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### **MEMORANDUM**

November 16, 2015

**To:**

**From:** Robert Jay Dilger, Senior Specialist in American National Government, 7-3110

**Subject:** **White House Conferences on Small Business**

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This memorandum is written in response to your request for information concerning the White House Conferences on Small Business held in 1980, 1986 and 1995. The memorandum provides a discussion of the differences among them, and legislation that may have resulted as a consequence of the Conferences' recommendations. I have also included the text of P.L. 101-409, the White House Conference on Small Business Authorization Act, which authorized the third White House Conference on Small Business, initially scheduled by statute to be held in 1994. The act also authorized to be appropriated \$5 million to support the Conference. P.L. 103-81, the Small Business Guaranteed Credit Enhancement Act of 1993, included a provision changing the Conference's scheduled date to 1995.

Information contained in this memorandum may be used in future CRS products. Should you need further assistance, please feel free to contact me directly at the telephone number listed above or by e-mail at [rdilger@crs.loc.gov](mailto:rdilger@crs.loc.gov).

### **Overview**

As will be discussed, the three White House Conferences on Small Business had similar organizational formats and performed similar activities, with differences noted below. Each of the three Conferences also issued 60 policy recommendations for Congress and the Administration to consider.

The 1980 and 1995 Conferences had more of their recommendations implemented than the 1986 Conference. Two factors may help to explain this. First, the Reagan Administration's enthusiasm and support for the 1986 Conference, as evidenced by the President not addressing the Conference, was perceived to be less than the Carter and Clinton Administration's enthusiasm and support for the 1980 and 1995 Conferences. President Carter presented the 1980 Conference's keynote address and President Clinton presented the 1995 Conference's keynote address. Also, many of the 1986 Conference's recommendations were in opposition to potential federal actions, as opposed to the 1980 and 1995 Conferences' recommendations which tended to advocate new federal actions.

In addition, the 1995 Conference delegates elected regional implementation teams which worked closely with Small Business Administration (SBA) officials in monitoring congressional and executive branch action on the 1995 Conference's recommendations after the Conference had ended. The SBA attributed much of the 1995 Conference's implementation "success rate" to the efforts of these implementation teams.

## The 1980 White House Conference on Small Business: Format, Activities, and Legislation

Senator Gaylord Nelson is generally acknowledged as being the first Member of Congress to propose a White House Conference on Small Business. He reportedly suggested the idea to then-presidential candidate Jimmy Carter during a 1975 campaign visit to the state of Wisconsin.<sup>1</sup>

The first formal congressional effort to convene a White House Conference on Small Business occurred on March 28, 1977, when the Senate Committee on Small Business offered, and the Senate passed, S.Res. 105, a resolution calling for a White House Conference on Small Business. On April 6, 1978, President Jimmy Carter announced that he would conduct such a conference.

On May 18, 1978, President Carter issued Executive Order 12061 establishing a five-member Small Business Conference Commission to suggest alternate dates for holding a White House Conference on Small Business in the Fall of 1979, recommend candidates for delegates to the Conference, hold open regional and local meetings or conferences, have these open meetings identify the specific issues which should be addressed at the Conference, and make periodic recommendations to the President and the SBA's Administrator.<sup>2</sup>

A pre-conference planning session with over 200 small business and trade associations attending was held at the White House on July 25, 1978. Vice-President Walter Mondale participated in the session.<sup>3</sup>

Congress adopted legislation (H.R. 11445, a bill to amend the Small Business Act) on October 11, 1978, that included a provision calling for the convening of the White House Conference on Small Business, but the bill was pocket vetoed. President Carter indicated in his memorandum of disapproval that the veto would not "interfere with Administration plans regarding the White House Conference on Small Business" which is "an important priority of mine and of my Administration."<sup>4</sup>

On November 1, 1978, President Carter issued Executive Order 12091. It expanded the Small Business Conference Commission's membership to 11, and moved the target date for the Conference to early 1980.<sup>5</sup> A total of 45 state conferences and 12 regional conferences were held prior to the convening of the national Conference to discuss issues, elect delegates to the national Conference, and provide recommendations for consideration at the national Conference, which took place in Washington, D.C. and lasted five days, commencing on January 13, 1980.<sup>6</sup> About 25,000 people participated in the 57 state and regional conferences.

The 1980 White House Conference on Small Business was attended by 1,682 elected and appointed delegates (each Senator, Representative, and Governor were allowed to appoint one delegate, and the President appointed an additional 100 delegates).<sup>7</sup> President Carter presented the Conference's keynote address.

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<sup>1</sup> U.S. Congress, Senate Select Committee on Small Business, *Report by the White House Commission on Small Business*, 96th Cong., 2nd sess., May 15, 1980 (Washington: GPO, 1980), pp. 26, 34.

<sup>2</sup> Executive Order 12061, "Small Business Conference Commission," 43 *Federal Register* 21865, May 22, 1978.

<sup>3</sup> U.S. Congress, Senate Select Committee on Small Business, *Report by the White House Commission on Small Business*, 96th Cong., 2nd sess., May 15, 1980 (Washington: GPO, 1980), p. 25.

<sup>4</sup> U.S. President (Carter), "Veto of Amendments to the Small Business Act and the Small Business Investment Act," *Weekly Compilation of Presidential Documents*, vol. 14 (October 25, 1978), p. 1852.

<sup>5</sup> Executive Order 12091, "Small Business Conference Commission," 43 *Federal Register* 51373, November 3, 1978.

<sup>6</sup> U.S. Congress, Senate Select Committee on Small Business, *Report by the White House Commission on Small Business*, 96th Cong., 2nd sess., May 15, 1980 (Washington: GPO, 1980), pp. 24, 25.

<sup>7</sup> *Ibid.*, p. 26; U.S. Small Business Administration (SBA), "The White House Conference on Small Business Issue Handbook," (continued...)

Each delegate chose 2 of 12 issues areas to participate in formulating recommendations. Briefing sessions and workshops on these issues were held and the session's moderators met to determine recommendations to be placed before the delegates for consideration. The moderators were tasked to present 60 recommendations before the delegates, with the delegates voting on the final day of the conference for their 15 preferences out of the 60 recommendations to establish the highest priority items.<sup>8</sup> The conference's highest priority recommendation was to graduate the corporate and individual income tax schedules and set the corporate surtax threshold at \$500,000 (1,129 votes), followed by simplifying and accelerating the capital cost recovery system (818 votes).<sup>9</sup>

Small business measures that were adopted and were cited either by the SBA or in congressional testimony by Administration officials or committee chairs as being influenced by the 1980 Conference's recommendations include:

- P.L. 96-354, the Regulatory Flexibility Act,
- P.L. 97-219, the Small Business Innovation Development Act,
- P.L. 97-177, the Prompt Payment Act,
- P.L. 96-481, the Equal Access to Justice Act, and
- a graduated corporate income tax.<sup>10</sup>

## The 1986 White House Conference on Small Business: Format, Activities, and Legislation

Unlike the 1980 White House Conference on Small Business, the 1986 White House Conference on Small Business was authorized by Congress. On May 8, 1984, President Reagan signed P.L. 98-276, the White House Conference on Small Business Authorization Act. The act called for a second White House Conference on Small Business to be held not earlier than January 1, 1985, and not later than September 1, 1986. The act required the SBA Administrator to "provide such assistance as may be necessary to facilitate the planning and administration of the Conference" and authorized the President to "appoint and compensate an executive director and such other directors and personnel for the Conference as he may deem advisable."<sup>11</sup> The Conference was to be preceded by state and regional conferences, with at least one state conference held in each state. The state and regional conferences were to be attended by

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Washington, D.C., at <http://www.sba.gov/advo/whc1.txt>; and U.S. Congress, House Committee on Small Business, *White House Conference on Small Business Authorization Act*, report to accompany H.R. 4773, 101st Cong., 2nd sess., August 4, 1990, H.Rept. 101-669 (Washington: GPO, 1990), p. 4.

<sup>8</sup> U.S. Congress, Senate Select Committee on Small Business, *Report by the White House Commission on Small Business*, 96th Cong., 2nd sess., May 15, 1980 (Washington: GPO, 1980), p. 26. Note: Delegates were limited to five priority preferences per issue area.

<sup>9</sup> *Ibid.*, p. 27.

<sup>10</sup> *Ibid.*; U.S. Congress, House Committee on Small Business, *National White House Conference on Small Business*, hearing on H.R. 4773, 101st Cong., 2nd sess., May 22, 1990, H.Hrg. 101-59 (Washington: GPO, 1990), p. 1; and U.S. Congress, House Committee on Small Business, *White House Conference on Small Business*, report to accompany H.R. 5298, 98th Cong., 2nd sess., April 5, 1984, H.Rept. 98-652 (Washington: GPO, 1984), p. 4.

<sup>11</sup> Representative Parren Mitchell, "Consideration of H.R. 5298, White House Conference on Small Business Authorization Act," House debate, *Congressional Record*, vol. 130, no. 45 (April 9, 1984), p. H 2477.

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individuals concerned with issues related to small businesses and no small business concern representative could be denied admission to any state or regional conference.<sup>12</sup>

Delegates, including alternates, were elected by participants at the state and regional conferences. Unlike the 1980 Conference, eligibility for delegate candidacy for the 1986 Conference was restricted to owners and corporate officers of small businesses, and such individuals could seek election only in their state of residence.<sup>13</sup> The size of a state delegation was required to be equal to twice that state's Electoral College vote, with a minimum of 10 members per delegation. In addition, each Senator, Representative, Governor, and the chief executive and non-voting congressional delegate of the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands appointed one delegate (595 in all) and one alternate. The act also allowed President Ronald Reagan to appoint 100 delegates and 100 alternates. Of the total roster of 1,823 official delegates, 1,813 attended the five-day national Conference, which was held in Washington, D.C., from August 17-21, 1986.<sup>14</sup> President Reagan did not address the conference.

The 1986 White House Conference on Small Business was preceded by 57 state conferences, one or more in each state plus the District of Columbia and Puerto Rico. Approximately 20,000 people participated in the state conferences which "identified and discussed issues of concern to small business," proposed "a small business agenda for federal action," and elected "delegates to the national Conference."<sup>15</sup> The 57 state conferences produced a list of 2,232 policy recommendations. The elected delegates then attended one of six one-day regional conferences which were held in July 1986. The delegates were briefed by SBA staff concerning the background and issues related to the recommendations their peers had selected for consideration for the national Conference.<sup>16</sup> State delegations returned home from the regional conferences and "pared down their agendas, and submitted up to seven recommendations for consideration at the national Conference."<sup>17</sup> This process ultimately selected 371 distinct recommendations for consideration at the national Conference.<sup>18</sup>

Delegates at the 1986 White House Conference on Small business conducted three rounds of votes to narrow the 371 recommendations to 60.<sup>19</sup> The conference's highest priority recommendation was to reform federal liability insurance laws (1,419 votes), followed by eliminating employee benefit mandates (1,360 votes).<sup>20</sup>

P.L. 98-276, the White House Conference on Small Business Authorization Act, required the Conference to submit a final report of its recommendations within six months of the Conference's convening date to the President and the Congress. The SBA was required to report annually to the Congress concerning the status of the Conference's recommendations for the next three years following the submission of the Conference's final report. Legislation that was subsequently adopted and were cited either by the SBA, in

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<sup>12</sup> Ibid.

<sup>13</sup> Jody Wharton, "The White House Conferences on Small Business, 1980-1995," Washington, D.C.

<sup>14</sup> Ralph Blackman and James H. Thompson, "The 1986 White House Conference on Small Business," *Journal of Small Business Management* vol. 25, no. 1 (January 1987), pp. 3, 4.

<sup>15</sup> Ibid., p. 3.

<sup>16</sup> Ibid.; and U.S. Congress, House Committee on Small Business, *White House Conference on Small Business Authorization Act*, report to accompany H.R. 4773, 101st Cong., 2nd sess., August 4, 1990, H.Rept. 101-669 (Washington: GPO, 1990), p. 4.

<sup>17</sup> Ralph Blackman and James H. Thompson, "The 1986 White House Conference on Small Business," *Journal of Small Business Management* vol. 25, no. 1 (January 1987), p. 3.

<sup>18</sup> Ibid.; and U.S. Congress, House Committee on Small Business, *National White House Conference on Small Business*, hearing on H.R. 4773, 101st Cong., 2nd sess., May 22, 1990, H.Hrg. 101-59 (Washington: GPO, 1990), p. 10.

<sup>19</sup> U.S. Congress, House Committee on Small Business, *National White House Conference on Small Business*, hearing on H.R. 4773, 101st Cong., 2nd sess., May 22, 1990, H.Hrg. 101-59 (Washington: GPO, 1990), p. 10.

<sup>20</sup> Ibid., p. 26, 27.

congressional testimony by Administration officials, or by congressional committee chairs as being influenced by the 1986 Conference's recommendations include:

- P.L. 100-533, the Women's Business Ownership Act of 1988,
- P.L. 100-590, the Small Business Administration Reauthorization and Amendment Act of 1988, and
- the reauthorization of the Small Business Innovation Research program.

## **The 1995 White House Conference on Small Business: Format, Activities, and Legislation**

On October 5, 1990, President George H.W. Bush signed P.L. 101-409, the White House Conference on Small Business Authorization Act, which called for a third White House Conference on Small Business to be held not earlier than January 1, 1994, and not later than April 1, 1994. The act authorized to be appropriated \$5 million to support the Conference. Congressional testimony provided by the Executive Director of the 1995 White House Conference on Small Business indicated that Congress appropriated \$5 million for the Conference to be spent over two years. Actual Conference costs were about \$10 million.<sup>21</sup>

The act specified that the President shall select and appoint 11 individuals to the White House Conference on Small Business Commission which "shall be responsible for the overall preparation for and conduct of the National Conference" and required the SBA Administrator to "provide such assistance as may be necessary for the organization and conduct of conferences at the state and regional levels."<sup>22</sup>

The act required the national Conference to be preceded by state conferences, with at least one state conference in each state and at least two state conferences in any state with a population of 10 million or more. The state conferences were required to be held not earlier than December 1, 1992, and were to be followed by regional conferences in at least six cities prior to the national Conference. P.L. 103-81, the Small Business Guaranteed Credit Enhancement Act of 1993, changed the state conferences' starting date to not earlier than March 1, 1994, and the national Conference's starting date to not earlier than May 1, 1995, and not later than December 31, 1995.

The number of delegates elected from each state was twice the state's Electoral College vote. In states with two conferences, half of the delegates were elected at each conference. A total of 1,130 delegates to the 1995 Conference were elected by participants at the state conferences.<sup>23</sup> In addition, each Senator, Representative, Governor (both those newly elected and those defeated in the 1994 elections), and the chief executive and non-voting congressional delegate of the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands appointed a delegate (674 in all) and an alternate. The act also allowed the President to select 100 delegates and 100 alternates. Unlike the 1986 Conference, the 1995 Conference allowed small business employees, as well as owners and corporate officers of small businesses (defined as having less than 500 employees) serve as delegates. The 1986 Conference's requirement that such individuals could seek election only in their state of residence was retained.<sup>24</sup>

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<sup>21</sup> U.S. Congress, Senate Committee on Small Business, *S. 111, National Conference on Small Business Act*, 106th Cong., 1st sess., October 19, 1999, S.Hrg. 106-380 (Washington: GPO, 1999), p. 24.

<sup>22</sup> P.L. 101-409, the White House Conference on Small Business Authorization Act.

<sup>23</sup> SBA, "The White House Conference on Small Business Issue Handbook," Washington, D.C.

<sup>24</sup> SBA, "The State of Small Business: A Report of the President, 1996," Washington, D.C., p. 45, at <https://www.sba.gov/sites/default/files/files/stateofsb1996.pdf>. Note: An issue arose during the 1995 state conferences concerning some small business owners who brought their employees with them to the state conference in an attempt get themselves elected as a delegate. Some observers advocated limiting voting participation at the state conferences to small business owners. See U.S. (continued...)

The 1995 White House Conference on Small Business, like its predecessors, was preceded by state and regional meetings. There were 59 one-day state conferences, one in each state, the District of Columbia and Puerto Rico, and two in the seven states with a population exceeding 10 million. Approximately 20,000 people participated in the state conferences, which were held between June 2, 1994, and April 13, 1995. The state conferences elected a total of 1,130 delegates to participate in the regional and national Conference. The state conferences also determined issues to be discussed at their respective regional conferences. The SBA's Office of Advocacy provided attendees at the state conferences an "Issues Handbook" that "was intended to help the delegates identify issues they wanted included on the agenda of the national conference."<sup>25</sup> Six regional conferences were held between April 18, 1995, and May 12, 1995, with about 1,900 people participating.<sup>26</sup>

The five-day, 1995 White House Conference on Small Business was held in Washington, D.C., from June 11, 1995 to June 15, 1995. It considered more than 150 policy recommendations forwarded from the regional conferences and six petitions.<sup>27</sup> It was attended by 1,904 official delegates. President Bill Clinton presented the Conference's keynote address.

Through a series of votes, the delegates narrowed the list of recommendations to 60. Unlike previous Conferences, the delegates debated and rejected a proposal to prioritize the recommendations.<sup>28</sup>

The White House Conference on Small Business Commission was required to submit a final report, including the findings and recommendations of the delegates, as well as proposals for any legislative and/or executive branch action necessary to implement the recommendations, to the President and Congress no later than four months from the date the Conference convened. The SBA was required to report to Congress annually for three years following the delivery of the final report on the status and implementation of the findings and recommendations.

According to the SBA, 56 of the 60 recommendations were subsequently implemented, either in full or in part.<sup>29</sup> The SBA attributed the 1995 Conference's "success rate" to the 1995 Conference's regional implementation teams:

The 1995 WHCSB conference differed from the two preceding White House Conferences on Small Business because regional implementation chairpersons and issue chairs were elected for each of the 11 issue areas in the SBA's 10 regions. The SBA's Office of Advocacy has worked with the implementation chairs to ensure that their priorities are also the priorities of the Congress and the Administration.<sup>30</sup>

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Congress, Senate Committee on Small Business, *S. 111, National Conference on Small Business Act*, 106th Cong., 1st sess., October 19, 1999, S.Hrg. 106-380 (Washington: GPO, 1999), p. 18.

<sup>25</sup> SBA, "Background Paper on the Office of Advocacy, 1994 – 2000," Washington, D.C., November 1, 2000.

<sup>26</sup> SBA, "The State of Small Business: A Report of the President, 1996," Washington, D.C., p. 45, at <https://www.sba.gov/sites/default/files/files/stateofsb1996.pdf>; and U.S. Congress, Senate Committee on Small Business, *S. 111, National Conference on Small Business Act*, 106th Cong., 1st sess., October 19, 1999, S.Hrg. 106-380 (Washington: GPO, 1999), p. 4.

<sup>27</sup> SBA, "The State of Small Business: A Report of the President, 1996," Washington, D.C., p. 46, at <https://www.sba.gov/sites/default/files/files/stateofsb1996.pdf>.

<sup>28</sup> U.S. Congress, Senate Committee on Small Business, *Implementation of the Small Business Agenda*, 104th Cong., 2nd sess., June 5, 1996, S. Hrg. 104-579 (Washington: GPO, 1996), pp. 57, 61.

<sup>29</sup> SBA, "Building a Foundation for a New Century: Final Report on Implementation of the Recommendations of the 1995 White House Conference on Small Business," Washington, D.C., 2000, p. 14.

<sup>30</sup> SBA, "The State of Small Business: A Report of the President, 1996," Washington, D.C., p. i, at <https://www.sba.gov/sites/default/files/files/stateofsb1996.pdf>.

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The following legislation was cited by the SBA as being influenced by the Conference's recommendations:

- P.L. 106-113, the American Inventors Protection Act,
- P.L. 106-9, SBIC Technical Corrections Act,
- P.L. 106-8, Small Business Year 2000 Readiness Act,
- P.L. 105-206, Internal Revenue Service Restructuring and Reform Act,
- P.L. 105-56, Department of Defense Reform Act,
- P.L. 105-270, Federal Activities Inventory Reform Act,
- P.L. 105-277, Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (deductibility of health insurance costs),
- P.L. 104-13, Paperwork Reduction Act Amendments,
- P.L. 105-33, Balanced Budget Act,
- P.L. 105-34, Taxpayer Relief Act,
- P.L. 105-135, Small Business Reauthorization Act of 1997 (HUBZone Act of 1997),
- P.L. 104-121, Contract with America Advancement Act of 1996 (Small Business Regulatory Enforcement Fairness Act),
- P.L. 104-188, Small Business Job Protection Act,
- P.L. 104-191, Health Insurance Portability and Accountability Act,
- P.L. 104-208, Omnibus Consolidated Appropriations Act, 1997 (Economic Growth and Regulatory Paperwork Reduction Act),
- P.L. 104-104, Telecommunications Act,
- P.L. 104-106, National Defense Authorization Act for Fiscal Year 1996 (Federal Acquisition Reform Act),
- P.L. 104-290, National Securities Markets Improvement Act,
- P.L. 104-208, Omnibus Consolidated Appropriations Act, 1997 (Small Business Programs Improvement Act), and
- P.L. 104-36, Small Business Lending Enhancement Act.<sup>31</sup>

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<sup>31</sup> SBA, "Building a Foundation for a New Century: Final Report on Implementation of the Recommendations of the 1995 White House Conference on Small Business," Washington, D.C., 2000, p. 3.

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## **Text of P.L. 101-409, the White House Conference on Small Business Authorization Act**

One Hundred First Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the twenty-third day of January, one thousand nine hundred and ninety

An Act

To authorize the President to call and conduct a National White House Conference on Small Business.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "White House Conference on Small Business Authorization Act."

### **AUTHORIZATION OF CONFERENCES**

SEC. 2. (a) The President shall call and conduct a National White House Conference on Small Business (hereinafter referred to as the "National Conference") not earlier than January 1, 1994, and not later than April 1, 1994, to carry out the purposes described in section 3 of this Act. The National Conference shall be preceded by State conferences, with at least one such conference being held in each State, and with at least two conferences being held in any State with a population of ten million or more. The State conferences shall be held not earlier than December 1, 1992, and at their conclusion shall be followed by regional meetings of delegates in at least six cities prior to the National Conference.

(b) Participants in the National Conference and other interested individuals and organizations, are authorized to conduct activities at the State and regional level prior to the date of the National Conference, and shall direct such activities toward the consideration of the purposes of the National Conference.

(c) The National Conference shall be conducted under the general supervision and direction of the White House Conference on Small Business Commission (hereinafter referred to as the 'Commission') established in section 5 of this Act.

### **PURPOSE OF CONFERENCE**

SEC. 3. The purpose of the National Conference shall be to increase public awareness of the essential contribution of small business; to identify the problems of small business; to examine the status of minorities and women as small business owners; to assist small business in carrying out its role as the Nation's job creator; to assemble small businesses (particularly those who are not actively involved in small business or trade organizations) to develop such specific and comprehensive recommendations for executive and legislative action as may be appropriate for maintaining and encouraging the economic viability of small business and, thereby, the Nation; and to review the status of recommendations adopted at the 1986 White House Conference on Small Business.

### **CONFERENCE PARTICIPANTS**

SEC. 4. (a) In order to carry out the purposes specified in section 3 of this Act, the National Conference shall bring together individuals concerned with issues relating to small business: Provided, That no owner, officer or employee of a small business concern may be denied admission to any State conference, nor may any fee or charge be imposed on any such owner, officer or employee except an amount to cover the cost of any meal provided plus a registration fee of not to exceed \$10. The Commission may not impose any fees or charges except as specified in this subsection and may not accept any gifts of money from any



source. Amounts collected as fees and charges shall be used solely to pay the cost of meals provided and to defray the expense of meeting rooms. The Commission shall—

- (1) keep a record of all receipts and disbursements as directed by the Administrator of the Small Business Administration;
  - (2) open and maintain an account in an institution whose accounts are insured by an instrumentality of the United States, into which account all receipts shall be deposited and from which all payments shall be disbursed;
  - (3) and provide such periodic financial reports to the Small Business Administration as the Administrator may request.
- (b) Delegates, including alternates, to the National Conference shall be elected by participants at the State conferences: Provided, That each Governor and each chief executive official of the political subdivisions enumerated in section 4(a) of the Small Business Act may appoint one delegate and one alternate: Provided further, That each Member of the United States House of Representatives, including each Delegate, and each Member of the United States Senate may appoint one delegate and one alternate: and Provided further, That the President may appoint one hundred delegates and alternates. Only owners, employees or corporate officers of small businesses shall be eligible for appointment or election pursuant to this subsection, and delegates may be elected only at the conference for the State in which he or she resides.

#### COMMISSION

SEC. 5. (a) There is hereby established a White House Conference on Small Business Commission. The President shall select and appoint eleven individuals. The commissioners shall be responsible for the overall preparation for and conduct of the National Conference, including the issuance of the report specified in section 7 of this Act.

(b) At least seven of the individuals appointed shall be small business owners, employees or corporate officers of a small business. Other members may include representatives of businesses (other than small), associations, or educational institutions.

(c) Not more than six of the Commissioners shall be of the same political party. No member shall be an officer or employee of the Federal Government, in either the executive branch or the Congress.

(d) Commissioners shall be appointed for a term which shall expire on the date the report is submitted, except if the status of any such appointee changes so that he or she would have been ineligible for appointment, such individual may continue as a Commissioner for not longer than a thirty-day period beginning on the date such individual becomes ineligible.

(e) A vacancy shall be filled in the manner in which the original appointment was made.

(f) Commissioners shall serve without pay, except they shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out their functions in the same manner as persons employed intermittently in the Federal Government are allowed expenses under section 5703 of title 5, United States Code.)

(g) Six Commissioners shall constitute a quorum for the transaction of business. Meetings shall be at the call of the Chairperson who shall be designated by the President.

(h) The Commission shall have an executive director who shall be appointed by the Chairperson, and such other staff as it deems appropriate. The executive director and other personnel may be appointed without regard to section 531(b) of title 5, United States Code, and without regard to the provisions of such title governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and

General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay payable for GS-18 of the General Schedule.

(i) The Commission may procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for GS-18 of the General Schedule.

(j) Upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist in carrying out the National Conference without regard to section 3341 of title 5 of the United States Code. Except as otherwise prohibited by law, the Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out its duties under this Act. Upon the request of the Chairperson, the head of such department or agency shall promptly furnish such information to the Commission.

(k) The Administrator of the General Service Administration shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

#### PLANNING AND ADMINISTRATION OF CONFERENCE

SEC. 6. (a) In order to facilitate the carrying out of the provisions of this Act, the Administrator of the Small Business Administration--

(1) shall provide such assistance as may be necessary for the organization and conduct of conferences at the State and regional levels as authorized under section 2 of this Act;

(2) is authorized to enter into contracts with public agencies, private organizations, business entities and academic institutions to carry out the provisions of this Act: Provided, That the Administrator shall coordinate any such contracting in advance with the Commission if it has met and organized; and

(3) shall prescribe such financial controls and accounting procedures for the handling of income received by the Commission as fees and charges and the payment by the Commission of authorized meal and meeting room expenses.

(b) The Chief Counsel for Advocacy shall assist in carrying out the provisions of this Act by preparing and providing background materials for use by participants in the National Conference, as well as by participants in State and regional conferences.

(c) The White House Conference on Small Business Commission shall conduct appropriate outreach efforts to obtain the participation, at both State conferences and at the National Conference, of individuals who are not actively involved in small business or trade organizations.

(d) EXPENSES- (1) Each delegate to the National Conference shall pay his or her expenses of attending the Conference. However, prior to the National Conference, any delegate may seek reimbursement from the Conference upon written application establishing that his or her anticipated expenses would constitute a financial burden.

(2) The Commission shall adopt rules, guidelines, and procedures to implement this provision. No delegate shall be reimbursed for any expense except transportation, meals and lodging and shall not be reimbursed at more than the rates provided to employees of the Federal Government who travel to Washington, DC, on official business during the time when the National Conference is held.

(3) At the beginning of each State conference, all attendees shall be advised of this provision and any rules or procedures adopted by the Commission to implement it.

(4) A separate accounting for these reimbursed expenses shall be provided to the Small Business Administration.

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## REPORTS REQUIRED

SEC. 7. (a) Not more than four months from the date on which the National Conference is convened, a final report of the National Conference shall be submitted to the President and the Congress. The report shall include the findings and recommendations of the delegates as well as proposals for any legislative action necessary to implement their recommendations. The report shall be available to the public.

(b) At the same time, the Commission shall--

(1) provide a final financial report to the Small Business Administration and shall deliver to the Agency all of its financial books and records; and

(2) deposit in the Treasury of the United States, for crediting as miscellaneous receipts, any monies collected as fees and charges pursuant to the authority of this Act which remain unexpended.

## FOLLOWUP ACTIONS

SEC. 8. The Small Business Administration shall report to the Congress annually during the three-year period following the submission of the final report of the National Conference on the status and implementation of the findings and recommendations.

## AVAILABILITY OF FUNDS

SEC. 9. (a) There are hereby authorized to be appropriated for fiscal year 1992, or any year thereafter, not to exceed \$5,000,000 to carry out the provisions of this Act, and such sums shall remain available until expended. New spending authority or authority to enter contracts as provided in this Act shall be effective only to such extent and in such amounts as are provided in advance in appropriations Acts.

(b) No funds appropriated to the Small Business Administration shall be made available to carry out the provisions of this Act other than funds appropriated specifically for the purpose of conducting the National Conference. Any funds remaining unexpended at the termination of the National Conference, including submission of the report pursuant to section 7, shall be returned to the Treasury of the United States and credited as miscellaneous receipts.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

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