

115TH CONGRESS
2D SESSION

H. R. 1680

IN THE SENATE OF THE UNITED STATES

MAY 9, 2018

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

To amend the Small Business Act to improve the women's
business center 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 “Women’s Business
3 Centers Improvements Act of 2018”.

4 **SEC. 2. AMENDMENTS TO WOMEN’S BUSINESS CENTER**
5 **PROGRAM.**

6 Section 29 of the Small Business Act (15 U.S.C. 656)
7 is amended to read as follows:

8 **“SEC. 29. WOMEN’S BUSINESS CENTER PROGRAM.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) ASSISTANT ADMINISTRATOR.—The term
11 ‘Assistant Administrator’ means the Assistant Ad-
12 ministrator of the Office of Women’s Business Own-
13 ership established under subsection (l).

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ means—

16 “(A) an organization described in section
17 501(c) of the Internal Revenue Code of 1986
18 and exempt from taxation under section 501(a)
19 of such Code;

20 “(B) a State, regional, or local economic
21 development organization, so long as the orga-
22 nization certifies that grant funds received
23 under this section will not be co-mingled with
24 other funds;

25 “(C) an institution of higher education (as
26 defined in section 101 of the Higher Education

1 Act of 1965 (20 U.S.C. 1001)), unless such in-
2 stitution is currently receiving a grant under
3 section 21;

4 “(D) a development, credit, or finance cor-
5 poration chartered by a State, so long as the
6 corporation certifies that grant funds received
7 under this section will not be comingled with
8 other funds; or

9 “(E) any combination of entities listed in
10 subparagraphs (A) through (D).

11 “(3) SMALL BUSINESS CONCERN OWNED AND
12 CONTROLLED BY WOMEN.—The term ‘small business
13 concern owned and controlled by women’ has the
14 meaning given under section 3(n).

15 “(4) WOMEN’S BUSINESS CENTER.—The term
16 ‘women’s business center’ means the location at
17 which counseling and training on the management,
18 operations (including manufacturing, services, and
19 retail), access to capital, international trade, Govern-
20 ment procurement opportunities, and any other mat-
21 ter that is needed to start, maintain, or expand a
22 small business concern owned and controlled by
23 women.

24 “(b) AUTHORITY.—

1 “(1) ESTABLISHMENT.—There is established a
2 Women’s Business Center Program under which the
3 Administrator may provide a grant to any eligible
4 entity to operate one or more women’s business cen-
5 ters for the benefit of small business concerns owned
6 and controlled by women.

7 “(2) USE OF FUNDS.—The women’s business
8 centers shall be designed to provide counseling and
9 training that meets the needs of the small business
10 concerns owned and controlled by women, especially
11 socially or economically disadvantaged women, and
12 shall provide—

13 “(A) financial assistance, including train-
14 ing and counseling in how to apply for and se-
15 cure business credit and investment capital,
16 preparing and presenting financial statements,
17 and managing cash flow and other financial op-
18 erations of a small business concern;

19 “(B) management assistance, including
20 training and counseling in how to plan, orga-
21 nize, staff, direct, and control each major activ-
22 ity and function of a small business concern;
23 and

24 “(C) marketing assistance, including train-
25 ing and counseling in identifying and seg-

1 menting domestic and international market op-
2 portunities, preparing and executing marketing
3 plans, developing pricing strategies, locating
4 contract opportunities, negotiating contracts,
5 and utilizing varying public relations and adver-
6 tising techniques.

7 “(3) TYPES OF GRANTS.—

8 “(A) INITIAL GRANT.—The amount of an
9 initial grant provided under this subsection to
10 an eligible entity shall be not more than
11 \$185,000 (as such amount is annually adjusted
12 by the Administrator to reflect the change in
13 inflation).

14 “(B) ADDITIONAL GRANTS.—

15 “(i) IN GENERAL.—With respect to an
16 eligible entity that has received a grant,
17 the Administrator may award an additional
18 grant of up to \$65,000, to be dispersed
19 after the expiration of the term of the ini-
20 tial grant under this subsection if the Ad-
21 ministrator determines that the eligible en-
22 tity—

23 “(I) has agreed to obtain, after
24 its application has been approved and
25 notice of award has been issued, cash

1 contributions from non-Federal
2 sources of 1 non-Federal dollar for
3 each Federal dollar;

4 “(II) is in good standing with the
5 Women’s Business Center Program;
6 and

7 “(III) has met performance goals
8 for grant term of the initial grant, if
9 applicable.

10 “(ii) LIMITATIONS.—The Adminis-
11 trator may only award additional grants
12 under clause (i)—

13 “(I) during the 3rd and 4th
14 quarters of the grant term of the ini-
15 tial grant; and

16 “(II) from unobligated amounts
17 made available to the Administrator
18 to carry out this section.

19 “(C) CONTINUATION GRANTS.—The Ad-
20 ministrator may award a continuation grant of
21 up to \$150,000 to an eligible entity that re-
22 ceived an initial grant under subparagraph (A).
23 There shall be no limitation on the number of
24 continuation grants an eligible entity may re-
25 ceive under this section.

1 “(c) APPLICATION.—

2 “(1) INITIAL GRANTS AND CONTINUATION
3 GRANTS.—To receive an initial grant or continuation
4 grant under this section, an eligible entity shall sub-
5 mit an application to the Administrator in such
6 form, in such manner, and containing such informa-
7 tion as the Administrator may require, including—

8 “(A) a certification that the eligible enti-
9 ty—

10 “(i) has designated an executive direc-
11 tor or program manager, who may be com-
12 pensated using grant funds awarded under
13 this section or other sources, to manage
14 the women’s business center for which a
15 grant under subsection (b) is sought; and

16 “(ii) meets the accounting and report-
17 ing requirements established under guid-
18 ance issued by the Director of the Office of
19 Management and Budget for the eligible
20 entity;

21 “(B) information demonstrating the expe-
22 rience and effectiveness of the eligible entity
23 in—

24 “(i) provide counseling and training
25 described under subsection (b)(2);

1 “(ii) providing training and services to
2 a representative number of women who are
3 socially or economically disadvantaged; and

4 “(iii) working with resource partners
5 of the Administration and other entities;
6 and

7 “(C) a 5-year plan that—

8 “(i) includes information relating to
9 the assistance to be provided by the wom-
10 en’s business center in the area in which
11 the women’s business center is located;

12 “(ii) describes the ability of the eligi-
13 ble entity to meet the needs of the market
14 to be served by the women’s business cen-
15 ter, including the ability to fundraise to ob-
16 tain the matching funds required under
17 subsection (e); and

18 “(iii) describes the ability of the eligi-
19 ble entity to provide counseling and train-
20 ing described under subsection (b)(2), in-
21 cluding to a representative number of
22 women who are socially or economically
23 disadvantaged.

24 “(2) RECORD RETENTION.—

1 “(A) IN GENERAL.—The Administrator
2 shall maintain a copy of each application sub-
3 mitted under this subsection for not less than
4 5 years.

5 “(B) PAPERWORK REDUCTION.—The Ad-
6 ministrator shall take steps to reduce, to the
7 maximum extent practicable, the paperwork
8 burden associated with carrying out subpara-
9 graph (A).

10 “(d) SELECTION OF ELIGIBLE ENTITIES.—

11 “(1) IN GENERAL.—In selecting recipients of
12 initial grants, the Administrator shall consider—

13 “(A) the experience of the applicant in pro-
14 viding entrepreneurial training;

15 “(B) the amount of time needed for the
16 applicant to commence operation of a women’s
17 business center;

18 “(C) the capacity of the applicant to meet
19 the accreditation standards established under
20 subsection (l)(4) in a timely manner;

21 “(D) the ability of the applicant to sustain
22 operations, including its ability to obtain suffi-
23 cient non-Federal funds, for a 5-year period;

24 “(E) the proposed location of a women’s
25 business center to be operated by the applicant

1 eligible entity and its proximity to Veteran
2 Business Outreach Centers and to recipients of
3 grants under section 8(b)(1) or 21; and

4 “(F) the population density of the area to
5 be served by the women’s business center oper-
6 ated by the applicant eligible entity.

7 “(2) SELECTION CRITERIA.—

8 “(A) RULEMAKING.—The Administrator
9 shall issue regulations to specify the criteria for
10 review and selection of applicants under this
11 subsection.

12 “(B) MODIFICATIONS PROHIBITED AFTER
13 ANNOUNCEMENT.—With respect to a public an-
14 nouncement of any opportunity to be awarded
15 a grant under this section made by the Admin-
16 istrator pursuant to subsection (j)(1), the Ad-
17 ministrator may not modify regulations issued
18 pursuant to subparagraph (A) with respect to
19 such opportunity unless required to do so by an
20 Act of Congress or an order of a Federal court.

21 “(C) RULE OF CONSTRUCTION.—Nothing
22 in this clause may be construed as prohibiting
23 the Administrator from modifying the regula-
24 tions issued pursuant to subparagraph (A)
25 (after providing an opportunity for notice and

1 comment) as such regulations apply to an op-
2 portunity to be awarded a grant under this sec-
3 tion that the Administrator has not yet publicly
4 announced pursuant to subsection (j)(1).

5 “(e) MATCHING REQUIREMENTS.—

6 “(1) IN GENERAL.—Subject to paragraph (5),
7 upon approval of an application submitted under
8 subsection (c), the eligible entity shall agree to ob-
9 tain contributions from non-Federal sources—

10 “(A) in the first and second year of the
11 term of an initial grant, if applicable, 1 non-
12 Federal dollar for each 2 Federal dollars; and

13 “(B) in each year of the term of an initial
14 grant, if applicable, 1 non-Federal dollar for
15 each Federal dollar.

16 “(2) FORM OF MATCHING FUNDS.—Not more
17 than one-half of non-Federal matching funds de-
18 scribed under paragraph (1) may be in the form of
19 in-kind contributions that are budget line items only,
20 including office equipment and office space.

21 “(3) DISBURSEMENT OF FUNDS.—The Admin-
22 istrator may disburse an amount not greater than
23 25 percent of the total amount of a grant awarded
24 to an eligible entity before such eligible entity ob-

1 tains the non-Federal matching funds described
2 under paragraph (1).

3 “(4) FAILURE TO OBTAIN MATCHING FUNDS.—

4 If an eligible entity fails to obtain the required
5 matching funds described under paragraph (1), the
6 eligible entity may not be eligible to receive advance
7 disbursements pursuant to paragraph (3) during the
8 remainder of the term, if applicable, of a grant
9 awarded under this section. Before approving such
10 eligible entity for an additional grant or continuation
11 grant under this section, the Administrator shall
12 make a written determination, including the reasons
13 for such determination, of whether the Adminis-
14 trator believes that the eligible entity will be able to
15 obtain the requisite funding under paragraph (1) for
16 such additional grant or continuation grant.

17 “(5) WAIVER OF NON-FEDERAL SHARE.—

18 “(A) IN GENERAL.—Upon request by an
19 eligible entity, and in accordance with this para-
20 graph, the Administrator may waive, in whole
21 or in part, the requirement to obtain non-Fed-
22 eral matching funds for a grant awarded under
23 this section for the eligible entity for a fiscal
24 year. The Administrator may not issue such a

1 waiver for more than a total of 2 consecutive
2 fiscal years.

3 “(B) CONSIDERATIONS.—In determining
4 whether to issue a waiver under this paragraph,
5 the Administrator shall consider—

6 “(i) the economic conditions affecting
7 the eligible entity;

8 “(ii) the impact the waiver would have
9 on the credibility of the Women’s Business
10 Center Program under this section;

11 “(iii) the demonstrated ability of the
12 eligible entity to raise non-Federal funds;
13 and

14 “(iv) the performance of the eligible
15 entity under the initial grant.

16 “(C) LIMITATION.—The Administrator
17 may not issue a waiver under this paragraph if
18 granting the waiver would undermine the credi-
19 bility of the Women’s Business Center Pro-
20 gram.

21 “(6) EXCESS NON-FEDERAL DOLLARS.—The
22 amount of non-Federal dollars obtained by an eligi-
23 ble entity that is above the amount that is required
24 to be obtained by the eligible entity under this sub-
25 section shall not be subject to the requirements of

1 part 200 of title 2, Code of Federal Regulations, or
2 any successor thereto, if such amount of non-Fed-
3 eral dollars—

4 “(A) is not used as matching funds for
5 purposes of implementing the Women’s Busi-
6 ness Center Program; and

7 “(B) was not obtained using funds from
8 the Women’s Business Center Program.

9 “(f) OTHER REQUIREMENTS.—

10 “(1) SEPARATION OF FUNDS.—An eligible enti-
11 ty shall—

12 “(A) operate a women’s business center
13 under this section separately from other
14 projects, if any, of the eligible entity; and

15 “(B) separately maintain and account for
16 any grants received under this section.

17 “(2) EXAMINATION OF ELIGIBLE ENTITIES.—

18 “(A) REQUIRED SITE VISIT.—Before re-
19 ceiving an initial grant under this section, each
20 applicant shall have a site visit by an employee
21 of the Administration, in order to ensure that
22 the applicant has sufficient resources to provide
23 the services for which the grant is being pro-
24 vided.

1 “(B) ANNUAL REVIEW.—An employee of
2 the Administration shall—

3 “(i) conduct an annual review of the
4 compliance of each eligible entity receiving
5 an initial grant under this section with the
6 grant agreement, including a financial ex-
7 amination; and

8 “(ii) provide such review to the eligi-
9 ble entity as required under subsection
10 (j)(3).

11 “(3) REMEDIATION OF PROBLEMS.—

12 “(A) PLAN OF ACTION.—If a review of an
13 eligible entity under paragraph (2)(B) identifies
14 any problems, the eligible entity shall, within 45
15 calendar days of receiving a copy of such re-
16 view, provide the Assistant Administrator with
17 a plan of action, including specific milestones,
18 for correcting such problems.

19 “(B) PLAN OF ACTION REVIEW BY THE AS-
20 SISTANT ADMINISTRATOR.—The Assistant Ad-
21 ministrators shall review each plan of action sub-
22 mitted under subparagraph (A) within 30 cal-
23 endar days of receiving such plan. If the Assist-
24 ant Administrator determines that such plan—

1 “(i) will bring the eligible entity into
2 compliance with all the terms of the grant
3 agreement, the Assistant Administrator
4 shall approve such plan; or

5 “(ii) is inadequate to remedy the
6 problems identified in the annual review to
7 which the plan of action relates, the Assist-
8 ant Administrator shall set forth such rea-
9 sons in writing and provide such deter-
10 mination to the eligible entity within 15
11 calendar days of such determination.

12 “(C) AMENDMENT TO PLAN OF ACTION.—

13 An eligible entity receiving a determination
14 under subparagraph (B)(ii) shall have 30 cal-
15 endar days from the receipt of the determina-
16 tion to amend the plan of action to satisfy the
17 problems identified by the Assistant Adminis-
18 trator and resubmit such plan to the Assistant
19 Administrator.

20 “(D) AMENDED PLAN REVIEW BY THE AS-
21 SISTANT ADMINISTRATOR.—Within 15 calendar
22 days of the receipt of an amended plan of ac-
23 tion under subparagraph (C), the Assistant Ad-
24 ministrator shall either approve or reject such

1 plan and provide such approval or rejection in
2 writing to the eligible entity.

3 “(E) APPEAL OF ASSISTANT ADMINIS-
4 TRATOR DETERMINATION.—

5 “(i) IN GENERAL.—If the Assistant
6 Administrator rejects an amended plan
7 under subparagraph (D), the eligible entity
8 shall have the opportunity to appeal such
9 decision to the Administrator, who may
10 delegate such appeal to an appropriate of-
11 ficer of the Administration.

12 “(ii) OPPORTUNITY FOR EXPLA-
13 NATION.—Any appeal described under
14 clause (i) shall provide an opportunity for
15 the eligible entity to provide, in writing, an
16 explanation of why the eligible entity’s
17 amended plan remedies the problems iden-
18 tified in the annual review conducted under
19 paragraph (2)(B).

20 “(iii) NOTICE OF DETERMINATION.—
21 The Administrator shall provide to the eli-
22 gible entity a determination of the appeal,
23 in writing, not later than 15 calendar days
24 after the eligible entity files an appeal
25 under this subparagraph.

1 “(iv) EFFECT OF FAILURE TO ACT.—

2 If the Administrator fails to act on an ap-
3 peal made under this subparagraph within
4 the 15-day period specified under clause
5 (iii), the eligible entity’s amended plan of
6 action submitted under subparagraph (C)
7 shall be deemed to be approved.

8 “(4) TERMINATION OF GRANT.—

9 “(A) IN GENERAL.—The Administrator
10 shall terminate a grant to an eligible entity
11 under this section if the eligible entity fails to
12 comply with—

13 “(i) a plan of action approved by the
14 Assistant Administrator under paragraph
15 (3)(B)(i); or

16 “(ii) an amended plan of action ap-
17 proved by the Assistant Administrator
18 under paragraph (3)(D) or approved on
19 appeal under paragraph (3)(E).

20 “(B) APPEAL OF TERMINATION.—An eligi-
21 ble entity shall have the opportunity to chal-
22 lenge the termination of a grant under subpara-
23 graph (A) on the record and after an oppor-
24 tunity for a hearing.

1 “(C) FINAL AGENCY ACTION.—A deter-
2 mination made pursuant to subparagraph (B)
3 shall be considered final agency action for the
4 purposes of chapter 7 of title 5, United States
5 Code.

6 “(5) SOLICITATION.—Notwithstanding any
7 other provision of law, an eligible entity may—

8 “(A) solicit cash and in-kind contributions
9 from private individuals and entities to be used
10 to operate a women’s business center; and

11 “(B) use amounts made available by the
12 Administrator under this section for the cost of
13 such solicitation and management of the con-
14 tributions received.

15 “(6) NOTICE AND COMMENT REQUIRED.—The
16 Administrator may only make a change to the stand-
17 ards by which an eligible entity obtains or maintains
18 grants under this section, the standards for accredi-
19 tation, or any other requirement for the operation of
20 a women’s business center if the Administrator first
21 provides notice and the opportunity for public com-
22 ment, as set forth in section 553(b) of title 5,
23 United States Code, without regard to any excep-
24 tions provided for under such section.

25 “(g) PROGRAM EXAMINATION.—

1 “(1) IN GENERAL.—The Administration shall—

2 “(A) develop and implement an annual
3 programmatic and financial examination of
4 each eligible entity, under which each such eligi-
5 ble entity shall provide to the Administration—

6 “(i) an itemized cost breakdown of ac-
7 tual expenditures for costs incurred during
8 the preceding year; and

9 “(ii) documentation regarding the
10 amount of matching assistance from non-
11 Federal sources obtained and expended by
12 the eligible entity during the preceding
13 year in order to meet the requirements of
14 subsection (e) and, with respect to any in-
15 kind contributions described in subsection
16 (e)(2) that were used to satisfy the re-
17 quirements of subsection (e), verification of
18 the existence and valuation of those con-
19 tributions; and

20 “(B) analyze the results of each such ex-
21 amination and, based on that analysis, make a
22 determination regarding the programmatic and
23 financial viability of each women’s business cen-
24 ter operated by the eligible entity.

1 “(2) CONDITIONS FOR CONTINUED FUNDING.—

2 In determining whether to award a continuation
3 grant, the Administrator—

4 “(A) shall consider the results of the most
5 recent examination of the eligible entity under
6 paragraph (1); and

7 “(B) shall determine if—

8 “(i) the eligible entity has failed to
9 provide, or provided inadequate, informa-
10 tion under paragraph (1)(A); or

11 “(ii) the eligible entity has failed to
12 provide any information required to be pro-
13 vided by the women’s business center for
14 purposes of the management report under
15 subsection (k)(1), or the information pro-
16 vided by the center is inadequate.

17 “(h) CONTRACT AUTHORITY.—

18 “(1) ELIGIBLE ENTITY.—An eligible entity that
19 receives a grant under this section may enter into a
20 contract with a Federal department or agency to
21 provide specific assistance to small business concerns
22 owned and controlled by women and other under-
23 served small business concerns, if performance of
24 such a contract does not hinder the ability of the eli-

1 gible entity to carry out the terms of a grant re-
2 ceived under this section.

3 “(2) ADMINISTRATOR.—The authority of the
4 Administrator to enter into contracts shall be in ef-
5 fect for each fiscal year only to the extent and in the
6 amounts as are provided in advance in appropria-
7 tions Acts. After the Administrator has entered into
8 a contract, either as a grant or a cooperative agree-
9 ment, with any applicant under this section, the Ad-
10 ministrator shall not suspend, terminate, or fail to
11 renew or extend any such contract unless the Ad-
12 ministrator provides the applicant with written noti-
13 fication setting forth the reasons therefore and af-
14 fords the applicant an opportunity for a hearing, ap-
15 peal, or other administrative proceeding under chap-
16 ter 5 of title 5, United States Code.

17 “(i) PRIVACY REQUIREMENTS.—

18 “(1) IN GENERAL.—A women’s business center
19 may not disclose the name, address, or telephone
20 number of any individual or small business concern
21 receiving assistance under this section without the
22 consent of such individual or small business concern,
23 unless—

24 “(A) the Administrator is ordered to make
25 such a disclosure by a court in any civil or

1 criminal enforcement action initiated by a Fed-
2 eral or State agency; or

3 “(B) the Administrator considers such a
4 disclosure to be necessary for the purpose of
5 conducting a financial audit of a women’s busi-
6 ness center, except that such a disclosure shall
7 be limited to the information necessary for such
8 audit.

9 “(2) ADMINISTRATION USE OF INFORMATION.—
10 This subsection shall not—

11 “(A) restrict Administration access to
12 women’s business center data; or

13 “(B) prevent the Administration from
14 using information about individuals who use
15 women’s business centers (other than the infor-
16 mation described in subparagraph (A)) to con-
17 duct surveys of such individuals.

18 “(3) REGULATIONS.—The Administrator shall
19 issue regulations to establish standards for disclo-
20 sures for purposes of a financial audit under para-
21 graph (1)(B).

22 “(j) NOTIFICATION REQUIREMENTS UNDER THE
23 WOMEN’S BUSINESS CENTER PROGRAM.—The Adminis-
24 trator shall provide the following:

1 “(1) A public announcement of any opportunity
2 to be awarded grants under this section, to include
3 the selection criteria under subsection (d) and any
4 applicable regulations.

5 “(2) To any applicant for a grant under this
6 section that failed to obtain such a grant, an oppor-
7 tunity to debrief with the Administrator to review
8 the reasons for the applicant’s failure.

9 “(3) To an eligible entity that receives an initial
10 grant under this section, if a site visit or review of
11 the eligible entity is carried out by an officer or em-
12 ployee of the Administration (other than the Inspec-
13 tor General), a copy of the site visit report or eval-
14 uation, as applicable, within 30 calendar days of the
15 completion of such visit or evaluation.

16 “(k) REPORTS.—

17 “(1) MANAGEMENT REPORT.—

18 “(A) IN GENERAL.—The Administrator
19 shall prepare and submit to the Committee on
20 Small Business of the House of Representatives
21 and the Committee on Small Business and En-
22 trepreneurship of the Senate a report on the ef-
23 fectiveness of women’s business centers oper-
24 ated through a grant awarded under this sec-
25 tion.

1 “(B) CONTENTS.—Each report submitted
2 under paragraph (1) shall include information
3 concerning, with respect to each women’s busi-
4 ness center established pursuant to a grant
5 awarded under this section—

6 “(i) the number of individuals receiv-
7 ing assistance;

8 “(ii) the number of startup business
9 concerns formed;

10 “(iii) the gross receipts of assisted
11 concerns;

12 “(iv) the employment increases or de-
13 creases of assisted concerns;

14 “(v) to the maximum extent prac-
15 ticable, increases or decreases in profits of
16 assisted concerns; and

17 “(vi) the most recent analysis, as re-
18 quired under subsection (g)(1)(B), and the
19 subsequent determination made by the Ad-
20 ministration under that subsection.

21 “(2) STUDY AND REPORT ON REPRESENTATION
22 OF WOMEN.—

23 “(A) STUDY.—The Administrator shall pe-
24 riodically conduct a study to identify industries,
25 as defined under the North American Industry

1 Classification System, underrepresented by
2 small business concerns owned and controlled
3 by women.

4 “(B) REPORT.—Not later than 3 years
5 after the date of enactment of this subsection,
6 and every 5 years thereafter, the Administrator
7 shall submit to the Committee on Small Busi-
8 ness and Entrepreneurship of the Senate and
9 the Committee on Small Business of the House
10 of Representatives a report on the results of
11 each study under paragraph (1) conducted dur-
12 ing the 5-year period ending on the date of the
13 report.

14 “(I) OFFICE OF WOMEN’S BUSINESS OWNERSHIP.—

15 “(1) ESTABLISHMENT.—There is established
16 within the Administration an Office of Women’s
17 Business Ownership, which shall be responsible for
18 the administration of the Administration’s programs
19 for the development of women’s business enterprises
20 (as defined in section 408 of the Women’s Business
21 Ownership Act of 1988 (15 U.S.C. 7108)). The Of-
22 fice of Women’s Business Ownership shall be admin-
23 istered by an Assistant Administrator, who shall be
24 appointed by the Administrator.

1 “(2) ASSISTANT ADMINISTRATOR OF THE OF-
2 FICE OF WOMEN’S BUSINESS OWNERSHIP.—

3 “(A) QUALIFICATION.—The position of As-
4 sistant Administrator shall be a Senior Execu-
5 tive Service position under section 3132(a)(2)
6 of title 5, United States Code. The Assistant
7 Administrator shall serve as a noncareer ap-
8 pointee (as defined in section 3132(a)(7) of
9 that title).

10 “(B) DUTIES.—The Assistant Adminis-
11 trator shall administer the programs and serv-
12 ices of the Office of Women’s Business Owner-
13 ship and perform the following functions:

14 “(i) Recommend the annual adminis-
15 trative and program budgets of the Office
16 and eligible entities receiving a grant
17 under the Women’s Business Center Pro-
18 gram.

19 “(ii) Review the annual budgets sub-
20 mitted by each eligible entity receiving a
21 grant under the Women’s Business Center
22 Program.

23 “(iii) Collaborate with other Federal
24 departments and agencies, State and local
25 governments, not-for-profit organizations,

1 and for-profit organizations to maximize
2 utilization of taxpayer dollars and reduce
3 (or eliminate) any duplication among the
4 programs overseen by the Office of Women's
5 Business Ownership and those of
6 other entities that provide similar services
7 to women entrepreneurs.

8 “(iv) Maintain a clearinghouse to provide
9 for the dissemination and exchange of
10 information between women's business centers.
11

12 “(v) Serve as the vice chairperson of
13 the Interagency Committee on Women's
14 Business Enterprise and as the liaison for
15 the National Women's Business Council.

16 “(3) MISSION.—The mission of the Office of
17 Women's Business Ownership shall be to assist
18 women entrepreneurs to start, grow, and compete in
19 global markets by providing quality support with access
20 to capital, access to markets, job creation,
21 growth, and counseling by—

22 “(A) fostering participation of women entrepreneurs
23 in the economy by overseeing a network of women's
24 business centers throughout
25 States and territories;

1 “(B) creating public-private partnerships
2 to support women entrepreneurs and conduct
3 outreach and education to small business con-
4 cerns owned and controlled by women; and

5 “(C) working with other programs of the
6 Administrator to—

7 “(i) ensure women are well-rep-
8 resented in those programs and being
9 served by those programs; and

10 “(ii) identify gaps where participation
11 by women in those programs could be in-
12 creased.

13 “(4) ACCREDITATION PROGRAM.—

14 “(A) ESTABLISHMENT.—Not later than
15 270 days after the date of enactment of this
16 paragraph, the Administrator shall publish
17 standards for a program to accredit eligible en-
18 tities that receive a grant under this section.

19 “(B) PUBLIC COMMENT; TRANSITION.—
20 Before publishing the standards under subpara-
21 graph (A), the Administrator—

22 “(i) shall provide a period of not less
23 than 60 days for public comment on such
24 standards; and

1 “(ii) may not terminate a grant under
2 this section absent evidence of fraud or
3 other criminal misconduct by the recipient.

4 “(C) CONTRACTING AUTHORITY.—The Ad-
5 ministrator may provide financial assistance, by
6 contract or otherwise, to a relevant national
7 women’s business center representative associa-
8 tion to provide assistance in establishing the
9 standards required under subparagraph (A) or
10 for carrying out an accreditation program pur-
11 suant to such standards.

12 “(m) AUTHORIZATION OF APPROPRIATIONS.—

13 “(1) IN GENERAL.—There are authorized to be
14 appropriated to the Administration to carry out this
15 section, to remain available until expended,
16 \$21,750,000 for each of fiscal years 2019 through
17 2022.

18 “(2) USE OF AMOUNTS.—

19 “(A) IN GENERAL.—Except as provided in
20 subparagraph (B), amounts made available
21 under this subsection for fiscal year 2018, and
22 each fiscal year thereafter, may only be used for
23 grant awards and may not be used for costs in-
24 curred by the Administration in connection with

1 the management and administration of the pro-
2 gram under this section.

3 “(B) EXCEPTIONS.—Of the amount made
4 available under this subsection for a fiscal year,
5 the following amounts shall be available:

6 “(i) For the first fiscal year beginning
7 after the date of the enactment of this sub-
8 paragraph, 2.65 percent.

9 “(ii) For the second fiscal year begin-
10 ning after the date of the enactment of
11 this subparagraph and each fiscal year
12 thereafter through fiscal year 2022, 2.5
13 percent.

14 “(3) EXPEDITED ACQUISITION.—Notwith-
15 standing any other provision of law, the Adminis-
16 trator may use such expedited acquisition methods
17 as the Administrator determines to be appropriate to
18 carry out this section, except that the Administrator
19 shall ensure that all small business sources are pro-
20 vided a reasonable opportunity to submit pro-
21 posals.”.

22 **SEC. 3. EFFECT ON EXISTING GRANTS.**

23 (a) TERMS AND CONDITIONS.—A nonprofit organiza-
24 tion receiving a grant under section 29(m) of the Small
25 Business Act (15 U.S.C. 656(m)), as in effect on the day

1 before the date of enactment of this Act, shall continue
2 to receive the grant under the terms and conditions in ef-
3 fect for the grant on the day before the date of enactment
4 of this Act, except that the nonprofit organization may
5 not apply for a continuation of the grant under section
6 29(m)(5) of the Small Business Act (15 U.S.C.
7 656(m)(5)), as in effect on the day before the date of en-
8 actment of this Act.

9 (b) LENGTH OF CONTINUATION GRANT.—The Ad-
10 ministrator of the Small Business Administration may
11 award a grant under section 29(m) of the Small Business
12 Act, as amended by this Act, to a nonprofit organization
13 receiving a grant under section 29(m) of the Small Busi-
14 ness Act (15 U.S.C. 656(m)), as in effect on the day be-
15 fore the date of enactment of this Act, for the period—

16 (1) beginning on the day after the last day of
17 the grant agreement under such section 29(m); and

18 (2) ending at the end of the third fiscal year be-
19 ginning after the date of enactment of this Act.

20 **SEC. 4. REGULATIONS.**

21 Not later than 270 days after the date of the enact-
22 ment of this Act, the Administrator of Small Business Ad-
23 ministration shall publish in the Federal Register such
24 regulations as are necessary to carry out section 29 of the
25 Small Business Act (15 U.S.C. 656), as amended by this

1 Act. The Administrator shall accept public comments on
2 such proposed regulations for a period of not less than
3 60 days.

Passed the House of Representatives May 8, 2018.

Attest:

KAREN L. HAAS,

Clerk.