

109TH CONGRESS
2^D SESSION

S. 3659

To reauthorize and improve the women’s small business ownership programs of the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2006

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

A BILL

To reauthorize and improve the women’s small business ownership programs of the Small Business Administration, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Women’s Small Business Ownership Programs Act of
6 2006”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Office of Women’s Business Ownership.

Sec. 3. Women’s Business Center Program.

Sec. 4. National Women’s Business Council.

Sec. 5. Interagency Committee on Women’s Business Enterprise.

Sec. 6. Preserving the independence of the National Women’s Business Council.

1 **SEC. 2. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

2 Section 29(g) of the Small Business Act (15 U.S.C.
3 656(g)) is amended—

4 (1) in paragraph (2)—

5 (A) in subparagraph (B)(i), by striking “in
6 the areas” and all that follows through the end
7 of subclause (I), and inserting the following: “to
8 address issues concerning management, oper-
9 ations, manufacturing, technology, finance, re-
10 tail and product sales, international trade, and
11 other disciplines required for—

12 “(I) starting, operating, and
13 growing a small business concern;”;
14 and

15 (B) in subparagraph (C), by inserting be-
16 fore the period at the end the following: “, the
17 National Women’s Business Council, and any
18 association of women’s business centers” ; and
19 (2) by adding at the end the following:

20 “(3) PROGRAMS AND SERVICES FOR WOMEN-
21 OWNED SMALL BUSINESSES.—The Assistant Admin-
22 istrator, in consultation with the National Women’s
23 Business Council, the Interagency Committee on

1 Women’s Business Enterprise, and 1 or more asso-
2 ciations of women’s business centers, shall develop
3 programs and services for women-owned businesses
4 (as defined in section 408 of the Women’s Business
5 Ownership Act of 1988 (15 U.S.C. 631 note)) in
6 business areas, which may include—

7 “(A) manufacturing;

8 “(B) technology;

9 “(C) professional services;

10 “(D) retail and product sales;

11 “(E) travel and tourism;

12 “(F) international trade; and

13 “(G) Federal Government contract busi-
14 ness development.

15 “(4) TRAINING.—The Administrator shall pro-
16 vide annual programmatic and financial oversight
17 training for women’s business ownership representa-
18 tives and district office technical representatives of
19 the Administration to enable representatives to carry
20 out their responsibilities under this section.

21 “(5) GRANT PROGRAM IMPROVEMENT.—The
22 Administrator shall improve the women’s business
23 center grant proposal process and the programmatic
24 and financial oversight process by—

1 “(A) providing notice to the public of each
2 women’s business center grant announcement
3 for an initial and renewal grant, not later than
4 6 months before awarding such grant;

5 “(B) providing notice to grant applicants
6 and recipients of program evaluation criteria,
7 not later than 12 months before any such eval-
8 uation;

9 “(C) reducing paperwork and reporting re-
10 quirements for grant applicants and recipients;

11 “(D) standardizing the oversight and re-
12 view process of the Administration; and

13 “(E) providing to each women’s business
14 center, not later than 30 days after the comple-
15 tion of a site visit at that center, a copy of site
16 visit reports and evaluation reports prepared by
17 district office technical representatives or Ad-
18 ministration officials.”.

19 **SEC. 3. WOMEN’S BUSINESS CENTER PROGRAM.**

20 (a) WOMEN’S BUSINESS CENTER GRANTS PRO-
21 GRAM.—Section 29 of the Small Business Act (15 U.S.C.
22 656) is amended—

23 (1) in subsection (a)—

1 (A) by redesignating paragraphs (2), (3),
2 and (4), as paragraphs (3), (4), and (5), re-
3 spectively; and

4 (B) by inserting after paragraph (1) the
5 following:

6 “(2) the term ‘association of women’s business
7 centers’ means an organization that represents not
8 fewer than 30 percent of the women’s business cen-
9 ters that are participating in a program under this
10 section, and whose primary purpose is to represent
11 women’s business centers;”; and

12 (2) by striking subsections (b) through (f) and
13 inserting the following:

14 “(b) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—

16 “(A) ISSUANCE.—The Administrator may
17 award initial and renewal grants of not more
18 than \$150,000 per year, which shall be known
19 as ‘women’s business center grants’, to private
20 nonprofit organizations to conduct projects for
21 the benefit of small business concerns owned
22 and controlled by women.

23 “(B) RENEWALS.—At the end of the initial
24 4-year grant period, and every 3 years there-
25 after, the grant recipient may apply to renew

1 the grant in accordance with this subsection
2 and subsection (e)(2).

3 “(C) EQUAL ALLOCATIONS.—In the event
4 that the Administration has insufficient funds
5 to provide grants of \$150,000 for each eligible
6 women’s business center, available funds shall
7 be allocated equally to eligible centers, unless
8 any center requests a lower amount than the al-
9 locable amount.

10 “(2) COOPERATIVE AGREEMENT AUTHORITY.—

11 “(A) IN GENERAL.—The Administrator
12 may enter into Federal cooperative agreements
13 with grant recipients under this subsection to
14 perform the services described under paragraph
15 (3), only to the extent and in the amount pro-
16 vided by appropriated funds.

17 “(B) TERMINATION.—

18 “(i) IN GENERAL.—If any grant re-
19 cipient under this subsection does not ful-
20 fill its grant obligations, after advanced no-
21 tification, during the period of the grant,
22 the Administrator may terminate the
23 grant.

24 “(ii) EXCEPTION.—Notwithstanding a
25 violation by a grant recipient of a grant

1 obligation under this subsection, the Ad-
2 ministrator may continue to fund the
3 grant, if the grant recipient is making a
4 good faith effort to comply with such obli-
5 gation.

6 “(3) USE OF FUNDS.—Grants awarded under
7 this subsection may be used to provide training and
8 counseling in the areas of—

9 “(A) pre-business, business startup, and
10 business operations;

11 “(B) financial planning assistance;

12 “(C) procurement assistance;

13 “(D) management assistance;

14 “(E) marketing assistance; and

15 “(F) international trade.

16 “(4) MATCHING REQUIREMENT.—

17 “(A) WOMEN’S BUSINESS CENTER
18 GRANTS.—As a condition of receiving financial
19 assistance under this subsection, the grant re-
20 cipient shall agree to obtain, after its applica-
21 tion has been approved and notice of award has
22 been issued, cash contributions from non-Fed-
23 eral sources as follows:

1 “(i) In the first and second years, 1
2 non-Federal dollar for each 2 Federal dol-
3 lars provided under the 4-year grant.

4 “(ii) In the third and fourth years, 1
5 non-Federal dollar for each Federal dollar
6 provided under the 4-year grant.

7 “(iii) In each renewal period, 1 non-
8 Federal dollar for each Federal dollar pro-
9 vided under the 3-year grant.

10 “(B) FORM OF NON-FEDERAL CONTRIBU-
11 TIONS.—Not more than $\frac{1}{2}$ of the non-Federal
12 sector matching assistance may be in the form
13 of in-kind contributions that are budget line
14 items only, including office equipment and of-
15 fice space.

16 “(C) FAILURE TO OBTAIN NON-FEDERAL
17 FUNDING.—

18 “(i) ADVANCE DISBURSEMENTS.—If
19 any grant recipient fails to obtain the re-
20 quired non-Federal contribution during
21 any project year, it shall not be eligible for
22 advance disbursements under subpara-
23 graph (D) during the remainder of that
24 project year.

1 “(ii) ABILITY TO OBTAIN NON-FED-
2 ERAL FUNDING.—Before approving assist-
3 ance to a grant recipient that has failed to
4 obtain the required non-Federal contribu-
5 tion for any other projects under this Act,
6 the Administrator shall require the grant
7 recipient to certify that it will be able to
8 obtain the requisite non-Federal funding
9 and enter a written finding setting forth
10 the reasons for making such determina-
11 tion.

12 “(D) FORM OF FEDERAL CONTRIBU-
13 TIONS.—The financial assistance authorized
14 under this subsection may be made by grant or
15 cooperative agreement and may contain such
16 provisions, as necessary, to provide for pay-
17 ments in lump sum or installments, and in ad-
18 vance or by way of reimbursement. The Admin-
19 istrator may disburse not more than 25 percent
20 of the Federal share awarded to a grant recipi-
21 ent for each year after notice of the award has
22 been issued and before the non-Federal sector
23 matching funds are obtained.

24 “(5) APPLICATION FOR AN INITIAL GRANT.—
25 Each organization desiring an initial grant under

1 this subsection, shall submit to the Administrator an
2 application that contains—

3 “(A) a certification that the applicant—

4 “(i) is a private nonprofit organiza-
5 tion;

6 “(ii) has designated an executive di-
7 rector or program manager, who may be
8 compensated from grant funds or other
9 sources, to manage the center; and

10 “(iii) as a condition of receiving a
11 grant under this subsection, agrees—

12 “(I) to receive a site visit as part
13 of the final selection process;

14 “(II) to undergo an annual pro-
15 grammatic and financial examination;
16 and

17 “(III) to the maximum extent
18 practicable, to remedy any problems
19 identified pursuant to the site visit or
20 examination under subclauses (I) and
21 (II);

22 “(B) information demonstrating that the
23 applicant has the ability and resources to meet
24 the needs of the market to be served by the
25 women’s business center site for which an ini-

1 tial grant is sought, including the ability to
2 comply with the matching requirement under
3 paragraph (4);

4 “(C) information relating to assistance to
5 be provided by the women’s business center site
6 for which an initial grant is sought in the area
7 in which the site is located;

8 “(D) information demonstrating the effec-
9 tive experience of the applicant in—

10 “(i) conducting financial, manage-
11 ment, and marketing assistance programs,
12 as described under paragraph (3), which
13 are designed to teach or upgrade the busi-
14 ness skills of women who are business own-
15 ers or potential business owners;

16 “(ii) providing training and services to
17 a representative number of women who are
18 both socially and economically disadvan-
19 taged; and

20 “(iii) using resource partners of the
21 Administration and other entities, such as
22 universities;

23 “(E) a 4-year plan that projects the ability
24 of the women’s business center site for which
25 an initial grant is sought—

1 “(i) to serve women who are business
2 owners or potential owners in the future by
3 improving training and counseling activi-
4 ties; and

5 “(ii) to provide training and services
6 to a representative number of women who
7 are both socially and economically dis-
8 advantaged; and

9 “(F) any additional information that the
10 Administrator may reasonably require.

11 “(6) REVIEW AND APPROVAL OF APPLICATIONS
12 FOR AN INITIAL GRANT.—

13 “(A) IN GENERAL.—The Administrator
14 shall—

15 “(i) review each application submitted
16 under paragraph (5), based on the infor-
17 mation described in such paragraph and
18 the criteria set forth under subparagraph
19 (B) of this paragraph; and

20 “(ii) as part of the final selection
21 process, conduct a site visit at each wom-
22 en’s business center for which an initial
23 grant is sought.

24 “(B) SELECTION CRITERIA.—

1 “(i) IN GENERAL.—The Administrator
2 shall evaluate applicants in accordance
3 with predetermined selection criteria that
4 shall be stated in terms of relative impor-
5 tance. Such criteria and their relative im-
6 portance shall be made publicly available
7 and stated in each solicitation for applica-
8 tions made by the Administrator.

9 “(ii) REQUIRED CRITERIA.—The se-
10 lection criteria for an initial grant under
11 clause (i) shall include—

12 “(I) the experience of the appli-
13 cant in conducting programs or ongo-
14 ing efforts designed to teach or up-
15 grade the business skills of women
16 who are business owners or potential
17 owners;

18 “(II) the ability of the applicant
19 to commence a project within a min-
20 imum amount of time;

21 “(III) the ability of the applicant
22 to provide training and services to a
23 representative number of women who
24 are both socially and economically dis-
25 advantaged; and

1 “(IV) the location for the wom-
2 en’s business center site proposed by
3 the applicant.

4 “(C) RECORD RETENTION.—The Adminis-
5 trator shall maintain a copy of each application
6 submitted under this paragraph for not less
7 than 7 years.

8 “(7) APPLICATION FOR A RENEWAL GRANT.—
9 Each organization desiring a renewal grant under
10 this subsection, shall submit to the Administrator,
11 not later than 3 months before the expiration of an
12 existing grant under this subsection, an application
13 that contains—

14 “(A) a certification that the applicant—

15 “(i) is a private nonprofit organiza-
16 tion;

17 “(ii) has designated an executive di-
18 rector or program manager to manage the
19 center; and

20 “(iii) as a condition of receiving a
21 grant under this subsection, agrees—

22 “(I) to receive a site visit as part
23 of the final selection process;

24 “(II) to submit, for the preceding
25 2 years, annual programmatic and fi-

1 nancial examination reports or cer-
2 tified copies of the applicant’s compli-
3 ance supplemental audits under OMB
4 Circular A-133; and

5 “(III) to the maximum extent
6 practicable, to remedy any problems
7 identified pursuant to the site visit or
8 examination under subclauses (I) and
9 (II);

10 “(B) information demonstrating that the
11 applicant has the ability and resources to meet
12 the needs of the market to be served by the
13 women’s business center site for which a re-
14 newal grant is sought, including the ability to
15 comply with the matching requirement under
16 paragraph (4);

17 “(C) information relating to assistance to
18 be provided by the women’s business center site
19 for which a renewal grant is sought in the area
20 in which the site is located;

21 “(D) information demonstrating the utili-
22 zation of resource partners of the Administra-
23 tion and other entities;

1 “(E) a 3-year plan that projects the ability
2 of the women’s business center site for which a
3 renewal grant is sought—

4 “(i) to serve women who are business
5 owners or potential owners in the future by
6 improving training and counseling activi-
7 ties; and

8 “(ii) to provide training and services
9 to a representative number of women who
10 are both socially and economically dis-
11 advantaged; and

12 “(F) any additional information that the
13 Administrator may reasonably require.

14 “(8) REVIEW AND APPROVAL OF APPLICATIONS
15 FOR A RENEWAL GRANT.—

16 “(A) IN GENERAL.—The Administrator
17 shall—

18 “(i) review each application submitted
19 under paragraph (7), based on the infor-
20 mation described in such paragraph and
21 the criteria set forth under subparagraph
22 (B) of this paragraph; and

23 “(ii) as part of the final selection
24 process, conduct a site visit at each wom-

1 en’s business center for which a renewal
2 grant is sought.

3 “(B) SELECTION CRITERIA.—The Admin-
4 istrator shall evaluate applicants in accordance
5 with predetermined selection criteria that shall
6 be stated in terms of relative importance. Such
7 criteria and their relative importance shall be
8 made publicly available and stated in each solie-
9 itation for applications made by the Adminis-
10 trator.

11 “(C) CONDITIONS FOR CONTINUED FUND-
12 ING.—In determining whether to renew a grant
13 or cooperative agreement with a women’s busi-
14 ness center, the Administrator—

15 “(i) shall consider the results of the
16 most recent evaluation of the center, and,
17 to a lesser extent, previous evaluations;
18 and

19 “(ii) may withhold such renewal, if
20 the Administrator determines that the cen-
21 ter has failed to provide the information
22 required to be provided under this sub-
23 section, or the information provided by the
24 center is inadequate.

1 “(D) CONTINUING GRANT AND COOPERA-
2 TIVE AGREEMENT AUTHORITY.—

3 “(i) IN GENERAL.—The authority of
4 the Administrator to enter into grants or
5 cooperative agreements under this sub-
6 section shall be in effect for each fiscal
7 year only to the extent and in the amounts
8 as are provided in advance in appropria-
9 tions Acts.

10 “(ii) RENEWAL.—After the Adminis-
11 trator has entered into a grant or coopera-
12 tive agreement with any women’s business
13 center under this subsection, the Adminis-
14 trator shall not suspend, terminate, or fail
15 to renew or extend any such grant or coop-
16 erative agreement, unless the Adminis-
17 trator provides the center with written no-
18 tification setting forth the reasons there-
19 fore and affords the center an opportunity
20 for a hearing, appeal, or other administra-
21 tive proceeding under chapter 5 of title 5,
22 United States Code.

23 “(E) RECORD RETENTION.—The Adminis-
24 trator shall maintain a copy of each application

1 submitted under this paragraph for not less
2 than 7 years.

3 “(9) DATA COLLECTION.—Consistent with the
4 annual report to Congress under subsection (g),
5 each women’s business center site that is awarded
6 an initial or renewal grant under this subsection
7 shall collect information relating to—

8 “(A) the number of individuals counseled
9 or trained;

10 “(B) the number of hours of counseling
11 provided;

12 “(C) the number of workshops conducted;

13 “(D) the number of startup small business
14 concerns formed; and

15 “(E) the number of jobs created or main-
16 tained at assisted small business concerns.

17 “(10) PRIVACY REQUIREMENTS.—

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

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

1 civil or criminal enforcement action initi-
2 ated by a Federal or State agency; or

3 “(ii) the Administrator considers such
4 a disclosure to be necessary for the pur-
5 pose of conducting a financial audit of a
6 women’s business center, but a disclosure
7 under this clause shall be limited to the in-
8 formation necessary for such audit.

9 “(B) ADMINISTRATION USE OF INFORMA-
10 TION.—This subsection shall not—

11 “(i) restrict Administration access to
12 program activity data; or

13 “(ii) prevent the Administration from
14 using client information (other than the in-
15 formation described in subparagraph (A))
16 to conduct client surveys.

17 “(C) REGULATIONS.—The Administrator
18 shall issue regulations to establish standards for
19 requiring disclosures during a financial audit
20 under subparagraph (A)(ii).

21 “(11) TRANSITION RULES.—

22 “(A) IN GENERAL.—Notwithstanding any
23 other provision of law, a grant or cooperative
24 agreement that was awarded as an eligible sus-
25 tainability grant, from amounts appropriated

1 for fiscal year 2006, to operate a women’s busi-
2 ness center, shall remain in full force and effect
3 under the terms, and for the duration, of such
4 agreement, subject to the grant limitation in
5 paragraph (1).

6 “(B) EXTENSION.—If the sustainability
7 grant under subparagraph (A) is scheduled to
8 expire not later than June 30, 2007, a 1-year
9 extension shall be granted without any interrup-
10 tion of funding, subject to the grant limitation
11 in paragraph (1).

12 “(C) EFFECT ON CERTAIN EXISTING
13 PROJECTS AND RENEWAL AUTHORITY.—A
14 project being conducted by a women’s business
15 center under this subsection on the day before
16 the date of enactment of the Women’s Small
17 Business Ownership Programs Act of 2006—

18 “(i) as a 5-year project, shall remain
19 in full force and effect under the terms
20 and for the duration of that agreement;
21 and

22 “(ii) shall be eligible to apply for a 3-
23 year renewal grant funded at a level equal
24 to not more than \$150,000 per year.

1 “(12) COORDINATION OF SERVICES.—Small
2 business development centers and women’s business
3 centers shall, to the extent possible, coordinate serv-
4 ices to avoid duplication of programmatic efforts.

5 “(c) ASSOCIATIONS OF WOMEN’S BUSINESS CEN-
6 TERS.—

7 “(1) RECOGNITION.—The Administrator shall
8 recognize the existence and activities of any associa-
9 tion of women’s business centers established to ad-
10 dress matters of common concern.

11 “(2) CONSULTATION.—The Administrator shall
12 consult with each association of women’s business
13 centers to develop—

14 “(A) a training program for the staff of
15 the women’s business centers and the Adminis-
16 tration; and

17 “(B) recommendations to improve the poli-
18 cies and procedures for governing the general
19 operations and administration of the Women’s
20 Business Center Program, including grant pro-
21 gram improvements under subsection (e)(5).”.

22 (b) CONFORMING AMENDMENTS.—Section 29 of the
23 Small Business Act (15 U.S.C. 656) is amended—

1 (1) by redesignating subsections (g), (h), (i),
2 (j), and (k) as subsections (d), (e), (f), (g), and (h),
3 respectively;

4 (2) in subsection (e)(2), as redesignated by
5 paragraph (1) of this subsection, by striking “to
6 award a contract (as a sustainability grant) under
7 subsection (l) or”;

8 (3) in subsection (g)(1), as redesignated by
9 paragraph (1) of this subsection, by striking “The
10 Administration” and inserting “Not later than No-
11 vember 1st of each year, the Administrator”;

12 (4) in subsection (h), as redesignated by para-
13 graph (1) of this subsection—

14 (A) by striking paragraphs (1) and (2) and
15 inserting the following:

16 “(1) IN GENERAL.—There are authorized to be
17 appropriated to the Administration to carry out this
18 section, to remain available until expended—

19 “(A) \$16,500,000 for fiscal year 2007, of
20 which \$500,000 may be used to provide supple-
21 mental sustainability grants to women’s busi-
22 ness centers, except that no such center may re-
23 ceive more than a total of \$125,000 in grant
24 funding for the grant period beginning on July
25 1, 2006 and ending on June 30, 2007;

1 “(B) \$17,000,000 for fiscal year 2008; and

2 “(C) \$17,500,000 for fiscal year 2009.

3 “(2) USE OF AMOUNTS.—Amounts made avail-
4 able under this subsection may only be used for
5 grant awards and may not be used for costs incurred
6 by the Administration in connection with the man-
7 agement and administration of the program under
8 this section.”; and

9 (B) by striking paragraph (4); and

10 (5) by striking subsection (1).

11 **SEC. 4. NATIONAL WOMEN’S BUSINESS COUNCIL.**

12 (a) COSPONSORSHIP AUTHORITY.—Section 406 of
13 the Women’s Business Ownership Act of 1988 (15 U.S.C.
14 7106) is amended by adding at the end the following:

15 “(f) COSPONSORSHIP AUTHORITY.—The Council is
16 authorized to enter into agreements as a cosponsor with
17 public and private entities, in the same manner as is pro-
18 vided in section 8(b)(1)(A) of the Small Business Act (15
19 U.S.C. 637(b)(1)(A)), to carry out its duties under this
20 section.”.

21 (b) MEMBERSHIP.—Section 407(f) of the Women’s
22 Business Ownership Act of 1988 (15 U.S.C. 7107(f)) is
23 amended by adding at the end the following:

24 “(3) REPRESENTATION OF MEMBER ORGANIZA-
25 TIONS.—Notwithstanding subsection (b), a national

1 women’s business organization or small business
2 concern that is represented on the Council may, in
3 consultation with the chairperson of the Council, re-
4 place its representative member on the Council at
5 any time during the service term to which that mem-
6 ber was appointed.”.

7 (c) ESTABLISHMENT OF COMMITTEES.—Title IV of
8 the Women’s Business Ownership Act of 1988 (15 U.S.C.
9 7101 et seq.) is amended by inserting after section 410,
10 the following new section:

11 **“SEC. 411. COMMITTEES.**

12 “(a) ESTABLISHMENT.—There are established within
13 the Council—

14 “(1) the Committee on Manufacturing, Tech-
15 nology, and Training and Professional Services;

16 “(2) the Committee on Travel, Tourism, Prod-
17 uct and Retail Sales, and International Trade; and

18 “(3) the Committee on Federal Procurement
19 and Contracting.

20 “(b) DUTIES.—The Committees established under
21 subsection (a) shall perform such duties as the chairperson
22 shall direct.”.

23 (d) CLEARINGHOUSE FOR HISTORICAL DOCU-
24 MENTS.—Section 409 of the Women’s Business Owner-

1 ship Act of 1988 (15 U.S.C. 7109) is amended by adding
2 at the end the following:

3 “(c) CLEARINGHOUSE FOR HISTORICAL DOCU-
4 MENTS.—The Council shall serve as a clearinghouse for
5 information on small businesses owned and controlled by
6 women, including research conducted by other organiza-
7 tions and individuals relating to ownership by women of
8 small business concerns in the United States.”.

9 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
10 410(a) of the Women’s Business Ownership Act of 1988
11 (15 U.S.C. 7110(a)) is amended by striking “2001
12 through 2003, of which \$550,000” and inserting “2007
13 through 2009, of which not less than 30 percent”.

14 **SEC. 5. INTERAGENCY COMMITTEE ON WOMEN’S BUSINESS**
15 **ENTERPRISE.**

16 (a) CHAIRPERSON.—Section 403(b) of the Women’s
17 Business Ownership Act of 1988 (15 U.S.C. 7103(b)) is
18 amended—

19 (1) by striking “Not later” and inserting the
20 following:

21 “(1) IN GENERAL.—Not later”; and

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

23 “(2) VACANCY.—In the event that a chair-
24 person is not appointed under paragraph (1), the
25 Deputy Administrator of the Small Business Admin-

1 istration shall serve as acting chairperson of the
2 Interagency Committee until a chairperson is ap-
3 pointed under paragraph (1).”.

4 (b) POLICY ADVISORY GROUP.—Section 401 of the
5 Women’s Business Ownership Act of 1988 (15 U.S.C.
6 7101) is amended—

7 (1) by striking “There” and inserting the fol-
8 lowing:

9 “(a) IN GENERAL.—There”; and

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

11 “(b) POLICY ADVISORY GROUP.—

12 “(1) ESTABLISHMENT.—There is established a
13 Policy Advisory Group to assist the chairperson in
14 developing policies and programs under this Act.

15 “(2) MEMBERSHIP.—The Policy Advisory
16 Group shall be composed of 7 policy making offi-
17 cials, of whom—

18 “(A) 1 shall be a representative of the
19 Small Business Administration;

20 “(B) 1 shall be a representative of the De-
21 partment of Commerce;

22 “(C) 1 shall be a representative of the De-
23 partment of Labor;

24 “(D) 1 shall be a representative of the De-
25 partment of Defense;

1 “(E) 1 shall be a representative of the De-
2 partment of the Treasury; and

3 “(F) 2 shall be representatives of the
4 Council.”.

5 (c) ESTABLISHMENT OF SUBCOMMITTEES.—Section
6 401 of the Women’s Business Ownership Act of 1988 (15
7 U.S.C. 7101), as amended by subsection (b), is amended
8 by adding at the end the following:

9 “(c) SUBCOMMITTEES.—

10 “(1) ESTABLISHMENT.—There are estab-
11 lished—

12 “(A) the Subcommittee on Manufacturing,
13 Technology, and Training and Professional
14 Services;

15 “(B) the Subcommittee on Travel, Tour-
16 ism, Product and Retail Sales, and Inter-
17 national Trade; and

18 “(C) the Subcommittee on Federal Pro-
19 curement and Contracting.

20 “(2) DUTIES.—The Subcommittees established
21 under paragraph (1) shall perform such duties as
22 the chairperson shall direct.

23 “(3) MEETINGS.—The Subcommittees estab-
24 lished under paragraph (1) shall meet not less fre-
25 quently than 3 times each year to—

1 “(A) plan activities for the new fiscal year;

2 “(B) track year-to-date agency contracting
3 goals; and

4 “(C) evaluate the progress during the fis-
5 cal year and prepare an annual report.”.

6 **SEC. 6. PRESERVING THE INDEPENDENCE OF THE NA-**
7 **TIONAL WOMEN’S BUSINESS COUNCIL.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The National Women’s Business Council
10 provides an independent source of advice and policy
11 recommendations regarding women’s business devel-
12 opment and the needs of women entrepreneurs in
13 the United States to—

14 (A) the President;

15 (B) Congress;

16 (C) the Interagency Committee on Wom-
17 en’s Business Enterprise; and

18 (D) the Administrator.

19 (2) The members of the National Women’s
20 Business Council are small business owners, rep-
21 resentatives of business organizations, and rep-
22 resentatives of women’s business centers.

23 (3) The chair and ranking member of the Com-
24 mittee on Small Business and Entrepreneurship of
25 the Senate and the Committee on Small Business of

1 the House of Representatives make recommenda-
2 tions to the Administrator to fill 8 of the positions
3 on the National Women’s Business Council. Four of
4 the positions are reserved for small business owners
5 who are affiliated with the political party of the
6 President and 4 of the positions are reserved for
7 small business owners who are not affiliated with the
8 political party of the President. This method of ap-
9 pointment ensures that the National Women’s Busi-
10 ness Council will provide Congress with nonpartisan,
11 balanced, and independent advice.

12 (4) In order to maintain the independence of
13 the National Women’s Business Council and to en-
14 sure that the Council continues to provide Congress
15 with advice on a nonpartisan basis, it is essential
16 that the Council maintain the bipartisan balance es-
17 tablished under section 407 of the Women’s Busi-
18 ness Ownership Act of 1988 (15 U.S.C. 7107).

19 (b) MAINTENANCE OF PARTISAN BALANCE.—Section
20 407(f) of the Women’s Business Ownership Act of 1988
21 (15 U.S.C. 7107(f)), as amended by this Act, is amended
22 by adding at the end the following:

23 “(4) PARTISAN BALANCE.—When filling vacan-
24 cies under paragraph (1), the Administrator shall, to
25 the extent practicable, ensure that there are an

1 equal number of members on the Council from each
2 of the 2 major political parties.

3 “(5) ACCOUNTABILITY.—If a vacancy is not
4 filled within the 30-day period required under para-
5 graph (1), or if there exists an imbalance of party-
6 affiliated members on the Council for a period ex-
7 ceeding 30 days, the Administrator shall submit a
8 report, not later than 10 days after the expiration
9 of either such 30-day deadline, to the Committee on
10 Small Business and Entrepreneurship of the Senate
11 and the Committee on Small Business of the House
12 of Representatives, that explains why the respective
13 deadline was not met and provides an estimated date
14 on which any vacancies will be filled, as applicable.”.

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