

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H. R. 2499

To amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. VITTER (for himself, Mrs. SHAHEEN, and Mr. RISCH)

Viz:

1 At the end, add the following:

2 **SEC. 4. BUSINESS LOANS PROGRAM.**

3 (a) SECTION 7(a) FUNDING LEVELS.—The third pro-
4 viso under the heading “BUSINESS LOANS PROGRAM AC-
5 COUNT” under the heading “SMALL BUSINESS ADMINIS-
6 TRATION” under title V of division E of the Consolidated
7 and Further Continuing Appropriations Act, 2015 (Public
8 Law 113–235; 128 Stat. 2371) is amended by striking
9 “\$18,750,000,000” and inserting “\$23,500,000,000”.

10 (b) LOAN LIMITATIONS.—Section 7(a)(1) of the
11 Small Business Act (15 U.S.C. 636(a)(1)) is amended—

1 (1) in subparagraph (A)—

2 (A) by striking “No financial assistance”

3 and inserting the following:

4 “(i) IN GENERAL.—No financial as-
5 sistance”; and

6 (B) by adding at the end the following:

7 “(ii) LIQUIDITY.—On and after Octo-
8 ber 1, 2015, the Administrator may not
9 guarantee a loan under this subsection if
10 the lender determines that the borrower is
11 unable to obtain credit elsewhere solely be-
12 cause the liquidity of the lender depends
13 upon the guaranteed portion of the loan
14 being sold on the secondary market.”; and

15 (2) by adding at the end the following:

16 “(C) LENDING LIMITS OF LENDERS.—On
17 and after October 1, 2015, the Administrator
18 may not guarantee a loan under this subsection
19 if the sole purpose for requesting the guarantee
20 is to allow the lender to exceed the legal lending
21 limit of the lender.”.

22 (c) REPORTING.—

23 (1) DEFINITIONS.—In this subsection—

1 (A) the term “Administrator” means the
2 Administrator of the Small Business Adminis-
3 tration;

4 (B) the term “business loan” means a loan
5 made or guaranteed under section 7(a) of the
6 Small Business Act (15 U.S.C. 636(a));

7 (C) the term “cancellation” means that the
8 Administrator approves a proposed business
9 loan, but the prospective borrower determines
10 not to take the business loan; and

11 (D) the term “net dollar amount of busi-
12 ness loans” means the difference between the
13 total dollar amount of business loans and the
14 total dollar amount of cancellations.

15 (2) REQUIREMENT.—During the 3-year period
16 beginning on the date of enactment of this Act, the
17 Administrator shall submit to Committee on Small
18 Business and Entrepreneurship and the Committee
19 on Appropriations of the Senate and the Committee
20 on Small Business and the Committee on Appropria-
21 tions of the House of Representatives a quarterly re-
22 port regarding the loan programs carried out under
23 section 7(a) of the Small Business Act (15 U.S.C.
24 636(a)), which shall include—

1 (A) for the fiscal year during which the re-
2 port is submitted and the 3 fiscal years before
3 such fiscal year—

4 (i) the weekly total dollar amount of
5 business loans;

6 (ii) the weekly total dollar amount of
7 cancellations;

8 (iii) the weekly net dollar amount of
9 business loans—

10 (I) for all business loans; and

11 (II) for each category of loan
12 amount described in clause (i), (ii), or
13 (iii) of section 7(a)(18) of the Small
14 Business Act (15 U.S.C. 636(a)(18));

15 (B) for the fiscal year during which the re-
16 port is submitted—

17 (i) the amount of remaining authority
18 for business loans, in dollar amount and as
19 a percentage; and

20 (ii) estimates of the date on which the
21 net dollar amount of business loans will
22 reach the maximum for such business
23 loans based on daily net lending volume
24 and extrapolations based on year to date

1 net lending volume, quarterly net lending
2 volume, and quarterly growth trends;

3 (C) the number of early defaults (as deter-
4 mined by the Administrator) during the quarter
5 covered by the report;

6 (D) the total amount paid by borrowers in
7 early default during the quarter covered by the
8 report, as of the time of purchase of the guar-
9 antee;

10 (E) the number of borrowers in early de-
11 fault that are franchisees;

12 (F) the total amount of guarantees pur-
13 chased by the Administrator during the quarter
14 covered by the report; and

15 (G) a description of the actions the Admin-
16 istrator is taking to combat early defaults ad-
17 ministratively and any legislative action the Ad-
18 ministrator recommends to address early de-
19 faults.