proposal;

13 “(C) create and make available an online
14 mechanism to serve as a resource for applicants
15 for an award under the SBIR program or the
16 STTR program to identify and connect with
17 Federal labs, prime government contractor com-
18 panies, other industry partners, and regional in-
19 dustry cluster organizations;

20 “(D) conduct focused and concentrated
21 outreach efforts to increase participation in the
22 SBIR program and the STTR program by
23 small business concerns owned and controlled
24 by women, small business concerns owned and
25 controlled by veterans, small business concerns

1 owned and controlled by socially and economi-
2 cally disadvantaged individuals (as defined in
3 section 8(d)(3)(C)); and historically black col-
4 leges and universities;

5 “(E) administer a structured program of
6 training and technical assistance—

7 “(i) to prepare applicants for an
8 award under the SBIR program or the
9 STTR program—

10 “(I) to compete more effectively
11 for Phase I and Phase II awards; and

12 “(II) to develop and implement a
13 successful commercialization plan;

14 “(ii) to assist eligible States focusing
15 on transition and commercialization to win
16 Phase III awards from public and private
17 partners;

18 “(iii) to create more competitive pro-
19 posals to increase awards from all Federal
20 sources, with a focus on awards under the
21 SBIR program and the STTR program;
22 and

23 “(iv) to assist first-time applicants by
24 providing small grants for proof of concept
25 research; and

1 “(F) assist applicants for an award under
2 the SBIR program or the STTR program to
3 identify sources of outside funding, including
4 venture capitalists, angel investor groups, pri-
5 vate industry, crowd funding, and special loan
6 programs.

7 “(8) AWARD AMOUNT.—

8 “(A) IN GENERAL.—The Administrator
9 shall provide an award to each eligible State in
10 which an eligible entity of a regional collabo-
11 rative is located in an amount that is not more
12 than \$300,000 to carry out the activities de-
13 scribed in paragraph (7).

14 “(B) LIMITATION.—

15 “(i) IN GENERAL.—An eligible State
16 may not receive an award under both the
17 FAST program and the pilot program for
18 the same year.

19 “(ii) RULE OF CONSTRUCTION.—

20 Nothing in clause (i) shall be construed to
21 prevent an eligible State from applying for
22 an award under the FAST program and
23 the pilot program for the same year.

24 “(9) DURATION OF AWARD.—An award pro-
25 vided under the pilot program shall be for a period

1 of not more than 1 year, and may be renewed by the
2 Administrator for 1 additional year.

3 “(10) **TERMINATION.**—The pilot program shall
4 terminate on September 30, 2021.

5 “(11) **REPORT.**—Not later than February 1,
6 2021, the Administrator shall submit to the Com-
7 mittee on Small Business and Entrepreneurship of
8 the Senate and the Committee on Small Business of
9 the House of Representatives a report on the pilot
10 program, which shall include—

11 “(A) an assessment of the pilot program
12 and the effectiveness of the pilot program in
13 meeting the goals described in paragraph (3);

14 “(B) an assessment of the best practices,
15 including an analysis of how the pilot program
16 compares to the FAST program and a single-
17 State approach; and

18 “(C) recommendations as to whether any
19 aspect of the pilot program should be extended
20 or made permanent.”.

21 **SEC. 402. FEDERAL AND STATE TECHNOLOGY PARTNER-**
22 **SHIP PROGRAM.**

23 Section 34 of the Small Business Act (15 U.S.C.
24 657d) is amended—

25 (1) in subsection (h)—

1 (A) in paragraph (1), by striking “2001
2 through 2005” and inserting “2017 through
3 2021”; and

4 (B) in paragraph (2), by striking “fiscal
5 years 2001 through 2005” and inserting “each
6 of fiscal years 2017 through 2021”; and

7 (2) in subsection (i), by striking “September
8 30, 2005” and inserting “September 30, 2021”.

9 **TITLE V—OVERSIGHT AND** 10 **SIMPLIFICATION INITIATIVES**

11 **SEC. 501. DATA MODERNIZATION SUMMIT.**

12 (a) DEFINITIONS.—In this section—

13 (1) the term “Administration” means the Small
14 Business Administration;

15 (2) the term “Committee” means the SBIR and
16 STTR Interagency Policy Committee established
17 under subsection (b);

18 (3) the terms “Federal agency”, “SBIR”, and
19 “STTR” have the meanings given such terms under
20 section 9(e) of the Small Business Act (15 U.S.C.
21 638(e));

22 (4) the term “participating Federal agency”
23 means a Federal agency with an SBIR program or
24 an STTR program;

1 (5) the term “phase” means Phase I, Phase II,
2 and Phase III, as those terms are defined under sec-
3 tion 9(e) of the Small Business Act (15 U.S.C.
4 638(e)); and

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

8 (b) ESTABLISHMENT.—There is established an inter-
9 agency committee to be known as the “SBIR and STTR
10 Interagency Policy Committee”.

11 (c) MEMBERSHIP.—The Committee shall include—

12 (1) 2 representatives from each participating
13 Federal agency, of which—

14 (A) 1 shall have expertise with respect to
15 the SBIR program and STTR program of the
16 Federal agency; and

17 (B) 1 shall have expertise with respect to
18 the information technology systems of the Fed-
19 eral agency; and

20 (2) 2 representatives from the Administration,
21 of which—

22 (A) 1 shall serve as chairperson of the
23 Committee; and

1 (B) 1 shall be from the Information Tech-
2 nology Development Team of the Office of In-
3 vestment and Innovation of the Administration.

4 (d) DUTIES.—The Committee shall review the rec-
5 ommendations made in the report to Congress by the Of-
6 fice of Science and Technology of the Administration enti-
7 tled “SBIR/STTR TechNet Public & Government Data-
8 bases”, dated September 15, 2014, and the practices of
9 participating Federal agencies to—

10 (1) determine how to collect data on achieve-
11 ments by small business concerns in each phase of
12 the SBIR program and the STTR program and en-
13 sure collection and dissemination of such data in a
14 timely, efficient, and uniform manner;

15 (2) establish a uniform baseline for metrics that
16 support improving the solicitation, contracting, fund-
17 ing, and execution of program management in the
18 SBIR program and the STTR program;

19 (3) normalize formatting and database usage
20 across participating Federal agencies; and

21 (4) determine the feasibility of developing a
22 common system across all participating Federal
23 agencies and the paperwork requirements under
24 such a common system.

1 (e) IMPLEMENTATION.—Not later than September
 2 31, 2018, the Committee shall brief the Committee on
 3 Small Business and Entrepreneurship of the Senate and
 4 the Committee on Small Business of the House of Rep-
 5 resentatives on the solutions identified by the Committee
 6 under subsection (d) and resources needed to execute the
 7 solutions.

8 **SEC. 502. IMPLEMENTATION OF OUTSTANDING REAUTHOR-**
 9 **IZATION PROVISIONS.**

10 (a) IN GENERAL.—Section 9(mm) of the Small Busi-
 11 ness Act (15 U.S.C. 638(mm)), as amended by section
 12 401(1) of this Act, is amended—

13 (1) in paragraph (1), by striking “paragraph
 14 (3)” and inserting “paragraphs (3) and (9)”; and
 15 (2) by adding at the end the following:

16 “~~(9)~~ SUSPENSION OF FUNDING.—

17 “(A) FOR FEDERAL AGENCIES.—

18 “(i) IN GENERAL.—For fiscal years
 19 2018 and 2019, any Federal agency that
 20 has not implemented each provision of law
 21 described in clause (ii)—

22 “(I) shall continue to provide
 23 amounts to the Administration in ac-
 24 cordance with paragraph (7)(B); and

1 “(H) may not use any additional
2 amounts as described in paragraph
3 (1) until 30 days after the date on
4 which the Federal agency submits to
5 the Committee on Small Business and
6 Entrepreneurship of the Senate and
7 the Committee on Small Business of
8 the House of Representatives docu-
9 mentation demonstrating that the
10 Federal agency has implemented and
11 is in compliance with each provision of
12 law described in clause (ii).

13 “(ii) PROVISIONS.—The provisions of
14 law described in this subparagraph are the
15 following:

16 “(I) Subsection (r)(4), relating to
17 Phase III preferences.

18 “(II) Paragraphs (5) and (6) of
19 subsection (y), relating to insertion
20 goals.

21 “(III) Subsection (g)(4)(B), re-
22 lating to shortening the decision time
23 for SBIR awards.

1 “(IV) Subsection (o)(4)(B), relat-
2 ing to shortening the decision time for
3 STTR awards.

4 “(V) Subsection (v), relating to
5 reducing paperwork and compliance
6 burdens.

7 “(B) FOR ADMINISTRATION.—For fiscal
8 years 2018 and 2019, if the Administration is
9 not in compliance with subsection (b)(7), relat-
10 ing to annual reports to Congress, the Adminis-
11 tration may not use amounts received under
12 paragraph (7)(B) of this subsection for a pur-
13 pose described in clause (iii) of such paragraph
14 (7)(B).”.

15 (b) CLARIFICATION OF REPORTING REQUIRE-
16 MENT.—Section 9(b)(7) of the Small Business Act (15
17 U.S.C. 638(b)(7)) is amended in the matter preceding
18 subparagraph (A), by striking “not less than annually”
19 and inserting “not later than February 1 of each year”.

20 **SEC. 503. STRENGTHENING OF THE REQUIREMENT TO**
21 **SHORTEN THE APPLICATION REVIEW AND**
22 **DECISION TIME.**

23 Section 9 of the Small Business Act (15 U.S.C. 638)
24 is amended—

1 ~~(1)~~ in subsection ~~(g)~~(4), by striking subpara-
2 graph ~~(B)~~ and inserting the following:

3 ~~“(B) make a final decision on each pro-~~
4 ~~posal submitted under the SBIR program—~~

5 ~~“(i) for the Department of Health and~~
6 ~~Human Services, not later than 1 year~~
7 ~~after the date on which the applicable so-~~
8 ~~licitation closes, with a goal to reduce the~~
9 ~~review and decision time to less than 10~~
10 ~~months by September 30, 2019;~~

11 ~~“(ii) for the Department of Agri-~~
12 ~~culture and the National Science Founda-~~
13 ~~tion, not later than 6 months after the~~
14 ~~date on which the applicable solicitation~~
15 ~~closes; or~~

16 ~~“(iii) for any other Federal agency—~~

17 ~~“(I) not later than 90 days after~~
18 ~~the date on which the applicable solie-~~
19 ~~itation closes; or~~

20 ~~“(II) if the Administrator au-~~
21 ~~thorizes an extension with respect to a~~
22 ~~solicitation, not later than 90 days~~
23 ~~after the date that would otherwise be~~
24 ~~applicable to the Federal agency~~
25 ~~under subclause (I);”;~~ and

1 (2) in subsection (o)(4), by striking subpara-
2 graph (B) and inserting the following:

3 “~~(B) make a final decision on each pro-~~
4 ~~posal submitted under the STTR program—~~

5 “~~(i) for the Department of Health and~~
6 ~~Human Services, not later than 1 year~~
7 ~~after the date on which the applicable so-~~
8 ~~licitation closes, with a goal to reduce the~~
9 ~~review and decision time to less than 10~~
10 ~~months by September 30, 2019;~~

11 “~~(ii) for the Department of Agri-~~
12 ~~culture and the National Science Founda-~~
13 ~~tion, not later than 6 months after the~~
14 ~~date on which the applicable solicitation~~
15 ~~closes; or~~

16 “~~(iii) for any other Federal agency—~~

17 “~~(I) not later than 90 days after~~
18 ~~the date on which the applicable solie-~~
19 ~~itation closes; or~~

20 “~~(II) if the Administrator au-~~
21 ~~thorizes an extension with respect to a~~
22 ~~solicitation, not later than 90 days~~
23 ~~after the date that would otherwise be~~
24 ~~applicable to the Federal agency~~
25 ~~under subclause (I);”.~~

1 **SEC. 504. CONTINUED GAO OVERSIGHT OF ALLOCATION**
2 **COMPLIANCE AND ACCURACY IN FUNDING**
3 **BASE CALCULATIONS.**

4 Section 5136(a) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2012 (15 U.S.C. 638 note) is
6 amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “until the date that is 5 years after the date
9 of enactment of this Act” and inserting “until the
10 date on which the Comptroller General of the United
11 States submits the report relating to fiscal year
12 2019”;

13 (2) in paragraph (1), by striking subparagraph
14 (C) and inserting the following:

15 “(C) assess whether the change in the base
16 funding for the Department of Defense as re-
17 quired by subparagraphs (J) and (K) of section
18 9(f)(1) of the Small Business Act (15 U.S.C.
19 638(f)(1))—

20 “(i) improves transparency for deter-
21 mining whether the Department is com-
22 plying with the allocation requirements;

23 “(ii) reduces the burden of calculating
24 the allocations; and

1 “(iii) improves the compliance of the
2 Department with the allocation require-
3 ments; and”;

4 (3) in paragraph (2) by striking “under sub-
5 paragraph (B)” and inserting “under subparagraphs
6 (B) and (C)”.

7 **TITLE VI—TECHNICAL CHANGES**

8 **SEC. 601. UNIFORM REFERENCE TO THE DEPARTMENT OF** 9 **HEALTH AND HUMAN SERVICES.**

10 Section 9 of the Small Business Act (15 U.S.C. 638)
11 is amended—

12 (1) in subsection (cc), by striking “National In-
13 stitutes of Health” and inserting “Department of
14 Health and Human Services”;

15 (2) in subsection (dd)(1)(A), by striking “Di-
16 rector of the National Institutes of Health” and in-
17 serting “Secretary of Health and Human Services”.

18 **SEC. 602. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.**

19 Section 9(c)(4)(B) of the Small Business Act (15
20 U.S.C. 638(e)(4)(B)) is amended in the matter preceding
21 clause (i)—

22 (1) by striking “, which shall not include any
23 invitation, pre-screening, or pre-selection process for
24 eligibility for Phase II,”;

1 (2) by inserting “in which eligibility for an
 2 award shall not be based only on an invitation, pre-
 3 screening, or pre-selection process and” before “in
 4 which awards”.

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “SBIR and STTR Reau-*
 7 *thorization and Improvement Act of 2016”.*

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—REAUTHORIZATION OF PROGRAMS

Sec. 101. Permanency of SBIR program and STTR program.

**TITLE II—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL
 INNOVATION INVESTMENTS**

Sec. 201. Allocation increases and transparency in base calculation.

Sec. 202. Regular oversight of award amounts.

TITLE III—COMMERCIALIZATION IMPROVEMENTS

Sec. 301. Permanency of the commercialization pilot program for civilian agen-
cies.

Sec. 302. Enforcement of national small business goal for Federal research and
development.

Sec. 303. Tracking rapid innovation fund awards in annual congressional report.

Sec. 304. Intellectual property protection for technology development.

Sec. 305. Annual GAO audit of compliance with commercialization goals.

Sec. 306. Clarifying the Phase III preference.

Sec. 307. Improvements to technical and business assistance.

TITLE IV—PROGRAM DIVERSIFICATION INITIATIVES

Sec. 401. Regional SBIR State collaborative initiative pilot program.

Sec. 402. Federal and State Technology Partnership Program.

TITLE V—OVERSIGHT AND SIMPLIFICATION INITIATIVES

Sec. 501. Data modernization summit.

Sec. 502. Implementation of outstanding reauthorization provisions.

Sec. 503. Strengthening of the requirement to shorten the application review and
decision time.

Sec. 504. Continued GAO oversight of allocation compliance and accuracy in
funding base calculations.

TITLE VI—PARTICIPATION BY WOMEN AND MINORITIES

Sec. 601. SBA coordination on increasing outreach for women and minority-owned businesses.

Sec. 602. Federal agency outreach requirements for women and minority-owned businesses.

Sec. 603. STTR policy directive modification.

Sec. 604. Interagency SBIR/STTR Policy Committee.

Sec. 605. Diversity and STEM workforce development pilot program.

TITLE VII—TECHNICAL CHANGES

Sec. 701. Uniform reference to the Department of Health and Human Services.

Sec. 702. Flexibility for Phase II award invitations.

1 **TITLE I—REAUTHORIZATION OF**
 2 **PROGRAMS**

3 **SEC. 101. PERMANENCY OF SBIR PROGRAM AND STTR PRO-**
 4 **GRAM.**

5 (a) SBIR.—Section 9(m) of the Small Business Act
 6 (15 U.S.C. 638(m)) is amended—

7 (1) in the subsection heading, by striking “TER-
 8 MINATION” and inserting “SBIR PROGRAM AUTHOR-
 9 IZATION”; and

10 (2) by striking “terminate on September 30,
 11 2017” and inserting “be in effect for each fiscal
 12 year”.

13 (b) STTR.—Section 9(n)(1)(A) of the Small Business
 14 Act (15 U.S.C. 638(n)(1)(A)) is amended by striking
 15 “through fiscal year 2017”.

1 **TITLE II—ENHANCED SMALL**
 2 **BUSINESS ACCESS TO FED-**
 3 **ERAL INNOVATION INVEST-**
 4 **MENTS**

5 **SEC. 201. ALLOCATION INCREASES AND TRANSPARENCY IN**
 6 **BASE CALCULATION.**

7 *(a) SBIR.—Section 9(f) of the Small Business Act (15*
 8 *U.S.C. 638(f)) is amended—*

9 *(1) in paragraph (1)—*

10 *(A) in the matter preceding subparagraph*
 11 *(A), by striking “expend” and inserting “obli-*
 12 *gate for expenditure”;*

13 *(B) in subparagraph (H), by striking*
 14 *“and” at the end;*

15 *(C) in subparagraph (I), by striking “and*
 16 *each fiscal year thereafter,” and inserting a*
 17 *semicolon; and*

18 *(D) by inserting after subparagraph (I) the*
 19 *following:*

20 *“(J) for a Federal agency other than the*
 21 *Department of Defense—*

22 *“(i) not less than 3.5 percent of the ex-*
 23 *tramural budget for research or research*
 24 *and development of the Federal agency in*
 25 *each of fiscal years 2018 and 2019;*

1 “(ii) not less than 4 percent of such ex-
2 tramural budget in each of fiscal years 2020
3 and 2021;

4 “(iii) not less than 4.5 percent of such
5 extramural budget in each of fiscal years
6 2022 and 2023;

7 “(iv) not less than 5 percent of such ex-
8 tramural budget in each of fiscal years 2024
9 and 2025;

10 “(v) not less than 5.5 percent of such
11 extramural budget in each of fiscal years
12 2026 and 2027; and

13 “(vi) not less than 6 percent of such ex-
14 tramural budget in fiscal year 2028 and
15 each fiscal year thereafter; and

16 “(K) for the Department of Defense—

17 “(i) not less than 2.5 percent of the
18 budget for research, development, test, and
19 evaluation of the Department of Defense in
20 each of fiscal years 2018 and 2019;

21 “(ii) not less than 3 percent of such
22 budget in each of fiscal years 2020 and
23 2021;

1 “(iii) not less than 3.5 percent of such
2 budget in each of fiscal years 2022 and
3 2023;

4 “(iv) not less than 4 percent of such
5 budget in each of fiscal years 2024 and
6 2025;

7 “(v) not less than 4.5 percent of such
8 budget in each of fiscal years 2026 and
9 2027; and

10 “(vi) not less than 5 percent of such
11 budget in fiscal year 2028 and each fiscal
12 year thereafter;”;

13 (2) in paragraph (2)(B), by inserting “(or for
14 the Department of Defense, an amount of the budget
15 for basic research of the Department of Defense)” after
16 “research”; and

17 (3) in paragraph (4), by inserting “(or for the
18 Department of Defense an amount of the budget for
19 research, development, test, and evaluation of the De-
20 partment of Defense)” after “of the agency”.

21 (b) *STTR*.—Section 9(n)(1) of the Small Business Act
22 (15 U.S.C. 638(n)(1)) is amended—

23 (1) in subparagraph (A)—

24 (A) by striking “expend” and inserting “ob-
25 ligate for expenditure”; and

1 (B) by striking “not less than the percent-
2 age of that extramural budget specified in sub-
3 paragraph (B)” and inserting “for a Federal
4 agency other than the Department of Defense,
5 not less than the percentage of that extramural
6 budget specified in subparagraph (B) and, for
7 the Department of Defense, not less than the per-
8 centage of the budget for research, development,
9 test, and evaluation of the Department of Defense
10 specified in subparagraph (B)”

11 (2) in subparagraph (B)—

12 (A) in the matter preceding clause (i), by
13 striking “the extramural budget required to be
14 expended by an agency” and inserting “the ex-
15 tramural budget, for a Federal agency other than
16 the Department of Defense, and of the budget for
17 research, development, test, and evaluation, for
18 the Department of Defense, required to be obli-
19 gated for expenditure with small business con-
20 cerns”;

21 (B) in clause (iv), by striking “and” at the
22 end;

23 (C) in clause (v), by striking “fiscal year
24 2016 and each fiscal year thereafter.” and insert-
25 ing “each of fiscal years 2016 and 2017;”; and

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

2 “(vi) 0.55 percent for each of fiscal
3 years 2018 and 2019;

4 “(vii) 0.65 percent for each of fiscal
5 years 2020 and 2021;

6 “(viii) 0.75 percent for each of fiscal
7 years 2022 and 2023; and

8 “(ix) 1 percent for fiscal year 2024
9 and each fiscal year thereafter.”.

10 **SEC. 202. REGULAR OVERSIGHT OF AWARD AMOUNTS.**

11 (a) *ELIMINATION OF AUTOMATIC INFLATION ADJUST-*
12 *MENTS.—Section 9(j) of the Small Business Act (15 U.S.C.*
13 *638(j)) is amended—*

14 (1) *in paragraph (2)(D), by inserting “through*
15 *fiscal year 2016” after “every year”; and*

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

17 “(4) *2016 MODIFICATIONS FOR DOLLAR VALUE*
18 *OF AWARDS.—Not later than 120 days after the date*
19 *of enactment of the SBIR and STTR Reauthorization*
20 *and Improvement Act of 2016, the Administrator*
21 *shall modify the policy directives issued under this*
22 *subsection to—*

23 “(A) *eliminate the annual adjustments for*
24 *inflation of the dollar value of awards described*
25 *in paragraph (2)(D); and*

1 “(B) clarify that Congress intends to review
2 the dollar value of awards every 3 fiscal years.”.

3 (b) *SENSE OF CONGRESS REGARDING REGULAR RE-*
4 *VIEW OF THE AWARD SIZES.—It is the sense of Congress*
5 *that for fiscal year 2019, and every third fiscal year there-*
6 *after, Congress should evaluate whether the maximum*
7 *award sizes under the Small Business Innovation Research*
8 *Program and the Small Business Technology Transfer Pro-*
9 *gram under section 9 of the Small Business Act (15 U.S.C.*
10 *638) should be adjusted and, if so, take appropriate action*
11 *to direct that such adjustments be made under the policy*
12 *directives issued under subsection (j) of such section.*

13 (c) *CLARIFICATION OF SEQUENTIAL PHASE II*
14 *AWARDS.—Section 9(ff) of the Small Business Act (15*
15 *U.S.C. 638(ff)) is amended by adding at the end the fol-*
16 *lowing:*

17 “(3) *CLARIFICATION OF SEQUENTIAL PHASE II*
18 *AWARDS.—The head of a Federal agency shall ensure*
19 *that any sequential Phase II award is made in ac-*
20 *cordance with the limitations on award sizes under*
21 *subsection (aa).*

22 “(4) *CROSS-AGENCY SEQUENTIAL PHASE II*
23 *AWARDS.—A small business concern that receives a se-*
24 *quential Phase II SBIR or Phase II STTR award for*
25 *a project from a Federal agency is eligible to receive*

1 *an additional sequential Phase II award that con-*
 2 *tinues work on that project from another Federal*
 3 *agency.”.*

4 ***TITLE III—COMMERCIALIZATION***
 5 ***IMPROVEMENTS***

6 ***SEC. 301. PERMANENCY OF THE COMMERCIALIZATION***
 7 ***PILOT PROGRAM FOR CIVILIAN AGENCIES.***

8 *Section 9(gg) of the Small Business Act (15 U.S.C.*
 9 *638(gg)) is amended—*

10 *(1) in the subsection heading, by striking “PILOT*
 11 *PROGRAM” and inserting “COMMERCIALIZATION DE-*
 12 *VELOPMENT AWARDS”;*

13 *(2) by striking paragraphs (2), (7), and (8);*

14 *(3) by redesignating paragraphs (3), (4), (5),*
 15 *and (6) as paragraphs (2), (3), (4), and (5), respec-*
 16 *tively;*

17 *(4) by adding at the end the following:*

18 *“(6) DEFINITIONS.—In this subsection—*

19 *“(A) the term ‘commercialization develop-*
 20 *ment program’ means a program established by*
 21 *a covered Federal agency under paragraph (1);*
 22 *and*

23 *“(B) the term ‘covered Federal agency’—*

1 “(i) means a Federal agency partici-
 2 pating in the SBIR program or the STTR
 3 program; and

4 “(ii) does not include the Department
 5 of Defense.”; and

6 (5) by striking “pilot program” each place it ap-
 7 pears and inserting “commercialization development
 8 program”.

9 **SEC. 302. ENFORCEMENT OF NATIONAL SMALL BUSINESS**

10 **GOAL FOR FEDERAL RESEARCH AND DEVEL-**
 11 **OPMENT.**

12 Section 9(h) of the Small Business Act (15 U.S.C. 638
 13 (h)) is amended by inserting “, which may not be less than
 14 10 percent for fiscal year 2018, and each fiscal year there-
 15 after,” after “shall establish goals”.

16 **SEC. 303. TRACKING RAPID INNOVATION FUND AWARDS IN**
 17 **ANNUAL CONGRESSIONAL REPORT.**

18 Section 9(b)(7) of the Small Business Act (15 U.S.C.
 19 638(b)(7)) is amended—

20 (1) in subparagraph (F), by striking “and” at
 21 the end;

22 (2) in subparagraph (G), adding “and” at the
 23 end; and

24 (3) by adding at the end the following:

1 “(H) information regarding awards under
2 the Rapid Innovation Program under section
3 1073 of the Ike Skelton National Defense Author-
4 ization Act for Fiscal Year 2011 (Public Law
5 111–383; 124 Stat. 4366; 10 U.S.C. 2359 note),
6 including—

7 “(i) the number and dollar amount of
8 awards made under the Rapid Innovation
9 Program to business concerns receiving an
10 award under the SBIR program or the
11 STTR program;

12 “(ii) the proportion of awards under
13 the Rapid Innovation Program made to
14 business concerns receiving an award under
15 the SBIR program or the STTR program;

16 “(iii) the proportion of awards under
17 the Rapid Innovation Program made to
18 small business concerns; and

19 “(iv) a projection of the effect on the
20 number of awards under the Rapid Innova-
21 tion Program if amounts to carry out the
22 program were made available as a fixed al-
23 location of the amount appropriated to the
24 Department of Defense for research, develop-
25 ment, test, and evaluation, excluding

1 *amounts appropriated for the defense uni-*
2 *versities;”.*

3 **SEC. 304. INTELLECTUAL PROPERTY PROTECTION FOR**
4 **TECHNOLOGY DEVELOPMENT.**

5 *Section 9 of the Small Business Act (15 U.S.C. 638)*
6 *is amended by adding at the end the following:*

7 *“(tt) INTELLECTUAL PROPERTY PROTECTIONS.—*

8 *“(1) IN GENERAL.—Subject to paragraph (2)(B),*
9 *the cost of seeking protection for intellectual property,*
10 *including a trademark, copyright, or patent, that was*
11 *created through work performed under an SBIR or*
12 *STTR award is allowable as an indirect cost under*
13 *that award.*

14 *“(2) CLARIFICATION OF PATENT COSTS.—*

15 *“(A) IN GENERAL.—A Federal agency shall*
16 *not directly or indirectly inhibit, through the*
17 *policies, directives, or practices of the Federal*
18 *agency, an otherwise eligible small business con-*
19 *cern performing under an SBIR or STTR*
20 *award from recovering patent costs incurred as*
21 *requirements under that award, including—*

22 *“(i) the costs of preparing—*

23 *“(I) invention disclosures;*

24 *“(II) reports; and*

25 *“(III) other documents;*

1 “(ii) the costs for searching the art to
2 the extent necessary to make the invention
3 disclosures;

4 “(iii) other costs in connection with the
5 filing and prosecution of a United States
6 patent application where title or royalty-
7 free license is to be conveyed to the Federal
8 Government; and

9 “(iv) general counseling services relat-
10 ing to patent matters, including advice on
11 patent laws, regulations, clauses, and em-
12 ployee agreements.

13 “(B) RECOVERY LIMITATIONS.—After con-
14 sultation with contracting or auditing authori-
15 ties, the patent costs described in subparagraph
16 (A) shall be allowable for technology developed
17 under a—

18 “(i) Phase I award, as indirect costs in
19 an amount not greater than \$5,000;

20 “(ii) Phase II award, as indirect costs
21 in an amount not greater than \$15,000;
22 and

23 “(iii) Phase III award in which the
24 Federal Government has government pur-

1 *pose rights (as defined in section 227.7103-*
 2 *5 of title 48, Code of Federal Regulations).”.*

3 **SEC. 305. ANNUAL GAO AUDIT OF COMPLIANCE WITH COM-**
 4 **MERCIALIZATION GOALS.**

5 *Section 9(nn) of the Small Business Act (15 U.S.C.*
 6 *638(nn)) is amended to read as follows:*

7 *“(nn) ANNUAL GAO REPORT ON GOVERNMENT COM-*
 8 *PLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREF-*
 9 *ERENCE.—Not later than 1 year after the date of enactment*
 10 *of the SBIR and STTR Reauthorization and Improvement*
 11 *Act of 2016, and every year thereafter until the date that*
 12 *is 5 years after the date of enactment of the SBIR and*
 13 *STTR Reauthorization and Improvement Act of 2016, the*
 14 *Comptroller General of the United States shall submit to*
 15 *the Committee on Small Business and Entrepreneurship of*
 16 *the Senate and the Committee on Small Business of the*
 17 *House of Representatives a report that—*

18 *“(1) discusses the status of the compliance of*
 19 *Federal agencies with the requirements or authorities*
 20 *established under—*

21 *“(A) subsection (h), relating to the establish-*
 22 *ment by certain Federal agencies of a goal for*
 23 *funding agreements for research and research*
 24 *and development with small business concerns;*

1 “(B) subsection (y)(5)(A), relating to the re-
2 quirement for the Department of Defense to es-
3 tablish goals for the transition of Phase III tech-
4 nologies in subcontracting plans;

5 “(C) subsection (y)(5)(B), relating to the re-
6 quirement for the Department of Defense to es-
7 tablish procedures for a prime contractor to re-
8 port the number and dollar amount of contracts
9 with small business concerns for Phase III SBIR
10 projects or STTR projects of the prime con-
11 tractor; and

12 “(D) subsection (y)(6), relating to the re-
13 quirement for the Department of Defense to set
14 a goal to increase the number of Phase II SBIR
15 and STTR contracts that transition into pro-
16 grams of record or fielded systems;

17 “(2) includes, for a Federal agency that is in
18 compliance with a requirement described under para-
19 graph (1), a description of how the Federal agency
20 achieved compliance; and

21 “(3) includes a list, organized by Federal agency,
22 of small business concerns that have asserted that—

23 “(A) the Government or prime contractor—

24 “(i) did not protect the intellectual
25 property of the small business concern in

1 *accordance with data rights under the*
2 *SBIR or STTR award; or*

3 *“(ii) issued a Phase III SBIR or*
4 *STTR award conditional on relinquishing*
5 *data rights;*

6 *“(B) the Federal agency solicited bids for a*
7 *contract, or provided funding to an entity other*
8 *than the small business concern receiving the*
9 *SBIR or STTR award, that was for work that*
10 *derived from, extended, or completed efforts made*
11 *under prior funding agreements under the SBIR*
12 *program or STTR program;*

13 *“(C) the Government or prime contractor*
14 *did not comply with the SBIR and STTR policy*
15 *directives and the small business concern filed a*
16 *comment or complaint to the Office of the Na-*
17 *tional Ombudsman or appealed to the Adminis-*
18 *trator for intervention; or*

19 *“(D) the Federal agency did not comply*
20 *with subsection (g)(12) or (o)(16) requiring*
21 *timely notice to the Administrator of any case or*
22 *controversy before any Federal judicial or ad-*
23 *ministrative tribunal concerning the SBIR pro-*
24 *gram or the STTR program of the Federal agen-*
25 *cy.”.*

1 **SEC. 306. CLARIFYING THE PHASE III PREFERENCE.**

2 *Section 9(r) of the Small Business Act (15 U.S.C.*
3 *638(r)) is amended—*

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

5 *(2) by redesignating paragraph (2) as para-*
6 *graph (4), and transferring such paragraph to after*
7 *paragraph (3); and*

8 *(3) by inserting after paragraph (1) the fol-*
9 *lowing:*

10 *“(2) PHASE III AWARD DIRECTION FOR AGEN-*
11 *CIES AND PRIME CONTRACTORS.—To the greatest ex-*
12 *tent practicable, Federal agencies and Federal prime*
13 *contractors shall issue Phase III awards relating to*
14 *technology, including sole source awards and awards*
15 *under the Defense Research and Development Rapid*
16 *Innovation Program under section 1073 of the Ike*
17 *Skelton National Defense Authorization Act for Fiscal*
18 *Year 2011 (Public Law 111–383; 124 Stat. 4366; 10*
19 *U.S.C. 2359 note), to the SBIR and STTR award re-*
20 *cipients that developed the technology.”.*

21 **SEC. 307. IMPROVEMENTS TO TECHNICAL AND BUSINESS**
22 **ASSISTANCE.**

23 *Section 9(q) of the Small Business Act (15 U.S.C.*
24 *638(q)) is amended—*

25 *(1) in the subsection heading, by inserting “AND*
26 *BUSINESS” after “TECHNICAL”;*

1 (2) *in paragraph (1)—*

2 (A) *in the matter preceding subparagraph*

3 (A)—

4 (i) *by striking “a vendor selected under*
5 *paragraph (2)” and inserting “1 or more*
6 *vendors selected under paragraph (2)(A)”;*

7 (ii) *by inserting “and business” before*
8 *“assistance services”; and*

9 (iii) *by inserting “assistance with*
10 *product sales, intellectual property protec-*
11 *tions, market research, market validation,*
12 *and development of regulatory plans and*
13 *manufacturing plans,” after “technologies,”*
14 *and*

15 (B) *in subparagraph (D), by inserting “,*
16 *including intellectual property protections” be-*
17 *fore the period at the end;*

18 (3) *in paragraph (2)—*

19 (A) *by striking “Each agency may select a*
20 *vendor to assist small business concerns to meet”*
21 *and inserting the following:*

22 “(A) *IN GENERAL.—Each agency may select*
23 *1 or more vendors from which small business*
24 *concerns may obtain assistance in meeting”;* and

25 (B) *by adding at the end the following:*

1 “(B) *SELECTION BY SMALL BUSINESS CON-*
2 *CERN.—A small business concern may, by con-*
3 *tract or otherwise, select 1 or more vendors to as-*
4 *assist the small business concern in meeting the*
5 *goals listed in paragraph (1).”;* and

6 *(4) in paragraph (3)—*

7 *(A) by inserting “(A)” after “paragraph*
8 *(2)” each place it appears;*

9 *(B) in subparagraph (A), by striking*
10 *“\$5,000 per year” each place it appears and in-*
11 *serting “\$6,500 per project”;*

12 *(C) in subparagraph (B)—*

13 *(i) by striking “\$5,000 per year” each*
14 *place it appears and inserting “\$35,000 per*
15 *project”;* and

16 *(ii) in clause (i), by striking “which*
17 *shall be in addition to the amount of the re-*
18 *cipient’s award” and inserting “which may,*
19 *as determined appropriate by the head of*
20 *the Federal agency, be included as part of*
21 *the recipient’s award or be in addition to*
22 *the amount of the recipient’s award”;*

23 *(D) in subparagraph (C)—*

24 *(i) by inserting “or business” after*
25 *“technical”;*

1 (ii) by striking “the vendor” and in-
2 serting “a vendor”; and

3 (iii) by adding at the end the fol-
4 lowing: “Business-related services aimed at
5 improving the commercialization success of
6 a small business concern may be obtained
7 from an entity, such as a public or private
8 organization or an agency of or other entity
9 established or funded by a State that facili-
10 tates or accelerates the commercialization of
11 technologies or assists in the creation and
12 growth of private enterprises that are com-
13 mercializing technology.”;

14 (E) in subparagraph (D)—

15 (i) by inserting “or business” after
16 “technical” each place it appears; and

17 (ii) in clause (i)—

18 (I) by striking “the vendor” and
19 inserting “1 or more vendors”; and

20 (II) by striking “provides” and
21 inserting “provide”; and

22 (F) by adding at the end the following:

23 “(E) MULTIPLE AWARD RECIPIENTS.—The
24 Administrator shall establish a limit on the
25 amount of technical and business assistance serv-

1 *ices that may be received or purchased under*
 2 *subparagraph (B) by small business concerns*
 3 *with respect to multiple Phase II SBIR or*
 4 *STTR awards for a fiscal year.”.*

5 ***TITLE IV—PROGRAM***
 6 ***DIVERSIFICATION INITIATIVES***

7 ***SEC. 401. REGIONAL SBIR STATE COLLABORATIVE INITIA-***
 8 ***TIVE PILOT PROGRAM.***

9 *Section 9 of the Small Business Act (15 U.S.C. 638)*
 10 *is amended—*

11 *(1) in subsection (mm)—*

12 *(A) in paragraph (1)—*

13 *(i) in the matter preceding subpara-*
 14 *graph (A), by striking “2017” and inserting*
 15 *“2021”;*

16 *(ii) in subparagraph (I), by striking*
 17 *“and” at the end;*

18 *(iii) in subparagraph (J), by striking*
 19 *the period and inserting “; and”; and*

20 *(iv) by adding at the end the following:*

21 *“(K) funding for improvements that in-*
 22 *crease commonality across data systems, reduce*
 23 *redundancy, and improve data oversight and ac-*
 24 *curacy.”; and*

25 *(B) by adding at the end the following:*

1 “(7) *SBIR AND STTR PROGRAMS; FAST PRO-*
2 *GRAM.*—

3 “(A) *DEFINITION.*—*In this paragraph, the*
4 *term ‘covered Federal agency’ means a Federal*
5 *agency that—*

6 “(i) *is required to conduct an SBIR*
7 *program; and*

8 “(ii) *elects to use the funds allocated to*
9 *the SBIR program of the Federal agency for*
10 *the purposes described in paragraph (1).*

11 “(B) *REQUIREMENT.*—*Each covered Federal*
12 *agency shall transfer an amount equal to 15 per-*
13 *cent of the funds that are used for the purposes*
14 *described in paragraph (1) to the Administra-*
15 *tion—*

16 “(i) *for the Regional SBIR State Col-*
17 *laborative Initiative Pilot Program estab-*
18 *lished under subsection (uu);*

19 “(ii) *for the Federal and State Tech-*
20 *nology Partnership Program established*
21 *under section 34; and*

22 “(iii) *to support the Office of the Ad-*
23 *ministration that administers the SBIR*
24 *program and the STTR program, subject to*
25 *agreement from other agencies about how*

1 *the funds will be used, in carrying out those*
2 *programs and the programs described in*
3 *clauses (i) and (ii).*

4 “(8) *PILOT PROGRAM.*—

5 “(A) *IN GENERAL.*—*Of amounts provided to*
6 *the Administration under paragraph (7), not less*
7 *than \$5,000,000 shall be used to provide awards*
8 *under the Regional SBIR State Collaborative*
9 *Initiative Pilot Program established under sub-*
10 *section (uu) for each fiscal year in which the*
11 *program is in effect.*

12 “(B) *DISBURSEMENT FLEXIBILITY.*—*The*
13 *Administration may use any unused funds made*
14 *available under subparagraph (A) as of April 1*
15 *of each fiscal year for awards to carry out*
16 *clauses (ii) and (iii) of paragraph (7)(B) after*
17 *providing written notice to—*

18 “(i) *the Committee on Small Business*
19 *and Entrepreneurship and the Committee*
20 *on Appropriations of the Senate; and*

21 “(ii) *the Committee on Small Business*
22 *and the Committee on Appropriations of the*
23 *House of Representatives.”; and*

24 (2) *by adding after subsection (tt), as added by*
25 *section 304 of this Act, the following:*

1 “(uu) *REGIONAL SBIR STATE COLLABORATIVE INI-*
 2 *TIATIVE PILOT PROGRAM.*—

3 “(1) *DEFINITIONS.*—*In this subsection—*

4 “(A) *the term ‘eligible entity’ means—*

5 “(i) *a research institution; and*

6 “(ii) *a small business concern;*

7 “(B) *the term ‘eligible State’ means—*

8 “(i) *a State that the Administrator de-*

9 *termines is in the bottom half of States,*

10 *based on the average number of annual*

11 *SBIR program awards made to companies*

12 *in the State for the preceding 3 years for*

13 *which the Administration has applicable*

14 *data; and*

15 “(ii) *an EPSCoR State that—*

16 “(I) *is a State described in clause*

17 *(i); or*

18 “(II) *is—*

19 “(aa) *not a State described*

20 *in clause (i); and*

21 “(bb) *invited to participate*

22 *in a regional collaborative;*

23 “(C) *the term ‘EPSCoR State’ means a*

24 *State that participates in the Experimental Pro-*

25 *gram to Stimulate Competitive Research of the*

1 *National Science Foundation, as established*
2 *under section 113 of the National Science Foun-*
3 *ation Authorization Act of 1988 (42 U.S.C.*
4 *1862g);*

5 “(D) the term ‘FAST program’ means the
6 *Federal and State Technology Partnership Pro-*
7 *gram established under section 34;*

8 “(E) the term ‘pilot program’ means the
9 *Regional SBIR State Collaborative Initiative*
10 *Pilot Program established under paragraph (2);*

11 “(F) the term ‘regional collaborative’ means
12 *a collaborative consisting of eligible entities that*
13 *are located in not less than 3 eligible States; and*

14 “(G) the term ‘State’ means any State of
15 *the United States, the District of Columbia, the*
16 *Commonwealth of Puerto Rico, and any terri-*
17 *tory or possession of the United States.*

18 “(2) *ESTABLISHMENT.*—*The Administrator shall*
19 *establish a pilot program, to be known as the Re-*
20 *gional SBIR State Collaborative Initiative Pilot Pro-*
21 *gram, under which the Administrator shall provide*
22 *awards to regional collaboratives to address the needs*
23 *of small business concerns in order to be more com-*
24 *petitive in the proposal and selection process for*
25 *awards under the SBIR program and the STTR pro-*

1 *gram and to increase technology transfer and com-*
2 *mmercialization.*

3 *“(3) GOALS.—The goals of the pilot program*
4 *are—*

5 *“(A) to create regional collaboratives that*
6 *allow eligible entities to work cooperatively to le-*
7 *verage resources to address the needs of small*
8 *business concerns;*

9 *“(B) to grow SBIR program and STTR*
10 *program cooperative research and development*
11 *and commercialization through increased awards*
12 *under those programs;*

13 *“(C) to increase the participation of States*
14 *that have historically received a lower level of*
15 *awards under the SBIR program and the STTR*
16 *program;*

17 *“(D) to utilize the strengths and advantages*
18 *of regional collaboratives to better leverage re-*
19 *sources, best practices, and economies of scale in*
20 *a region for the purpose of increasing awards*
21 *and increasing the commercialization of the*
22 *SBIR program and STTR projects;*

23 *“(E) to increase the competitiveness of the*
24 *SBIR program and the STTR program;*

1 “(F) to identify sources of outside funding
2 for applicants for an award under the SBIR
3 program or the STTR program, including ven-
4 ture capitalists, angel investor groups, private
5 industry, crowd funding, and special loan pro-
6 grams; and

7 “(G) to offer increased one-on-one engage-
8 ments with companies and entrepreneurs for
9 SBIR program and STTR program education,
10 assistance, and successful outcomes.

11 “(4) APPLICATION.—

12 “(A) IN GENERAL.—A regional collaborative
13 that desires to participate in the pilot program
14 shall submit to the Administrator an application
15 at such time, in such manner, and containing
16 such information as the Administrator may re-
17 quire.

18 “(B) INCLUSION OF LEAD ELIGIBLE ENTI-
19 TIES AND COORDINATOR.—A regional collabo-
20 rative shall include in an application submitted
21 under subparagraph (A)—

22 “(i) the name of each lead eligible enti-
23 ty from each eligible State in the regional
24 collaborative, as designated under para-
25 graph (5)(A); and

1 “(ii) the name of the coordinator for
2 the regional collaborative, as designated
3 under paragraph (6).

4 “(C) AVOIDANCE OF DUPLICATION.—A re-
5 gional collaborative shall include in an applica-
6 tion submitted under subparagraph (A) an ex-
7 planation as to how the activities of the regional
8 collaborative under the pilot program would dif-
9 fer from other State and Federal outreach activi-
10 ties in each eligible State in the regional collabo-
11 rative.

12 “(5) LEAD ELIGIBLE ENTITY.—

13 “(A) IN GENERAL.—Each eligible State in a
14 regional collaborative shall designate 1 eligible
15 entity located in the eligible State to serve as the
16 lead eligible entity for the eligible State.

17 “(B) AUTHORIZATION BY GOVERNOR.—
18 Each lead eligible entity designated under sub-
19 paragraph (A) shall be authorized to act as the
20 lead eligible entity by the Governor of the appli-
21 cable eligible State.

22 “(C) RESPONSIBILITIES.—Each lead eligi-
23 ble entity designated under subparagraph (A)
24 shall be responsible for administering the activi-

1 *ties and program initiatives described in para-*
2 *graph (7) in the applicable eligible State.*

3 “(6) *REGIONAL COLLABORATIVE COORDI-*
4 *NATOR.—Each regional collaborative shall designate a*
5 *coordinator from amongst the eligible entities located*
6 *in the eligible States in the regional collaborative,*
7 *who shall serve as the interface between the regional*
8 *collaborative and the Administration with respect to*
9 *measuring cross-State collaboration and program ef-*
10 *fectiveness and documenting best practices.*

11 “(7) *USE OF FUNDS.—Each regional collabo-*
12 *rative that is provided an award under the pilot pro-*
13 *gram may, in each eligible State in which an eligible*
14 *entity of the regional collaborative is located—*

15 *“(A) establish an initiative under which*
16 *first-time applicants for an award under the*
17 *SBIR program or the STTR program are re-*
18 *viewed by experienced, national experts in the*
19 *United States, as determined by the lead eligible*
20 *entity designated under paragraph (5)(A);*

21 *“(B) engage national mentors on a frequent*
22 *basis to work directly with applicants for an*
23 *award under the SBIR program or the STTR*
24 *program, particularly during Phase II, to assist*

1 *with the process of preparing and submitting a*
2 *proposal;*

3 “(C) *create and make available an online*
4 *mechanism to serve as a resource for applicants*
5 *for an award under the SBIR program or the*
6 *STTR program to identify and connect with*
7 *Federal labs, prime government contractor com-*
8 *panies, other industry partners, and regional in-*
9 *dustry cluster organizations;*

10 “(D) *conduct focused and concentrated out-*
11 *reach efforts to increase participation in the*
12 *SBIR program and the STTR program by small*
13 *business concerns owned and controlled by*
14 *women, small business concerns owned and con-*
15 *trolled by veterans, small business concerns*
16 *owned and controlled by socially and economi-*
17 *cally disadvantaged individuals (as defined in*
18 *section 8(d)(3)(C)), and historically black col-*
19 *leges and universities;*

20 “(E) *administer a structured program of*
21 *training and technical assistance—*

22 “(i) *to prepare applicants for an*
23 *award under the SBIR program or the*
24 *STTR program—*

1 “(I) to compete more effectively
2 for Phase I and Phase II awards; and

3 “(II) to develop and implement a
4 successful commercialization plan;

5 “(ii) to assist eligible States focusing
6 on transition and commercialization to win
7 Phase III awards from public and private
8 partners;

9 “(iii) to create more competitive pro-
10 posals to increase awards from all Federal
11 sources, with a focus on awards under the
12 SBIR program and the STTR program;
13 and

14 “(iv) to assist first-time applicants by
15 providing small grants for proof of concept
16 research; and

17 “(F) assist applicants for an award under
18 the SBIR program or the STTR program to
19 identify sources of outside funding, including
20 venture capitalists, angel investor groups, pri-
21 vate industry, crowd funding, and special loan
22 programs.

23 “(8) AWARD AMOUNT.—

24 “(A) IN GENERAL.—The Administrator
25 shall provide an award to each eligible State in

1 *which an eligible entity of a regional collabo-*
2 *rative is located in an amount that is not more*
3 *than \$300,000 to carry out the activities de-*
4 *scribed in paragraph (7).*

5 “(B) *LIMITATION.*—

6 “(i) *IN GENERAL.*—*An eligible State*
7 *may not receive an award under both the*
8 *FAST program and the pilot program for*
9 *the same year.*

10 “(ii) *RULE OF CONSTRUCTION.*—*Noth-*
11 *ing in clause (i) shall be construed to pre-*
12 *vent an eligible State from applying for an*
13 *award under the FAST program and the*
14 *pilot program for the same year.*

15 “(9) *DURATION OF AWARD.*—*An award provided*
16 *under the pilot program shall be for a period of not*
17 *more than 1 year, and may be renewed by the Ad-*
18 *ministrator for 1 additional year.*

19 “(10) *TERMINATION.*—*The pilot program shall*
20 *terminate on September 30, 2021.*

21 “(11) *REPORT.*—*Not later than February 1,*
22 *2021, the Administrator shall submit to the Com-*
23 *mittee on Small Business and Entrepreneurship of*
24 *the Senate and the Committee on Small Business of*

1 *the House of Representatives a report on the pilot*
2 *program, which shall include—*

3 “(A) *an assessment of the pilot program*
4 *and the effectiveness of the pilot program in*
5 *meeting the goals described in paragraph (3);*

6 “(B) *an assessment of the best practices, in-*
7 *cluding an analysis of how the pilot program*
8 *compares to the FAST program and a single-*
9 *State approach; and*

10 “(C) *recommendations as to whether any*
11 *aspect of the pilot program should be extended or*
12 *made permanent.”.*

13 **SEC. 402. FEDERAL AND STATE TECHNOLOGY PARTNER-**
14 **SHIP PROGRAM.**

15 *Section 34 of the Small Business Act (15 U.S.C. 657d)*
16 *is amended—*

17 (1) *in subsection (h)—*

18 (A) *in paragraph (1), by striking “2001*
19 *through 2005” and inserting “2017 through*
20 *2021”; and*

21 (B) *in paragraph (2), by striking “fiscal*
22 *years 2001 through 2005” and inserting “each of*
23 *fiscal years 2017 through 2021”; and*

24 (2) *in subsection (i), by striking “September 30,*
25 *2005” and inserting “September 30, 2021”.*

1 **TITLE V—OVERSIGHT AND**
2 **SIMPLIFICATION INITIATIVES**

3 **SEC. 501. DATA MODERNIZATION SUMMIT.**

4 (a) *DEFINITIONS.—In this section—*

5 (1) *the term “Administration” means the Small*
6 *Business Administration;*

7 (2) *the term “Committee” means the SBIR and*
8 *STTR Interagency Policy Committee established*
9 *under subsection (b);*

10 (3) *the terms “Federal agency”, “SBIR”, and*
11 *“STTR” have the meanings given such terms under*
12 *section 9(e) of the Small Business Act (15 U.S.C.*
13 *638(e));*

14 (4) *the term “participating Federal agency”*
15 *means a Federal agency with an SBIR program or*
16 *an STTR program;*

17 (5) *the term “phase” means Phase I, Phase II,*
18 *and Phase III, as those terms are defined under sec-*
19 *tion 9(e) of the Small Business Act (15 U.S.C.*
20 *638(e)); and*

21 (6) *the term “small business concern” has the*
22 *meaning given that term under section 3 of the Small*
23 *Business Act (15 U.S.C. 632).*

1 (b) *ESTABLISHMENT.*—*There is established an inter-*
2 *agency committee to be known as the “SBIR and STTR*
3 *Interagency Policy Committee”.*

4 (c) *MEMBERSHIP.*—*The Committee shall include—*

5 (1) *2 representatives from each participating*
6 *Federal agency, of which—*

7 (A) *1 shall have expertise with respect to the*
8 *SBIR program and STTR program of the Fed-*
9 *eral agency; and*

10 (B) *1 shall have expertise with respect to*
11 *the information technology systems of the Fed-*
12 *eral agency; and*

13 (2) *2 representatives from the Administration, of*
14 *which—*

15 (A) *1 shall serve as chairperson of the Com-*
16 *mittee; and*

17 (B) *1 shall be from the Information Tech-*
18 *nology Development Team of the Office of Invest-*
19 *ment and Innovation of the Administration.*

20 (d) *DUTIES.*—*The Committee shall review the rec-*
21 *ommendations made in the report to Congress by the Office*
22 *of Science and Technology of the Administration entitled*
23 *“SBIR/STTR TechNet Public & Government Databases”,*
24 *dated September 15, 2014, and the practices of partici-*
25 *pating Federal agencies to—*

1 (1) *determine how to collect data on achieve-*
2 *ments by small business concerns in each phase of the*
3 *SBIR program and the STTR program and ensure*
4 *collection and dissemination of such data in a timely,*
5 *efficient, and uniform manner;*

6 (2) *establish a uniform baseline for metrics that*
7 *support improving the solicitation, contracting, fund-*
8 *ing, and execution of program management in the*
9 *SBIR program and the STTR program;*

10 (3) *normalize formatting and database usage*
11 *across participating Federal agencies; and*

12 (4) *determine the feasibility of developing a com-*
13 *mon system across all participating Federal agencies*
14 *and the paperwork requirements under such a com-*
15 *mon system.*

16 (e) *IMPLEMENTATION.*—*Not later than September 31,*
17 *2018, the Committee shall brief the Committee on Small*
18 *Business and Entrepreneurship of the Senate and the Com-*
19 *mittee on Small Business of the House of Representatives*
20 *on the solutions identified by the Committee under sub-*
21 *section (d) and resources needed to execute the solutions.*

1 **SEC. 502. IMPLEMENTATION OF OUTSTANDING REAUTHOR-**
2 **IZATION PROVISIONS.**

3 (a) *IN GENERAL.*—Section 9(mm) of the *Small Busi-*
4 *ness Act (15 U.S.C. 638(mm))*, as amended by section
5 401(1) of this Act, is amended—

6 (1) in paragraph (1), by striking “paragraph
7 (3)” and inserting “paragraphs (3) and (9)”; and

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

9 “(9) *SUSPENSION OF FUNDING.*—

10 “(A) *FOR FEDERAL AGENCIES.*—

11 “(i) *IN GENERAL.*—For fiscal years
12 2018 and 2019, any Federal agency that
13 has not implemented each provision of law
14 described in clause (ii)—

15 “(I) shall continue to provide
16 amounts to the Administration in ac-
17 cordance with paragraph (7)(B); and

18 “(II) may not use any additional
19 amounts as described in paragraph (1)
20 until 30 days after the date on which
21 the Federal agency submits to the Com-
22 mittee on Small Business and Entre-
23 preneurship of the Senate and the
24 Committee on Small Business of the
25 House of Representatives documenta-
26 tion demonstrating that the Federal

1 agency has implemented and is in
2 compliance with each provision of law
3 described in clause (ii).

4 “(ii) *PROVISIONS.*—*The provisions of*
5 *law described in this subparagraph are the*
6 *following:*

7 “(I) *Subsection (r)(4), relating to*
8 *Phase III preferences.*

9 “(II) *Paragraphs (5) and (6) of*
10 *subsection (y), relating to insertion*
11 *goals.*

12 “(III) *Subsection (g)(4)(B), relat-*
13 *ing to shortening the decision time for*
14 *SBIR awards.*

15 “(IV) *Subsection (o)(4)(B), relat-*
16 *ing to shortening the decision time for*
17 *STTR awards.*

18 “(V) *Subsection (v), relating to*
19 *reducing paperwork and compliance*
20 *burdens.*

21 “(B) *FOR ADMINISTRATION.*—*For fiscal*
22 *years 2018 and 2019, if the Administration is*
23 *not in compliance with subsection (b)(7), relat-*
24 *ing to annual reports to Congress, the Adminis-*
25 *tration may not use amounts received under*

1 *paragraph (7)(B) of this subsection for a purpose*
 2 *described in clause (iii) of such paragraph*
 3 *(7)(B).”.*

4 ***(b) CLARIFICATION OF REPORTING REQUIREMENT.—***
 5 *Section 9(b)(7) of the Small Business Act (15 U.S.C.*
 6 *638(b)(7)) is amended in the matter preceding subpara-*
 7 *graph (A), by striking “not less than annually” and insert-*
 8 *ing “not later than December 31 of each year”.*

9 ***SEC. 503. STRENGTHENING OF THE REQUIREMENT TO***
 10 ***SHORTEN THE APPLICATION REVIEW AND DE-***
 11 ***CISION TIME.***

12 *Section 9 of the Small Business Act (15 U.S.C. 638)*
 13 *is amended—*

14 *(1) in subsection (g)(4), by striking subpara-*
 15 *graph (B) and inserting the following:*

16 *“(B) make a final decision on each proposal sub-*
 17 *mitted under the SBIR program—*

18 *“(i) for the Department of Health and*
 19 *Human Services, not later than 1 year after the*
 20 *date on which the applicable solicitation closes,*
 21 *with a goal to reduce the review and decision*
 22 *time to less than 10 months by September 30,*
 23 *2019;*

24 *“(ii) for the Department of Agriculture and*
 25 *the National Science Foundation, not later than*

1 6 months after the date on which the applicable
2 solicitation closes; or

3 “(iii) for any other Federal agency—

4 “(I) not later than 90 days after the
5 date on which the applicable solicitation
6 closes; or

7 “(II) if the Administrator authorizes
8 an extension with respect to a solicitation,
9 not later than 90 days after the date that
10 would otherwise be applicable to the Federal
11 agency under subclause (I);”; and

12 (2) in subsection (o)(4), by striking subpara-
13 graph (B) and inserting the following:

14 “(B) make a final decision on each proposal sub-
15 mitted under the STTR program—

16 “(i) for the Department of Health and
17 Human Services, not later than 1 year after the
18 date on which the applicable solicitation closes,
19 with a goal to reduce the review and decision
20 time to less than 10 months by September 30,
21 2019;

22 “(ii) for the Department of Agriculture and
23 the National Science Foundation, not later than
24 6 months after the date on which the applicable
25 solicitation closes; or

1 “(iii) for any other Federal agency—

2 “(I) not later than 90 days after the
3 date on which the applicable solicitation
4 closes; or

5 “(II) if the Administrator authorizes
6 an extension with respect to a solicitation,
7 not later than 90 days after the date that
8 would otherwise be applicable to the Federal
9 agency under subclause (I);”.

10 **SEC. 504. CONTINUED GAO OVERSIGHT OF ALLOCATION**
11 **COMPLIANCE AND ACCURACY IN FUNDING**
12 **BASE CALCULATIONS.**

13 Section 5136(a) of the National Defense Authorization
14 Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

15 (1) in the matter preceding paragraph (1), by
16 striking “until the date that is 5 years after the date
17 of enactment of this Act” and insert “until the date
18 on which the Comptroller General of the United
19 States submits the report relating to fiscal year
20 2019”;

21 (2) in paragraph (1), by striking subparagraph
22 (C) and inserting the following:

23 “(C) assess whether the change in the base
24 funding for the Department of Defense as re-
25 quired by subparagraphs (J) and (K) of section

1 9(f)(1) of the Small Business Act (15 U.S.C.
2 638(f)(1)—

3 “(i) improves transparency for deter-
4 mining whether the Department is com-
5 plying with the allocation requirements;

6 “(ii) reduces the burden of calculating
7 the allocations; and

8 “(iii) improves the compliance of the
9 Department with the allocation require-
10 ments; and”;

11 (3) in paragraph (2) by striking “under sub-
12 paragraph (B)” and inserting “under subparagraphs
13 (B) and (C)”.

14 **TITLE VI—PARTICIPATION BY**
15 **WOMEN AND MINORITIES**

16 **SEC. 601. SBA COORDINATION ON INCREASING OUTREACH**
17 **FOR WOMEN AND MINORITY-OWNED BUSI-**
18 **NESSES.**

19 Section 9(b) of the Small Business Act (15 U.S.C.
20 638(b)) is amended—

21 (1) in paragraph (8), by striking “and” at the
22 end;

23 (2) in paragraph (9), by striking the period at
24 the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(10) to coordinate with participating agencies
2 on efforts to increase outreach and awards under each
3 of the SBIR and STTR programs to small business
4 concerns owned and controlled by women and socially
5 and economically disadvantaged small business con-
6 cerns, as defined in section 8(a)(4).”.

7 **SEC. 602. FEDERAL AGENCY OUTREACH REQUIREMENTS**
8 **FOR WOMEN AND MINORITY-OWNED BUSI-**
9 **NESSES.**

10 Section 9 of the Small Business Act (15 U.S.C. 638)
11 is amended—

12 (1) in subsection (g)—

13 (A) in paragraph (11), by striking “and”
14 at the end;

15 (B) in paragraph (12), by striking the pe-
16 riod at the end and inserting “; and”; and

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

18 “(13) implement an outreach program to small
19 business concerns for the purpose of enhancing its
20 SBIR program, under which the Federal agency
21 shall—

22 “(A) provide outreach to small business con-
23 cerns owned and controlled by women and so-
24 cially and economically disadvantaged small

1 *business concerns, as defined in section 8(a)(4);*
 2 *and*

3 *“(B) establish goals for outreach by the Fed-*
 4 *eral agency to the small business concerns de-*
 5 *scribed in subparagraph (A).”;* *and*

6 *(2) in subsection (o)(14), by striking “SBIR pro-*
 7 *gram;” and inserting “SBIR program, under which*
 8 *the Federal agency shall—*

9 *“(A) provide outreach to small business con-*
 10 *cerns owned and controlled by women and so-*
 11 *cially and economically disadvantaged small*
 12 *business concerns, as defined in section 8(a)(4);*
 13 *and*

14 *“(B) establish goals for outreach by the Fed-*
 15 *eral agency to the small business concerns de-*
 16 *scribed in subparagraph (A).”.*

17 **SEC. 603. STTR POLICY DIRECTIVE MODIFICATION.**

18 *Section 9(p) of the Small Business Act (15 U.S.C.*
 19 *638(p)) is amended by adding at the end the following:*

20 *“(4) ADDITIONAL MODIFICATIONS.—Not later*
 21 *than 120 days after the date of enactment of this*
 22 *paragraph, the Administrator shall modify the policy*
 23 *directive issued pursuant to this subsection to provide*
 24 *for enhanced outreach efforts to increase the partici-*
 25 *pation of small business concerns owned and con-*

1 *trolled by women and socially and economically dis-*
 2 *advantaged small business concerns, as defined in sec-*
 3 *tion 8(a)(4), in technological innovation and in*
 4 *STTR programs.”.*

5 **SEC. 604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.**

6 *Section 5124 of the SBIR/STTR Reauthorization Act*
 7 *of 2011 (Public Law 112–81; 125 Stat. 1837) is amended—*

8 *(1) by redesignating subsection (d) as subsection*
 9 *(e); and*

10 *(2) by inserting after subsection (c) the fol-*
 11 *lowing:*

12 *“(d) MEETINGS.—*

13 *“(1) IN GENERAL.—The Interagency SBIR/*
 14 *STTR Policy Committee shall meet not less than*
 15 *twice per year to carry out the duties under sub-*
 16 *section (c).*

17 *“(2) OUTREACH AND TECHNICAL ASSISTANCE AC-*
 18 *TIVITIES.—If the Interagency SBIR/STTR Policy*
 19 *Committee meets to discuss outreach and technical as-*
 20 *sistance activities to increase the participation of*
 21 *small business concerns that are underrepresented in*
 22 *the SBIR and STTR programs, the Committee shall*
 23 *invite to the meeting—*

24 *“(A) a representative of the Minority Busi-*
 25 *ness Development Agency; and*

1 “(B) relevant stakeholders that work to ad-
2 vance the interests of—

3 “(i) small business concerns owned and
4 controlled by women, as defined in section
5 3 of the Small Business Act (15 U.S.C.
6 632); and

7 “(ii) socially and economically dis-
8 advantaged small business concerns, as de-
9 fined in section 8(a)(4) of the Small Busi-
10 ness Act (15 U.S.C. 637(a)(4)).”.

11 **SEC. 605. DIVERSITY AND STEM WORKFORCE DEVELOP-**
12 **MENT PILOT PROGRAM.**

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

14 (1) the term “Administrator” means the Admin-
15 istrator of the Small Business Administration;

16 (2) the term “covered STEM intern” means a
17 student at, or recent graduate from, an institution of
18 higher education serving as an intern—

19 (A) whose course of study studied is focused
20 on the STEM fields; and

21 (B) who is a woman or a person from an
22 underrepresented population in the STEM fields;

23 (3) the term “eligible entity” means a small
24 business concern that—

1 (A) is receiving amounts under an award
2 under the SBIR program or the STTR program
3 of a Federal agency on the date on which the
4 Federal agency awards a grant to the small busi-
5 ness concern under subsection (b); and

6 (B) provides internships for covered STEM
7 interns;

8 (4) the terms “Federal agency”, “SBIR”, and
9 “STTR” have the meanings given those terms under
10 section 9(e) of the Small Business Act (15 U.S.C.
11 638(e));

12 (5) the term “institution of higher education”
13 has the meaning given the term under section 101(a)
14 of the Higher Education Act of 1965 (20 U.S.C.
15 1001(a));

16 (6) the term “person from an underrepresented
17 population in the STEM fields” means a person from
18 a group that is underrepresented in the population of
19 STEM students, as determined by the Administrator;

20 (7) the term “pilot program” means the Diver-
21 sity and STEM Workforce Development Pilot Pro-
22 gram established under subsection (b);

23 (8) the term “recent graduate”, relating to a
24 woman or a person from an underrepresented popu-
25 lation in the STEM fields, means that the woman or

1 *person from an underrepresented population in the*
2 *STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;*

6 (9) *the term “small business concern” has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and*

9 (10) *the term “STEM fields” means the fields of science, technology, engineering, and math.*

11 (b) *PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN*

12 *AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.—*

13 *The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.*

20 (c) *AMOUNT AND USE OF GRANTS.—*

21 (1) *AMOUNT.—A grant under subsection (b)—*

22 (A) *may not be in an amount of more than*
23 *\$15,000 per fiscal year; and*

1 (B) shall be in addition to the amount of
2 the award to the recipient under the SBIR pro-
3 gram or the STTR program.

4 (2) USE.—Not less than 90 percent of the
5 amount of a grant under subsection (b) shall be used
6 by the eligible entity to provide stipends or other
7 similar payments to interns.

8 (d) EVALUATION.—Not later than January 31 of the
9 first calendar year after the third fiscal year during which
10 the Administrator carries out the pilot program, the Ad-
11 ministrators shall submit to Congress—

12 (1) data on the results of the pilot program, such
13 as the number and demographics of the covered
14 STEM interns participating in an internship funded
15 under the pilot program and the amount spent on
16 such internships; and

17 (2) an assessment of whether the pilot program
18 helped the SBIR program and STTR program
19 achieve the congressional objective of fostering and en-
20 couraging the participation of women and persons
21 from underrepresented populations in the STEM
22 fields.

23 (e) TERMINATION.—The pilot program shall terminate
24 after the end of the fourth fiscal year during which the Ad-
25 ministrators carries out the pilot program.

1 (f) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated such sums as may be nec-*
 3 *essary to carry out the pilot program.*

4 ***TITLE VII—TECHNICAL***
 5 ***CHANGES***

6 ***SEC. 701. UNIFORM REFERENCE TO THE DEPARTMENT OF***
 7 ***HEALTH AND HUMAN SERVICES.***

8 *Section 9 of the Small Business Act (15 U.S.C. 638)*
 9 *is amended—*

10 (1) *in subsection (cc), by striking “National In-*
 11 *stitutes of Health” and inserting “Department of*
 12 *Health and Human Services”;* and

13 (2) *in subsection (dd)(1)(A), by striking “Direc-*
 14 *tor of the National Institutes of Health” and insert-*
 15 *ing “Secretary of Health and Human Services”.*

16 ***SEC. 702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.***

17 *Section 9(e)(4)(B) of the Small Business Act (15*
 18 *U.S.C. 638(e)(4)(B)) is amended in the matter preceding*
 19 *clause (i)—*

20 (1) *by striking “, which shall not include any*
 21 *invitation, pre-screening, or pre-selection process for*
 22 *eligibility for Phase II,”;* and

23 (2) *by inserting “in which eligibility for an*
 24 *award shall not be based only on an invitation, pre-*

1 *screening, or pre-selection process and” before “in*
2 *which awards”.*

Calendar No. 480

114TH CONGRESS
2^D SESSION

S. 2812

A BILL

To amend the Small Business Act to reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

MAY 24, 2016

Reported with an amendment