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(Original Signature of Member)

114TH CONGRESS  
2D SESSION

# H. R. \_\_\_\_\_

To reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, 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 “Commercializing on  
5 Small Business Innovation Act of 2016”.

1 **SEC. 2. EXTENSION OF TERMINATION DATES.**

2 (a) SBIR.—Section 9(m) of the Small Business Act  
3 (15 U.S.C. 638(m)) is amended by striking “2017” and  
4 inserting “2022”.

5 (b) STTR.—Section 9(n)(1)(A) of the Small Busi-  
6 ness Act (15 U.S.C. 638(n)(1)(A)) is amended by striking  
7 “2017” and inserting “2022”.

8 **SEC. 3. REQUIRED EXPENDITURE AMOUNTS.**

9 (a) SBIR.—Section 9(f)(1) of the Small Business Act  
10 (15 U.S.C. 638(f)(1)) is amended—

11 (1) in subparagraph (H), by striking the “and”  
12 at the end;

13 (2) in subparagraph (I), by striking “and each  
14 fiscal year thereafter,” and inserting a semicolon;  
15 and

16 (3) by inserting after subparagraph (I) the fol-  
17 lowing new subparagraphs:

18 “(J) not less than 3.46 percent of such  
19 budget in fiscal year 2018;

20 “(K) not less than 3.72 percent of such  
21 budget in fiscal year 2019;

22 “(L) not less than 3.98 percent of such  
23 budget in fiscal year 2020;

24 “(M) not less than 4.24 percent of such  
25 budget in fiscal year 2021; and

1           “(N) not less than 4.50 percent of such  
2           budget in fiscal year 2022 and each fiscal year  
3           thereafter,”.

4           (b) STTR.—Section 9(n)(1)(B) of the Small Busi-  
5           ness Act (15 U.S.C. 638(n)(1)(B)) is amended—

6           (1) in clause (iv), by striking the “and” at the  
7           end;

8           (2) in clause (v), by striking “for fiscal year  
9           2016 and each fiscal year thereafter.” and inserting  
10          “for each of fiscal years 2016 and 2017;” ; and

11          (3) by adding at the end the following new  
12          clauses:

13                   “(vi) 0.50 percent for each of fiscal  
14                   years 2018 and 2019;

15                   “(vii) 0.55 percent for each of fiscal  
16                   years 2020 and 2021; and

17                   “(viii) 0.60 percent for fiscal year  
18                   2022 and each fiscal year thereafter.”.

19   **SEC. 4. REPORTING REQUIREMENTS.**

20          (a) ANNUAL REPORT TO CONGRESS.—Section  
21          9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7))  
22          is amended by striking “to report not less than annually”  
23          and inserting “to submit a report not later than December  
24          31 of each year”.

1 (b) ANNUAL REPORTS TO THE ADMINISTRATOR RE-  
2 QUIRED TO BE SUBMITTED NOT LATER THAN MARCH  
3 30 OF EACH YEAR.—Section 9 of the Small Business Act  
4 (15 U.S.C. 638) is amended—

5 (1) in subsection (g)(9), by striking “make an  
6 annual report” and inserting “not later than March  
7 30 of each year, submit a report”;

8 (2) in subsection (i)(1), by striking “shall re-  
9 port annually to the Small Business Administration”  
10 and inserting “shall, not later than March 30 of  
11 each year, submit a report to the Small Business  
12 Administration that includes”;

13 (3) in subsection (j)—

14 (A) in paragraph (1)(E), by striking “sim-  
15 plified, standardized, and timely annual report”  
16 and inserting “not later than March 30 of each  
17 year, a simplified and standardized report”; and

18 (B) in paragraph (3)(C), by striking “to  
19 require agencies to report to the Administra-  
20 tion, not less frequently than annually, all in-  
21 stances in which an” and inserting “to require  
22 each agency, not later than March 30 of each  
23 year, to submit a report to the Administration  
24 on all instance in which the”;

1 (4) in subsection (o)(10), by striking “submit  
2 an annual report” and inserting “not later than  
3 March 30 of each year, submit a report”;

4 (5) in subsection (y)(6)(C), by striking “sub-  
5 mit” and inserting “not later than March 30 of each  
6 year, submit”;

7 (6) in subsection (dd)(4)(A), by striking “and  
8 submit” inserting “and, not later than March 30 of  
9 each year, submit”;

10 (7) in subsection (gg)(6), by striking “include  
11 in the annual” and inserting “include, not later than  
12 March 30 of each year, a”;

13 (8) in subsection (ii) by inserting “, not later  
14 than March 30 of each year,” after “shall”;

15 (9) in subsection (nn)(3)(A)—

16 (A) by striking “an annual” and inserting  
17 “a” ; and

18 (B) by inserting “, not later than March  
19 30 of each year,” after “shall”; and

20 (10) in subsection (ss), by striking “October 1,  
21 2013, and annually thereafter,” and inserting  
22 “March 30 of each year,”.

23 **SEC. 5. INDEXING AWARDS FOR INFLATION.**

24 Section 9 of the Small Business Act (15 U.S.C. 638)  
25 is amended—

- 1 (1) in subsection (j)(2)—  
2 (A) by striking subparagraph (D);  
3 (B) by redesignating subparagraphs (E)  
4 through (I) as subparagraphs (D) through (H);  
5 and  
6 (C) in subparagraph (H), as so redesign-  
7 dated, by striking “subparagraph (H)” and in-  
8 serting “subparagraph (G)”;
- 9 (2) in subsection (p)(2)(B)—  
10 (A) in clause (vii), by adding “and” at the  
11 end;  
12 (B) in clause (viii), by striking the “and”  
13 at the end; and  
14 (C) by striking clause (ix);
- 15 (3) in subsection (gg)(3), by striking “awards  
16 under subsection (j)(2)(D) or (p)(2)(B)(ix).” and in-  
17 serting “awards under subsection (tt)(2).”; and
- 18 (4) by adding at the end the following new sub-  
19 section:  
20 “(tt) AWARDS UNDER PHASE I AND PHASE II AD-  
21 JUSTED FOR INFLATION.—  
22 “(1) PHASE I AWARDS.—An award for Phase I  
23 of an SBIR or STTR program may not exceed  
24 \$150,000.

1           “(2) PHASE II AWARDS.—An award for Phase  
2           II of an SBIR or STTR program may not exceed  
3           \$1,000,000.

4           “(3) ADJUSTMENT FOR INFLATION.—The Ad-  
5           ministrator shall adjust the dollar amounts under  
6           paragraphs (1) and (2) for inflation in accordance  
7           with section 1908 of title 41, United States Code.”.

8   **SEC. 6. REQUIREMENTS FOR INSERTION INCENTIVES.**

9           Section 9(y)(5) of the Small Business Act (15 U.S.C.  
10          638(y)(5)) is amended by striking “is authorized to” and  
11          inserting “shall”.

12   **SEC. 7. CLARIFICATION OF ELIGIBILITY OF CERTAIN**  
13                           **SMALL BUSINESSES.**

14          (a) SBIR.—Section 9(j) of the Small Business Act  
15          (15 U.S.C. 638(j)) is amended by adding at the end the  
16          following new paragraph:

17                   “(4) MODIFICATION TO CLARIFY ELIGIBILITY  
18                   OF CERTAIN SMALL BUSINESSES.—Not later than  
19                   180 days after the date of the enactment of the  
20                   Commercializing on Small Business Innovation Act  
21                   of 2016, the Administrator shall modify the policy  
22                   directives issued pursuant to this subsection to clar-  
23                   ify that the small business concerns described in  
24                   subparagraphs (B), (C), and (D) of section 3(p)(3)

1 are eligible to receive awards under the SBIR pro-  
2 gram.”.

3 (b) STTR.—Section 9(p) of the Small Business Act  
4 (15 U.S.C. 638(p)) is amended by adding at the end the  
5 following new paragraph:

6 “(4) MODIFICATION TO CLARIFY ELIGIBILITY  
7 OF CERTAIN SMALL BUSINESSES.—Not later than  
8 180 days after the date of the enactment of the  
9 Commercializing on Small Business Innovation Act  
10 of 2016, the Administrator shall modify the policy  
11 directives issued pursuant to this subsection to clar-  
12 ify that the small business concerns described in  
13 subparagraphs (B), (C), and (D) of section 3(p)(3)  
14 are eligible to receive awards under the STTR pro-  
15 gram.”.