

mencing 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 L. 85-536, set out as a note under section 631 of this title, was repealed by Pub.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.

#### OPPORTUNITIES FOR EMPLOYEE-OWNED BUSINESS CONCERNS THROUGH SMALL BUSINESS ADMINISTRATION LOAN PROGRAMS

Pub. L. 115-232, div. A, title VIII, §862(a), (c)-(e)(2)(A), Aug. 13, 2018, 132 Stat. 1897-1899, provided that:

"(a) DEFINITIONS.—In this Act [probably should be "section"]—

"(1) the terms 'Administration' and 'Administrator' means the Small Business Administration and the Administrator thereof, respectively;

"(2) the term 'cooperative' means an entity that is determined to be a cooperative by the Administrator, in accordance with applicable Federal and State laws and regulations;

"(3) the term 'employee-owned business concern' means—

"(A) a cooperative; and

"(B) a qualified employee trust;

"(4) the terms 'qualified employee trust' and 'small business concern' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632); and

"(5) the term 'small business development center' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648).

"(c) SMALL BUSINESS INVESTMENT COMPANY PROGRAM OUTREACH.—The Administrator shall provide outreach and educational materials to companies licensed under section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)) to increase the use of funds to make investments in company transitions to employee-owned business concerns.

"(d) SMALL BUSINESS MICROLOAN PROGRAM OUTREACH.—The Administrator shall provide outreach and educational materials to intermediaries under section

7(m) of the Small Business Act (15 U.S.C. 636(m)) to increase the use of funds to make loans to employee-owned business concerns, including transitions to employee-owned business concerns.

"(e) SMALL BUSINESS DEVELOPMENT CENTER OUTREACH AND ASSISTANCE.—

"(1) Establishment.—The Administrator shall establish a Small Business Employee Ownership and Cooperatives Promotion Program to offer technical assistance and training on the transition to employee ownership through cooperatives and qualified employee trusts.

"(2) SMALL BUSINESS DEVELOPMENT CENTERS.—

"(A) IN GENERAL.—In carrying out the program established under subsection (a) [probably should be "paragraph (1)"], the Administrator shall enter into agreements with small business development centers under which the centers shall—

"(i) provide access to information and resources on employee ownership through cooperatives or qualified employee trusts as a business succession strategy;

"(ii) conduct training and educational activities; and

"(iii) carry out the activities described in subparagraph (U) of section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3))."

#### 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.

**§ 648c. SBA and USPTO partnerships****(a) In general**

Beginning not later than 180 days after October 9, 2018, the Administrator, in consultation with the Director, shall develop partnership agreements that—

- (1) provide for the—
  - (A) development of high-quality training, including in-person or modular training sessions, for small business concerns relating to domestic and international protection of intellectual property;
  - (B) leveraging of training materials already developed for the education of inventors and small business concerns; and
  - (C) participation of a nongovernmental organization; and
- (2) provide training—

(A) through electronic resources, including Internet-based webinars; and

(B) at physical locations, including—

- (i) a small business development center; and
- (ii) the headquarters or a regional office of the USPTO.

(Pub. L. 115-259, §4, Oct. 9, 2018, 132 Stat. 3664.)

## CODIFICATION

Section was enacted as part of the Small Business Innovation Protection Act of 2017, and not as part of the Small Business Act which comprises this chapter.

## FINDINGS

Pub. L. 115-259, §3, Oct. 9, 2018, 132 Stat. 3664, provided that: “Congress finds that—

- “(1) the USPTO and the SBA are positioned to—
  - “(A) build upon several successful intellectual property and training programs aimed at small business concerns; and
  - “(B) increase the availability of and the participation in the programs described in subparagraph (A) across the United States; and
- “(2) any education and training program administered by the USPTO and the SBA should be scalable so that the program is able to reach more small business concerns.”

## DEFINITIONS

Pub. L. 115-259, §2, Oct. 9, 2018, 132 Stat. 3664, provided that: “In this Act [see Short Title of 2018 Amendment note set out under section 631 of this title]—

- “(1) the term ‘Administrator’ means the Administrator of the SBA;
- “(2) the term ‘Director’ means the Under Secretary of Commerce for Intellectual Property and Director of the USPTO;
- “(3) the term ‘SBA’ means the Small Business Administration;
- “(4) the term ‘small business concern’ has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a));
- “(5) the term ‘small business development center’ means a center described in section 21 of the Small Business Act (15 U.S.C. 648); and
- “(6) the term ‘USPTO’ means the United States Patent and Trademark Office.”

**§ 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 Board of Directors of