

prohibited Administration from suspending, terminating or failing to renew or extend any contract without written notification and opportunity for hearing, appeal or other administrative proceeding, was executed to subsec. (l) to reflect the probable intent of Congress and the intervening redesignation of subsec. (k) as (l) by section 8006(b)(7) of Pub. L. 100-418.

Pub. L. 100-418, § 8006(b)(7), redesignated former subsec. (k) as (l).

1984—Subsec. (a)(1). Pub. L. 98-395, § 2(1), inserted “The term of such grants shall be made on a calendar year basis or to coincide with the Federal fiscal year.”

Subsec. (a)(2) to (4). Pub. L. 98-395, § 2(2), added pars. (2) to (4). Former par. (2), which contained provisions similar to par. (3), was struck out.

Subsec. (b)(1). Pub. L. 98-395, § 2(3), substituted “Financial” for “During fiscal years 1981, 1982, and 1983, financial”.

Subsec. (c)(2). Pub. L. 98-395, § 2(4), inserted in provisions preceding subpar. (A) “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.”

Subsec. (c)(2)(A). Pub. L. 98-395, § 2(5), substituted “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;” for “including a staff director to manage the program activities.”

Subsec. (e). Pub. L. 98-395, § 2(6), substituted provisions authorizing the National Science Foundation to cooperate with the Administration and with Small Business Development Centers in developing and establishing programs to support the centers, for former provisions which related to the National Science Foundation and innovation centers, and reports to be made to the Administration and Congress.

Subsec. (h)(2). Pub. L. 98-395, § 2(7), substituted “at least semiannually” for “at least quarterly”.

Subsec. (i)(1). Pub. L. 98-395, § 2(8), substituted “shall” for “may”.

Subsec. (j). Pub. L. 98-395, § 2(9), substituted provisions mandating that the Administration develop and implement program proposals for onsite evaluation of each Small Business Development Center for provisions which related to the establishment of program evaluation plans and their submission to Congressional committees.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-135 effective Oct. 1, 1997, see section 3 of Pub. L. 105-135, set out as a note under section 631 of this title.

EFFECTIVE DATE OF 1996 AMENDMENTS

Amendment by Pub. L. 104-208 effective Oct. 1, 1996, see section 3 of Pub. L. 104-208, set out as a note under section 633 of this title.

Amendment by Pub. L. 104-121 effective on expiration of 90 days after Mar. 29, 1996, see section 216 of Pub. L. 104-121, set out in a Small Business Regulatory Fairness note under section 601 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1990 AMENDMENTS

Pub. L. 101-574, title II, § 201(a)(2), Nov. 15, 1990, 104 Stat. 2818, provided that: “The amendment made by paragraph (1) [amending this section] shall apply to contracts, grants, or cooperative agreements for performance commencing on or after October 1, 1991. Contracts, grants, or cooperative agreements the performance of which commences before October 1, 1991, shall receive funding for the entire term of performance without regard to the amendment made by paragraph (1) and according to the State’s pro rata share of a \$65,000,000 program as computed on the effective date of this section [Nov. 15, 1990] under population estimates used for calendar year 1990 agreements, plus \$50,000 for

each State, but no State shall receive less than \$200,000.”

Pub. L. 101-515, title V, § 5(c), Nov. 5, 1990, 104 Stat. 2142, provided that: “The amendments to the second proviso in subsection (a)(4) [15 U.S.C. 648(a)(4)] made by subsection (a) of this section shall apply to contracts, grants or cooperative agreements for performance commencing on or after October 1, 1991; contracts, grants or cooperative agreements for performance commencing prior thereto shall receive funding for the entire term of performance without regard to this amendment and according to the State’s pro rata share of a \$65,000,000 program as computed on the effective date of this section [Nov. 5, 1990] under population estimates used for calendar year 1990 agreements, plus \$50,000 for each State, but no State shall receive less than \$200,000.”

EFFECTIVE AND TERMINATION DATES

Pub. L. 96-302, title II, § 204, July 2, 1980, 94 Stat. 848, as amended by Pub. L. 98-177, Nov. 29, 1983, 97 Stat. 1125; Pub. L. 98-395, § 4, Aug. 21, 1984, 98 Stat. 1368; Pub. L. 101-162, title V, (6), Nov. 21, 1989, 103 Stat. 1028, which provided for the repeal, effective Oct. 1, 1991, of sections 201 and 202 of Pub. L. 96-302, which enacted this section and provisions set out as a note under section 631 of this title and redesignated section 2[21] as 2[30] of Pub. L. 85-536, set out as a note under section 631 of this title, was repealed by Pub. L. 101-515, § 5(b), Nov. 5, 1990, 104 Stat. 2142, and Pub. L. 101-574, title II, § 201(b), Nov. 15, 1990, 104 Stat. 2818.

Section effective Oct. 1, 1980, see section 507 of Pub. L. 96-302, set out as an Effective Date of 1980 Amendment note under section 631 of this title.

SHORT TITLE

For short title of title II of Pub. L. 96-302 as the Small Business Development Center Act of 1980, see Short Title of 1980 Amendment note set out under section 631 of this title.

REGULATIONS

Pub. L. 102-366, title II, § 223(b), Sept. 4, 1992, 106 Stat. 1000, as amended by Pub. L. 103-81, § 9(c), Aug. 13, 1993, 107 Stat. 783, provided that not later than 180 days after Sept. 4, 1992, the Administrator of the Small Business Administration was to submit to the Committees on Small Business and the Committees on Appropriations of the Senate and the House of Representatives proposed regulations for the Small Business Development Center Program authorized by this section.

SMALL BUSINESS TECHNOLOGY TRANSFER DEMONSTRATION PROGRAM

Pub. L. 101-574, title II, § 231, Nov. 15, 1990, 104 Stat. 2823, as amended by Pub. L. 102-564, title III, § 302, Oct. 28, 1992, 106 Stat. 4262, established within the Small Business Administration a Small Business Technology Transfer Demonstration Program to demonstrate the feasibility of providing small businesses with education, training, and technical assistance with respect to technology transfer and application and provided that the Program would terminate on Sept. 30, 1995.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 648a. Repealed. Pub. L. 102-140, title VI, § 609(e), Oct. 28, 1991, 105 Stat. 826

Section, Pub. L. 85-536, § 2[21A], as added Pub. L. 101-515, title V, § 9(a), Nov. 5, 1990, 104 Stat. 2144, related to Small Business Development Center Technical Assistance Program.

EFFECTIVE DATE OF REPEAL; TERMINATION OF FUNDING

Pub. L. 102-140, title VI, §609(e), Oct. 28, 1991, 105 Stat. 826, provided that: “Notwithstanding any other law, no funds shall be appropriated to carry out section 21A of the Small Business Act [15 U.S.C. 648a] after September 30, 1991, and such section is repealed October 1, 1992.”

§ 648b. Grants for SBDCs**(a) In general**

The Administrator may make grants to small business development centers under section 648 of this title to provide targeted technical assistance to small business concerns seeking access to capital or credit, Federal procurement opportunities, energy efficiency audits to reduce energy bills, opportunities to export products or provide services to foreign customers, adopting, making innovations in, and using broadband technologies, or other assistance.

(b) Allocation**(1) In general**

Subject to paragraph (2), and notwithstanding the requirements of section 648(a)(4)(C)(iii) of this title, the amount appropriated to carry out this section shall be allocated under the formula under section 648(a)(4)(C)(i) of this title.

(2) Minimum funding

The amount made available under this section to each State shall be not less than \$325,000.

(3) Types of uses

Of the total amount of the grants awarded by the Administrator under this section—

(A) not less than 80 percent shall be used for counseling of small business concerns; and

(B) not more than 20 percent may be used for classes or seminars.

(c) No non-Federal share required

Notwithstanding section 648(a)(4)(A) of this title, the recipient of a grant made under this section shall not be required to provide non-Federal matching funds.

(d) Distribution

Not later than 30 days after the date on which amounts are appropriated to carry out this section, the Administrator shall disburse the total amount appropriated.

(e) Authorization of appropriations

There is authorized to be appropriated to the Administrator \$50,000,000 to carry out this section.

(Pub. L. 111-240, title I, §1402, Sept. 27, 2010, 124 Stat. 2550.)

CODIFICATION

Section was enacted as part of the Small Business Jobs Act of 2010, and not as part of the Small Business Act which comprises this chapter.

DEFINITIONS

For definition of “Administrator” and “small business concern” as used in this section, see section 1001 of Pub. L. 111-240, set out as a note under section 632 of this title.

§ 649. Office of International Trade**(a) Establishment****(1) Office**

There is established within the Administration an Office of International Trade which shall implement the programs pursuant to this section for the primary purposes of increasing—

(A) the number of small business concerns that export; and

(B) the volume of exports by small business concerns.

(2) Associate Administrator

The head of the Office shall be the Associate Administrator for International Trade, who shall be responsible to the Administrator.

(b) Trade distribution network

The Associate Administrator, working in close cooperation with the Secretary of Commerce, the United States Trade Representative, the Secretary of Agriculture, the Secretary of State, the President of the Export-Import Bank of the United States, the President of the Overseas Private Investment Corporation, Director¹ of the United States Trade and Development Agency, and other relevant Federal agencies, small business development centers engaged in export promotion efforts, Export Assistance Centers, regional and district offices of the Administration, the small business community, and relevant State and local export promotion programs, shall—

(1) maintain a distribution network, using regional and district offices of the Administration, the small business development center network, networks of women’s business centers, the Service Corps of Retired Executives authorized by section 637(b)(1) of this title, and Export Assistance Centers, for programs relating to—

(A) trade promotion;

(B) trade finance;

(C) trade adjustment assistance;

(D) trade remedy assistance; and

(E) trade data collection;

(2) aggressively market the programs described in paragraph (1) and disseminate information, including computerized marketing data, to small business concerns on exporting trends, market-specific growth, industry trends, and international prospects for exports;

(3) promote export assistance programs through the district and regional offices of the Administration, the small business development center network, Export Assistance Centers, the network of women’s business centers, chapters of the Service Corps of Retired Executives, State and local export promotion programs, and partners in the private sector; and

(4) give preference in hiring or approving the transfer of any employee into the Office or to a position described in subsection (c)(9) to otherwise qualified applicants who are fluent in a language in addition to English, to—

¹ So in original. Probably should be preceded by “the”.