

Public Law 98-395
98th Congress

An Act

Aug. 21, 1984
[S. 1429]

To amend the Small Business Act to extend and strengthen the Small Business Development Center Program, and for other purposes.

Small Business
Development
Center
Improvement
Act
of 1984.
15 USC 631 note.
15 USC 648.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Small Business Development Center Improvement Act of 1984".

SEC. 2. Section 21 of the Small Business Act is amended as follows:

(1) by adding at the end of paragraph (1) of subsection (a) the following: "The term of such grants shall be made on a calendar year basis or to coincide with the Federal fiscal year.";

(2) by striking paragraph (2) of subsection (a) and inserting the following:

"(2) The Small Business Development Center Program shall be under the general management and oversight of the Administration, but with recognition that a partnership exists under this section between the Administration and the applicant for the delivery of assistance to the small business community. Services shall be provided pursuant to a negotiated cooperative agreement with full participation of both parties.

"(3) Except as provided in paragraph (4), the Administration shall require, as a condition to any grant (or amendment or modification thereof) made to an applicant under this section that an additional amount (excluding any fees collected from recipients of such assistance) equal to the amount of such grant be provided from sources other than the Federal Government: *Provided*, That the additional amount shall not include any amount of indirect costs or in-kind contributions paid for under any Federal program, nor shall such indirect costs or in-kind contributions exceed 50 per centum of the non-Federal additional amount: *Provided further*, That no recipient of funds under this section shall receive a grant which would exceed its pro rata share of a \$65,000,000 program based upon the population to be served by the Small Business Development Center as compared to the total population in the United States, or \$200,000, whichever is greater.

"(4) In lieu of the matching funds required in paragraph (3), the Administration shall require as a condition of any grant (or amendment or modification thereof) made to an applicant under this section, that a matching amount (excluding any fees collected from recipients of such assistance) equal to the amount of such grant be provided from sources other than the Federal Government, to be comprised of not less than 50 per centum cash and not more than 50 per centum of indirect costs and in-kind contributions as follows:

"(A) for grants for performance commencing on or after October 1, 1987 if the applicant is located in a State which received its grant for performance under this section on or before August 1, 1984;

“(B) for grants for performance commencing on or after October 1, 1988 if the applicant is located in a State which receives its initial grant for performance under this section commencing after August 1, 1984 and prior to October 1, 1986; and

“(C) for grants for performance commencing on or after October 1, 1986 if the applicant is located in a State which receives its initial grant for performance under this section commencing after October 1, 1986:

Provided, That this matching amount shall not include any indirect costs or in-kind contributions derived from any Federal program:

Provided further, That no recipient of funds under this section shall receive a grant which would exceed its pro rata share of a \$65,000,000 program based upon the population to be served by the Small Business Development Center as compared to the total population in the United States, or \$200,000 whichever is greater.”;

(3) by striking from paragraph (1) of subsection (b) “During fiscal years 1981, 1982, and 1983, financial” and by inserting in lieu thereof “Financial”;

(4) by inserting after the period at the end of the first sentence of paragraph (2) of subsection (c) the following: “The facilities and staff of each Small Business Development Center shall be located in such places as to provide maximum accessibility and benefits to the small businesses which the center is intended to serve.”;

(5) by amending subparagraph (2)(A) of subsection (c) to read as follows:

“(A) a full-time staff, including a full-time director who shall have the authority to make expenditures under the center’s budget and who shall manage the program activities;”;

(6) by striking subsection (e) and inserting in lieu thereof the following:

“(e) The National Science Foundation is authorized and directed to cooperate with the Administration and with the Small Business Development Centers in developing and establishing programs to support the centers.”;

(7) by striking from the second sentence of paragraph (2) of subsection (h) the word “quarterly” and inserting in lieu thereof “semiannually”;

(8) by striking from paragraph (1) of subsection (i) the word “may” and inserting in lieu thereof “shall”; and

(9) by striking subsection (j) and inserting in lieu thereof the following:

“(j) Within six months of the date of enactment of the Small Business Development Center Improvement Act of 1984, the Administration shall develop and implement a program proposal for onsite evaluation of each Small Business Development Center. Such evaluation shall be conducted at least once every two years and shall provide for the participation of a representative of at least one other Small Business Development Center on a cost-reimbursement basis.”.

SEC. 3. Section 20 of the Small Business Act is amended as follows:

(1) by inserting the following after the second sentence in subsection (a): “For fiscal year 1986 and every year thereafter, there are hereby authorized to be appropriated such sums as may be necessary and appropriate to be available solely (1) to carry out the provisions and purposes of the Small Business

Public
availability.

National Science
Foundation.

Study.
Ante, p. 1366.

15 USC 631 note.

Ante, p. 1366.

Development Center Program in section 21, but not to exceed the level as specified in subsection (a) of such section, (2) to pay the expenses of the National Small Business Development Center Advisory Board as provided in section 21(h), and (3) to reimburse centers for participation in evaluations as provided in section 21(j)."; and

(2) by adding the following new subsection:

Appropriations authorization.

"(t) There are hereby authorized to be appropriated for fiscal year 1985, \$30,000,000 to be available solely (1) to carry out the provisions and purposes of the Small Business Development Center Program in section 21, (2) to pay the expenses of the National Small Business Development Center Advisory Board as provided in subsection 21(h), and (3) to reimburse centers for participation in evaluations as provided in subsection 21(j)."

97 Stat. 1125.
15 USC 648 note.

SEC. 4. Section 204 of the Small Business Development Center Act of 1980 (Public Law 96-302), as amended, is further amended by striking "January 1, 1985" and by inserting in lieu thereof "October 1, 1990".

15 USC 636.

SEC. 5. Section 7(d)(1) of the Small Business Act is amended to read as follows:

"(d)(1) The Administration shall not fund any Small Business Development Center or any variation thereof, except as authorized in section 21 of this Act."

Approved August 21, 1984.

LEGISLATIVE HISTORY—S. 1429 (H.R. 4013) (HR. 5334):

HOUSE REPORTS: No. 98-739 accompanying H.R. 5334 (Comm. on Small Business) and No. 98-955 (Comm. of Conference).

SENATE REPORT No. 98-309 (Comm. on Small Business).

CONGRESSIONAL RECORD:

Vol. 129 (1983): Nov. 17, considered and passed Senate.

Vol. 130 (1984): May 14, H.R. 5334 considered and passed House; S. 1429, amended, passed in lieu.

Aug. 6, Senate agreed to conference report.

Aug. 8, House agreed to conference report.