

112TH CONGRESS
1ST SESSION

S. _____

To improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, 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.**

4 This Act may be cited as the “Small Business
5 Broadband and Emerging Information Technology En-
6 hancement Act of 2011”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that, according to a report by the Fed-
9 eral Communications Commission entitled “Connecting

1 America: The National Broadband Plan”, dated March
2 2010, the Commission recommends that—

3 (1) “To fully implement next-generation tech-
4 nology within its operations, the SBA should also
5 appoint a broadband and emerging IT coordinator.
6 This individual would ensure that SBA programs
7 maintain the requisite broadband expertise, tools
8 and training courses to serve small businesses.”;

9 (2) “Congress should consider ways to leverage
10 existing assistance provided through” entrepre-
11 neurial development programs, “to focus training on
12 advanced IT and broadband applications”;

13 (3) “Congress could also consider ways to sup-
14 port technology training among women entre-
15 preneurs through” women’s business centers;

16 (4) “The training programs should include an
17 entry-level ‘Broadband 101’ course to give small
18 businesses an introduction to how to capitalize on
19 broadband connectivity, as well as more advanced
20 applications for IT staff.”;

21 (5) small and medium enterprise “IT training
22 should include resources for non-IT staff, such as
23 how to use e-commerce tools for sales, streamline fi-
24 nance with online records or leverage knowledge
25 management across an organization.”; and

1 (6) “To facilitate the development of broadband
2 networks, Congress should consider allowing all
3 agencies to set the fees for access to rights-of-way
4 for broadband services on the basis of a direct cost
5 recovery approach, especially in markets currently
6 underserved or unserved by any broadband service
7 provider. The Executive Branch should also develop
8 one or more master contracts for all federal property
9 and buildings covering the placement of wireless
10 towers.”.

11 **SEC. 3. DEFINITIONS.**

12 In this Act—

13 (1) the terms “Administration” and “Adminis-
14 trator” mean the Small Business Administration
15 and the Administrator thereof, respectively; and

16 (2) the term “small business concern” has the
17 meaning given that term under section 3 of the
18 Small Business Act (15 U.S.C. 632).

19 **SEC. 4. BROADBAND AND EMERGING INFORMATION TECH-**
20 **NOLOGY COORDINATOR.**

21 (a) IN GENERAL.—The Small Business Act (15
22 U.S.C. 631 et seq.) is amended—

23 (1) by redesignating section 45 as section 46;
24 and

25 (2) by inserting after section 44 the following:

1 **“SEC. 45. BROADBAND AND EMERGING INFORMATION**
2 **TECHNOLOGY.**

3 “(a) DEFINITION.—In this section, the term
4 ‘broadband and emerging information technology coordi-
5 nator’ means the individual assigned the broadband and
6 emerging information technology coordination responsibil-
7 ities of the Administration under subsection (b)(1).

8 “(b) ASSIGNMENT OF COORDINATOR.—

9 “(1) ASSIGNMENT OF COORDINATOR.—The Ad-
10 ministrator shall assign responsibility for coordi-
11 nating the programs and activities of the Adminis-
12 tration relating to broadband and emerging informa-
13 tion technology to an individual who—

14 “(A) shall report directly to the Adminis-
15 trator;

16 “(B) shall work in coordination with—

17 “(i) the chief information officer, the
18 chief technology officer, and the head of
19 the Office of Technology of the Adminis-
20 tration; and

21 “(ii) any Associate Administrator of
22 the Administration determined appropriate
23 by the Administrator;

24 “(C) has experience developing and imple-
25 menting telecommunications policy in the pri-
26 vate sector or government; and

1 “(D) has demonstrated significant experi-
2 ence in the area of broadband or emerging in-
3 formation technology.

4 “(2) RESPONSIBILITIES OF COORDINATOR.—
5 The broadband and emerging information technology
6 coordinator shall—

7 “(A) coordinate programs of the Adminis-
8 tration that assist small business concerns in
9 adopting, making innovations in, and using
10 broadband and other emerging information
11 technologies;

12 “(B) serve as the primary liaison of the
13 Administration to other Federal agencies in-
14 volved in broadband and emerging information
15 technology policy, including the Department of
16 Commerce, the Department of Agriculture, and
17 the Federal Communications Commission; and

18 “(C) identify best practices relating to
19 broadband and emerging information tech-
20 nology that may benefit small business con-
21 cerns.

22 “(3) TRAVEL.—Not more than 20 percent of
23 the hours of service by the broadband and emerging
24 information technology coordinator during any fiscal

1 year shall consist of travel outside the United States
2 to perform official duties.

3 “(c) BROADBAND AND EMERGING TECHNOLOGY
4 TRAINING.—

5 “(1) TRAINING.—The Administrator shall pro-
6 vide to employees of the Administration training
7 that—

8 “(A) familiarizes employees of the Admin-
9 istration with broadband and other emerging
10 information technologies; and

11 “(B) includes—

12 “(i) instruction counseling small busi-
13 ness concerns regarding adopting, making
14 innovations in, and using broadband and
15 other emerging information technologies;
16 and

17 “(ii) information on programs of the
18 Federal Government that provide assist-
19 ance to small business concerns relating to
20 broadband and emerging information tech-
21 nologies.

22 “(2) AUTHORIZATION OF APPROPRIATIONS.—
23 There are authorized to be appropriated such sums
24 as are necessary to carry out this subsection.

25 “(d) REPORTS.—

1 “(1) BIENNIAL REPORT ON ACTIVITIES.—Not
2 later than 2 years after the date on which the Ad-
3 ministrator makes the first assignment of respon-
4 sibilities under subsection (b), and every 2 years
5 thereafter, the broadband and emerging information
6 technology coordinator shall submit to the Com-
7 mittee on Small Business and Entrepreneurship of
8 the Senate and the Committee on Small Business of
9 the House of Representatives a report regarding the
10 programs and activities of the Administration relat-
11 ing to broadband and other emerging information
12 technologies.

13 “(2) REPORT ON FEDERAL PROGRAMS.—Not
14 later than 1 year after the date of enactment of this
15 section, the broadband and emerging information
16 technology coordinator, in consultation with the Sec-
17 retary of Agriculture, the Assistant Secretary of
18 Commerce for Communications and Information,
19 and the Chairman of the Federal Communications
20 Commission, shall submit to the Committee on
21 Small Business and Entrepreneurship of the Senate
22 and the Committee on Small Business of the House
23 of Representatives a report on the programs of the
24 Federal Government that provide assistance to small
25 business concerns relating to broadband and emerg-

1 ing information technologies, which shall include rec-
2 ommendations, if any, for improving coordination
3 among the programs.”.

4 (b) ELIMINATION OF VACANT POSITION RE-
5 QUIRED.—

6 (1) ELIMINATION.—Before assigning the first
7 broadband and emerging technologies coordinator
8 under section 45 of the Small Business Act, as
9 added by subsection (a) of this section, the Adminis-
10 trator shall—

11 (A) identify a position within the Adminis-
12 tration that is—

13 (i) vacant on the date of enactment of
14 this Act; and

15 (ii) required to be filled by an em-
16 ployee in the Senior Executive Service or
17 at GS–15 of the General Schedule; and

18 (B) eliminate the position identified under
19 subparagraph (A).

20 (2) RESTRICTION.—For purposes of paragraph
21 (1), the Administrator may not eliminate a position
22 established by the Small Business Act (15 U.S.C.
23 631 et seq.), the Small Business Investment Act
24 1958 (15 U.S.C. 661 et seq.), or any Federal stat-
25 ute.

1 **SEC. 5. ENTREPRENEURIAL DEVELOPMENT.**

2 Section 21(c)(3)(B) of the Small Business Act (15
3 U.S.C. 648(c)(3)(B)) is amended—

4 (1) in the matter preceding clause (i), by insert-
5 ing “accessing broadband and other emerging infor-
6 mation technology,” after “technology transfer,”;

7 (2) in clause (ii), by striking “and” at the end;

8 (3) in clause (iii), by adding “and” at the end;

9 and

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

11 “(iv) increasing the competitiveness and
12 productivity of small business concerns by as-
13 sisting entrepreneurs in accessing broadband
14 and other emerging information technology;”.

15 **SEC. 6. CAPITAL ACCESS.**

16 (a) **IN GENERAL.**—Section 7(a) of the Small Busi-
17 ness Act (15 U.S.C. 636(a)) is amended in the matter pre-
18 ceding paragraph (1) by inserting “(including to purchase
19 equipment for broadband or other emerging information
20 technologies)” after “equipment”.

21 (b) **MICROLOANS.**—Section 7(m)(1)(A)(iii)(I) of the
22 Small Business Act (15 U.S.C. 636(m)(1)(A)(iii)(I)) is
23 amended by inserting “(including to purchase equipment
24 for broadband or other emerging information tech-
25 nologies)” after “or equipment”.

1 **SEC. 7. REPORT TO CONGRESS.**

2 (a) IN GENERAL.—Not later than 45 days after the
3 date of enactment of this Act, the Administrator, in con-
4 sultation with the Administrator of General Services, shall
5 submit to the Committee on Small Business and Entrepre-
6 neurship of the Senate and the Committee on Small Busi-
7 ness of the House of Representatives a report on ways
8 to assist with the development of broadband and wireless
9 technology that would benefit small business concerns.

10 (b) CONTENT OF THE REPORT.—The report sub-
11 mitted under subsection (a) shall—

12 (1) outline the participation by the Administra-
13 tion in the National Antenna Program, including the
14 number of wireless towers deployed on facilities
15 which contain an office of the Administration;

16 (2) information on agreements between the Ad-
17 ministration and the General Services Administra-
18 tion related to broadband and wireless deployment in
19 offices of the Administration; and

20 (3) recommendations, if any, on opportunities
21 for the Administration to improve broadband or
22 wireless technology in offices of the Administration
23 that are in areas currently underserved or unserved
24 by broadband service providers.