

115TH CONGRESS
2D SESSION

H. R. 1702

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 small
business development centers 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 subtitle may be cited as the “Small Business
3 Development Centers Improvement Act of 2018”.

4 **SEC. 2. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**
5 **OPMENT PROGRAMS.**

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

8 (1) by redesignating section 47 as section 48;
9 and

10 (2) by inserting after section 46 the following
11 new section:

12 **“SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**
13 **OPMENT PROGRAMS.**

14 “(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

15 “(1) IN GENERAL.—Notwithstanding any other
16 provision of law, the Administrator shall only deliver
17 entrepreneurial development services, entrepreneurial
18 education, support for the development and mainte-
19 nance of clusters, or business training through a
20 program authorized under—

21 “(A) section 7(j), 7(m), 8(a), 8(b)(1), 21,
22 22, 29, or 32 of this Act; or

23 “(B) sections 358 or 389 of the Small
24 Business Investment Act of 1958.

25 “(2) EXCEPTION.—This section shall not apply
26 to services provided to assist small business concerns

1 owned by an Indian tribe (as such term is defined
2 in section 8(a)(13)).

3 “(b) ANNUAL REPORT.—Beginning on the first De-
4 cember 1 after the date of the enactment of this sub-
5 section, the Administrator shall annually report to the
6 Committee on Small Business of the House of Representa-
7 tives and the Committee on Small Business and Entrepre-
8 neurship of the Senate on all entrepreneurial development
9 activities undertaken in the current fiscal year through a
10 program described in subsection (a). Such report shall in-
11 clude—

12 “(1) a description and operating details for
13 each program and activity;

14 “(2) operating circulars, manuals, and standard
15 operating procedures for each program and activity;

16 “(3) a description of the process used to award
17 grants under each program and activity;

18 “(4) a list of all awardees, contractors, and ven-
19 dors (including organization name and location) and
20 the amount of awards for the current fiscal year for
21 each program and activity;

22 “(5) the amount of funding obligated for the
23 current fiscal year for each program and activity;
24 and

1 “(6) the names and titles for those individuals
2 responsible for each program and activity.”.

3 **SEC. 3. MARKETING OF SERVICES.**

4 Section 21 of the Small Business Act (15 U.S.C. 648)
5 is amended by adding at the end the following:

6 “(o) NO PROHIBITION OF MARKETING OF SERV-
7 ICES.—The Administrator shall not prohibit applicants re-
8 ceiving grants under this section from marketing and ad-
9 vertising their services to individuals and small business
10 concerns.”.

11 **SEC. 4. DATA COLLECTION.**

12 (a) IN GENERAL.—Section 21(a)(3)(A) of the Small
13 Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

14 (1) by striking “as provided in this section
15 and” and inserting “as provided in this section,”;
16 and

17 (2) by inserting before the period at the end the
18 following: “, and (iv) governing data collection ac-
19 tivities related to applicants receiving grants under
20 this section”.

21 (b) ANNUAL REPORT ON DATA COLLECTION.—Sec-
22 tion 21 of the Small Business Act (15 U.S.C. 648), as
23 amended by section 3 of this Act, is further amended by
24 adding at the end the following:

1 “(p) ANNUAL REPORT ON DATA COLLECTION.—The
2 Administrator shall report annually to the Committee on
3 Small Business of the House of Representatives and the
4 Committee on Small Business and Entrepreneurship of
5 the Senate on any data collection activities related to the
6 Small Business Development Center Program.”.

7 (c) WORKING GROUP TO IMPROVE DATA COLLEC-
8 TION.—

9 (1) ESTABLISHMENT AND STUDY.—The Admin-
10 istrator of the Small Business Administration shall
11 establish a group to be known as the “Data Collec-
12 tion Working Group” consisting of members from
13 entrepreneurial development grant recipients asso-
14 ciations and organizations and officials from the
15 Small Business Administration, to carry out a study
16 to determine the best way to capture data collection
17 and create or revise existing systems dedicated to
18 data collection.

19 (2) REPORT.—Not later than the end of the
20 180-day period beginning on the date of the enact-
21 ment of this Act, the Data Collection Working
22 Group shall issue a report to the Committee on
23 Small Business of the House of Representatives and
24 the Committee on Small Business and Entrepre-
25 neurship of the Senate containing the findings and

1 determinations made in carrying out the study re-
 2 quired under paragraph (1), including—

3 (A) recommendations for revising existing
 4 data collection practices; and

5 (B) a proposed plan for the Small Busi-
 6 ness Administration to implement such rec-
 7 ommendations.

8 **SEC. 5. FEES FROM PRIVATE PARTNERSHIPS AND CO-**
 9 **SPONSORSHIPS.**

10 Section 21(a)(3) of the Small Business Act (15
 11 U.S.C. 648(a)(3)(C)), as amended by section 4, is further
 12 amended by adding at the end the following:

13 “(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-
 14 SPONSORSHIPS.—A small business development center
 15 that participates in a private partnership or cosponsorship
 16 with the Administration shall not be prohibited from col-
 17 lecting fees or other income related to the operation of
 18 such a private partnership or cosponsorship.”.

19 **SEC. 6. EQUITY FOR SMALL BUSINESS DEVELOPMENT CEN-**
 20 **TERS.**

21 Subclause (I) of section 21(a)(4)(C)(v) of the Small
 22 Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to
 23 read as follows:

24 “(I) IN GENERAL.—Of the
 25 amounts made available in any fiscal

1 year to carry out this section, not
 2 more than \$600,000 may be used by
 3 the Administration to pay expenses
 4 enumerated in subparagraphs (B)
 5 through (D) of section 20(a)(1).”.

6 **SEC. 7. CONFIDENTIALITY REQUIREMENTS.**

7 Section 21(a)(7)(A) of the Small Business Act (15
 8 U.S.C. 648(a)(7)(A)) is amended by inserting after
 9 “under this section” the following: “to any State, local,
 10 or Federal agency, or to any third party”.

11 **SEC. 8. LIMITATION ON AWARD OF GRANTS TO SMALL**
 12 **BUSINESS DEVELOPMENT CENTERS.**

13 (a) IN GENERAL.—Section 21 of the Small Business
 14 Act (15 U.S.C. 648), as amended by section 4, is further
 15 amended—

16 (1) in subsection (a)(1), by striking “any wom-
 17 en’s business center operating pursuant to section
 18 29,”; and

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

20 “(q) LIMITATION ON AWARD OF GRANTS.—Except
 21 for not-for-profit institutions of higher education, and not-
 22 withstanding any other provision of law, the Administrator
 23 may not award grants (including contracts and coopera-
 24 tive agreements) under this section to any entity other
 25 than those that received grants (including contracts and

1 cooperative agreements) under this section prior to the
2 date of the enactment of this subsection, and that seek
3 to renew such grants (including contracts and cooperative
4 agreements) after such date.”.

5 (b) RULE OF CONSTRUCTION.—The amendments
6 made by this section may not be construed as prohibiting
7 a women’s business center (as described under section 29
8 of the Small Business Act (15 U.S.C. 656)) from receiving
9 a subgrant from an entity receiving a grant under section
10 21 of the Small Business Act (15 U.S.C. 648).

Passed the House of Representatives May 8, 2018.

Attest:

KAREN L. HAAS,

Clerk.