

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

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

**S. 1470**

To amend the Small Business Act to provide additional assistance to small business concerns for disaster recovery, 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 IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. VITTER

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Recovery Improvements for Small Entities After Disaster  
6 Act of 2015” or the “RISE After Disaster Act of 2015”.

7 (b) TABLE OF CONTENTS.—The table of contents for  
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

Sec. 101. Use of data sharing.

## 2

- Sec. 102. Additional awards to small business development centers, women’s business centers, SCORE, and FAST recipients for disaster recovery.
- Sec. 103. Collateral requirements for disaster loans.
- Sec. 104. Assistance to out-of-State business concerns to aid in disaster recovery.
- Sec. 105. SBIC program.
- Sec. 106. FAST program.
- Sec. 107. Use of Federal surplus property in disaster areas.
- Sec. 108. Recovery opportunity loans.
- Sec. 109. Contractor malfeasance.
- Sec. 110. Local contracting preferences and incentives.
- Sec. 111. Clarification of collateral requirements.

## TITLE II—DISASTER PLANNING AND MITIGATION

- Sec. 201. Use of physical damage disaster loans.
- Sec. 202. Business recovery centers.

## TITLE III—OTHER PROVISIONS

- Sec. 301. Increased oversight of economic injury disaster loans.
- Sec. 302. Reduction of paperwork burden.
- Sec. 303. Report on web portal for disaster loan applicants.
- Sec. 304. Local disaster contracting fairness.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the term “7(b) loan program” means assist-  
 4 ance provided by the Administration under section  
 5 7(b) of the Small Business Act (15 U.S.C. 636(b));

6 (2) the terms “Administration” and “Adminis-  
 7 trator” mean the Small Business Administration  
 8 and the Administrator thereof, respectively;

9 (3) the term “covered supplemental appropria-  
 10 tions” means amounts made available to the Admin-  
 11 istration through supplemental appropriations for—

12 (A) the cost of direct loans authorized  
 13 under section 7(b) of the Small Business Act  
 14 (15 U.S.C. 636(b)) for necessary expenses re-

1           lated to the consequences of a major disaster  
2           declared by the President under section 401 of  
3           the Robert T. Stafford Disaster Relief and  
4           Emergency Assistance Act (42 U.S.C. 5170);  
5           and

6                   (B) the direct administrative expenses of  
7           making and servicing those loans;

8           (4) the term “major disaster” means a major  
9           disaster declared by the President under section 401  
10          of the Robert T. Stafford Disaster Relief and Emer-  
11          gency Assistance Act (42 U.S.C. 5170); and

12           (5) the term “small business concern” has the  
13          meaning given that term under section 3 of the  
14          Small Business Act (15 U.S.C. 632).

15   **TITLE I—IMPROVEMENTS OF**  
16   **DISASTER RESPONSE AND**  
17   **LOANS**

18   **SEC. 101. USE OF DATA SHARING.**

19          Section 312 of the Robert T. Stafford Disaster Relief  
20          and Emergency Assistance Act (42 U.S.C. 5155) is  
21          amended by adding at the end the following:

22           “(e) USE OF DATA SHARING.—

23                   “(1) DEFINITION.—In this subsection, the term  
24           ‘agency’ has the meaning given the term in section  
25           552a of title 5, United States Code.

1           “(2) EXEMPTION FROM CERTAIN MATCHING  
2 PROGRAM REQUIREMENTS.—Any action taken by an  
3 agency to prevent, investigate, or recover duplicative  
4 Federal assistance under this section shall not be  
5 subject to subsections (e)(12), (o), (q), (r), and (u)  
6 of section 552a of title 5, United States Code.

7           “(3) FRAUDULENT ACQUISITION OF ASSIST-  
8 ANCE.—An investigation conducted by an agency re-  
9 lating to the fraudulent acquisition of duplicative  
10 Federal assistance under this section shall not be  
11 subject to section 552a(p) of title 5, United States  
12 Code.”.

13 **SEC. 102. ADDITIONAL AWARDS TO SMALL BUSINESS DE-**  
14 **VELOPMENT CENTERS, WOMEN’S BUSINESS**  
15 **CENTERS, SCORE, AND FAST RECIPIENTS**  
16 **FOR DISASTER RECOVERY.**

17 Section 7(b) of the Small Business Act (15 U.S.C.  
18 636(b)) is amended by inserting before the undesignated  
19 matter following paragraph (9) the following:

20           “(10) ADDITIONAL AWARDS TO SMALL BUSI-  
21 NESS DEVELOPMENT CENTERS, WOMEN’S BUSINESS  
22 CENTERS, SCORE, AND FAST RECIPIENTS FOR DIS-  
23 ASTER RECOVERY.—

24           “(A) IN GENERAL.—The Administration  
25 may provide financial assistance to a small

1 business development center, a women’s busi-  
2 ness center described in section 29, the Service  
3 Corps of Retired Executives, a entity, organiza-  
4 tion, or individual that receives an award or has  
5 in effect a cooperative agreement under section  
6 34, or any proposed consortium of such individ-  
7 uals or entities to spur disaster recovery and  
8 growth of small business concerns located in an  
9 area for which the President has declared a  
10 major disaster.

11 “(B) FORM OF FINANCIAL ASSISTANCE.—  
12 Financial assistance provided under this para-  
13 graph shall be in the form of a grant, contract,  
14 or cooperative agreement.

15 “(C) NO MATCHING FUNDS REQUIRED.—  
16 Matching funds shall not be required for any  
17 grant, contract, or cooperative agreement under  
18 this paragraph.

19 “(D) REQUIREMENTS.—A recipient of fi-  
20 nancial assistance under this paragraph shall  
21 provide counseling, training, and other related  
22 services, such as promoting long-term resiliency,  
23 to small business concerns and entrepreneurs  
24 impacted by a major disaster.

25 “(E) PERFORMANCE.—

1           “(i) IN GENERAL.—The Adminis-  
2           trator, in cooperation with the recipients of  
3           financial assistance under this paragraph,  
4           shall establish metrics and goals for per-  
5           formance of grants, contracts, and cooper-  
6           ative agreements under this paragraph,  
7           which shall include recovery of sales, recov-  
8           ery of employment, reestablishment of  
9           business premises, and establishment of  
10          new small business concerns.

11          “(ii) USE OF ESTIMATES.—The Ad-  
12          ministrators shall base the goals and  
13          metrics for performance established under  
14          clause (i), in part, on the estimates of dis-  
15          aster impact prepared by the Office of Dis-  
16          aster Assistance for purposes of estimating  
17          loan-making requirements.

18          “(F) TERM.—

19          “(i) IN GENERAL.—The term of any  
20          grant, contract, or cooperative agreement  
21          under this paragraph shall be for not more  
22          than 2 years.

23          “(ii) EXTENSION.—The Administrator  
24          may make 1 extension of a grant, contract,  
25          or cooperative agreement under this para-

1 graph for a period of not more than 1  
2 year, upon a showing of good cause and  
3 need for the extension.

4 “(G) EXEMPTION FROM OTHER PROGRAM  
5 REQUIREMENTS.—Financial assistance provided  
6 under this paragraph is in addition to, and  
7 wholly separate from, any other form of assist-  
8 ance provided by the Administrator under this  
9 Act.

10 “(H) COMPETITIVE BASIS.—The Adminis-  
11 tration shall award financial assistance under  
12 this paragraph on a competitive basis.”.

13 **SEC. 103. COLLATERAL REQUIREMENTS FOR DISASTER**  
14 **LOANS.**

15 (a) IN GENERAL.—Section 7(d)(6) of the Small Busi-  
16 ness Act (15 U.S.C. 636(d)(6)) is amended in the third  
17 proviso—

18 (1) by striking “\$14,000” and inserting  
19 “\$25,000”; and

20 (2) by striking “major disaster” and inserting  
21 “disaster”.

22 (b) SUNSET.—Effective on the date that is 3 years  
23 after the date of enactment of this Act, section 7(d)(6)  
24 of the Small Business Act (15 U.S.C. 636(d)(6)) is  
25 amended in the third proviso—

1           (1) by striking “\$25,000” and inserting  
2           “\$14,000”; and

3           (2) by inserting “major” before “disaster”.

4           (c) REPORT.—Not later than 180 days before the  
5 date on which the amendments made by subsection (b)  
6 are to take effect, the Administrator shall submit to Com-  
7 mittee on Small Business and Entrepreneurship of the  
8 Senate and the Committee on Small Business of the  
9 House of Representatives a report on the effects of the  
10 amendments made by subsection (a), which shall in-  
11 clude—

12           (1) an assessment of the impact and benefits  
13           resulting from the amendments; and

14           (2) a recommendation as to whether the amend-  
15           ments should be made permanent.

16 **SEC. 104. ASSISTANCE TO OUT-OF-STATE BUSINESS CON-**  
17 **CERNS TO AID IN DISASTER RECOVERY.**

18           (a) IN GENERAL.—Section 21(b)(3) of the Small  
19 Business Act (15 U.S.C. 648(b)(3)) is amended—

20           (1) by striking “(3) At the discretion” and in-  
21           serting the following:

22           “(3) ASSISTANCE TO OUT-OF-STATE SMALL  
23           BUSINESS CONCERNS.—

24           “(A) IN GENERAL.—At the discretion”;

25           and

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

2 “(B) DISASTER RECOVERY ASSISTANCE.—

3 “(i) IN GENERAL.—At the discretion  
4 of the Administrator, the Administrator  
5 may authorize a small business develop-  
6 ment center to provide advice, information,  
7 and assistance, as described in subsection  
8 (c), to a small business concern located  
9 outside of the State, without regard to geo-  
10 graphic proximity to the small business de-  
11 velopment center, if the small business  
12 concern is located in an area for which the  
13 President has declared a major disaster.

14 “(ii) TERM.—

15 “(I) IN GENERAL.—A small busi-  
16 ness development center may provide  
17 advice, information, and assistance to  
18 a small business concern under clause  
19 (i) for a period of not more than 2  
20 years after the date on which the  
21 President declared a major disaster  
22 for the area in which the small busi-  
23 ness concern is located.

24 “(II) EXTENSION.—The Admin-  
25 istrator may, at the discretion of the

1 Administrator, extend the period de-  
2 scribed in subclause (I).

3 “(iii) CONTINUITY OF SERVICES.—A  
4 small business development center that  
5 provides counselors to an area described in  
6 clause (i) shall, to the maximum extent  
7 practicable, ensure continuity of services in  
8 any State in which the small business de-  
9 velopment center otherwise provides serv-  
10 ices.

11 “(iv) ACCESS TO DISASTER RECOVERY  
12 FACILITIES.—For purposes of this sub-  
13 paragraph, the Administrator shall, to the  
14 maximum extent practicable, permit the  
15 personnel of a small business development  
16 center to use any site or facility designated  
17 by the Administrator for use to provide  
18 disaster recovery assistance.”.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that, subject to the availability of funds, the Admin-  
21 istrator should, to the extent practicable, ensure that a  
22 small business development center is appropriately reim-  
23 bursed for any legitimate expenses incurred in carrying  
24 out activities under section 21(b)(3)(B) of the Small Busi-  
25 ness Act, as added by subsection (a).

1 **SEC. 105. SBIC PROGRAM.**

2 (a) **FAST-TRACK APPLICATIONS.**—Section 301(c)(2)  
3 of the Small Business Investment Act of 1958 (15 U.S.C.  
4 681(c)(2)) is amended by adding at the end the following:

5 “(C) **PRIORITY FOR APPLICANTS LOCATED**  
6 **IN DISASTER AREAS.**—

7 “(i) **DEFINITION.**—In this subpara-  
8 graph, the term ‘disaster area’ means the  
9 area for which the President has declared  
10 a major disaster (as defined in section 102  
11 of the Robert T. Stafford Disaster Relief  
12 and Emergency Assistance Act (42 U.S.C.  
13 5122)), during the period of the declara-  
14 tion.

15 “(ii) **PRIORITY.**—The Administrator  
16 shall give priority to an application for a li-  
17 cense to operate as a small business invest-  
18 ment company that is from an applicant  
19 located in a disaster area.”.

20 (b) **MAXIMUM LEVERAGE.**—Section 303(b)(2) of the  
21 Small Business Investment Act of 1958 (15 U.S.C.  
22 683(b)(2)) is amended by adding at the end the following:

23 “(E) **INVESTMENTS IN DISASTER AREAS.**—  
24 In calculating the outstanding leverage of a  
25 company licensed under section 301(c) for the  
26 purposes of subparagraph (A), or 2 or more

1 companies licensed under section 301(c) for the  
2 purposes of subparagraph (B), the Adminis-  
3 trator shall not include the amount equal to the  
4 cost basis of any investment made by the com-  
5 pany in a small business concern that is located  
6 in an area for which the President declared a  
7 major disaster (as defined in section 102 of the  
8 Robert T. Stafford Disaster Relief and Emer-  
9 gency Assistance Act (42 U.S.C. 5122)) during  
10 the 1-year period beginning on the date of the  
11 declaration.”.

12 **SEC. 106. FAST PROGRAM.**

13 (a) DEFINITIONS.—Section 34(a) of the Small Busi-  
14 ness Act (15 U.S.C. 657d(a)) is amended—

15 (1) by redesignating paragraphs (3) through  
16 (9) as (4) through (10), respectively; and

17 (2) by inserting after paragraph (2) the fol-  
18 lowing:

19 “(3) CATASTROPHIC DISASTER.—The term ‘cat-  
20 astrophic disaster’ means a catastrophic disaster, as  
21 determined by the Administrator.”.

22 (b) PRIORITY.—Section 34(c)(2) of the Small Busi-  
23 ness Act (15 U.S.C. 657d(c)(2)) is amended—

24 (1) in subparagraph (A), by striking “and” at  
25 the end;

1           (2) in subparagraph (B)(vi)(III), by striking  
2           the period at the end and inserting “; and”; and

3           (3) by adding at the end the following:

4                   “(C) shall give special consideration to an  
5           applicant that is located in an area affected by  
6           a catastrophic disaster.”.

7           (c) **ADDITIONAL ASSISTANCE.**—Section 34(c) of the  
8           Small Business Act (15 U.S.C. 657d(c)) is amended by  
9           adding at the end the following:

10                   “(5) **ADDITIONAL ASSISTANCE FOR CATA-**  
11           **STROPHIC DISASTERS.**—Upon application by an ap-  
12           plicant that receives an award or has in effect a co-  
13           operative agreement under this section and that is  
14           located in an area affected by a catastrophic dis-  
15           aster, the Administrator may—

16                   “(A) provide additional assistance to the  
17           applicant; and

18                   “(B) waive the matching requirements  
19           under subsection (e)(2).”.

20           (d) **AUTHORIZATION OF FAST PROGRAM.**—Section  
21           34 of the Small Business Act (15 U.S.C. 657d) is amend-  
22           ed—

23                   (1) in subsection (h), by striking “2005” each  
24           place that term appears and inserting “2017”; and



1 transfer, without regard to whether  
2 the small business concern is a Pro-  
3 gram Participant; and

4 “(bb) for a small business con-  
5 cern that is a Program Participant,  
6 on and after the date on which the  
7 President declared the applicable  
8 major disaster, the small business  
9 concern has not received property  
10 under this subparagraph on the basis  
11 of the status of the small business  
12 concern as a Program Participant.

13 “(III) For any transfer of property  
14 under this clause to a small business con-  
15 cern, the terms and conditions shall be the  
16 same as a transfer to a Program Partici-  
17 pant, except that the small business con-  
18 cern shall agree not to sell or transfer the  
19 property to any party other than the Fed-  
20 eral Government during the covered period.

21 “(IV) A small business concern that  
22 receives a transfer of property under this  
23 clause may not receive a transfer of prop-  
24 erty under clause (i) during the covered  
25 period.

1           “(V) If a small business concern sells  
2           or transfers property in violation of the  
3           agreement described in subclause (III), the  
4           Administrator may initiate proceedings to  
5           prohibit the small business concern from  
6           receiving a transfer of property under this  
7           clause or clause (i), in addition to any  
8           other remedy available to the Adminis-  
9           trator.”.

10 **SEC. 108. RECOVERY OPPORTUNITY LOANS.**

11           Section 7(a)(31) of the Small Business Act (15  
12 U.S.C. 636(a)(31)) is amended—

13           (1) in subparagraph (A)—

14                   (A) by redesignating clauses (i), (ii), and  
15                   (iii) as clauses (ii), (iii), and (iv), respectively;  
16                   and

17                   (B) by inserting before clause (ii), as so re-  
18                   designated, the following:

19                           “(i) The term ‘disaster area’ means  
20                           the area for which the President has de-  
21                           clared a major disaster, during the 5-year  
22                           period beginning on the date of the dec-  
23                           laration.”;

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

25                   “(G) RECOVERY OPPORTUNITY LOANS.—

1                   “(i) IN GENERAL.—The Administrator  
2                   may guarantee an express loan to a small  
3                   business concern located in a disaster area  
4                   in accordance with this subparagraph.

5                   “(ii) MAXIMUMS.—For a loan guaran-  
6                   teed under clause (i)—

7                                 “(I) the maximum loan amount  
8                                 is \$150,000; and

9                                 “(II) the guarantee rate shall be  
10                                not more than 85 percent.

11                   “(iii) OVERALL CAP.—A loan guaran-  
12                   teed under clause (i) shall not be counted  
13                   in determining the amount of loans made  
14                   to a borrower for purposes of subpara-  
15                   graph (D).

16                   “(iv) OPERATIONS.—A small business  
17                   concern receiving a loan guaranteed under  
18                   clause (i) shall certify that the small busi-  
19                   ness concern was in operation on the date  
20                   on which the applicable major disaster oc-  
21                   curred as a condition of receiving the loan.

22                   “(v) REPAYMENT ABILITY.—A loan  
23                   guaranteed under clause (i) may only be  
24                   made to a small business concern that  
25                   demonstrates, to the satisfaction of the Ad-

1 administrator, sufficient capacity to repay  
2 the loan.

3 “(vi) TIMING OF PAYMENT OF GUAR-  
4 ANTEES.—

5 “(I) IN GENERAL.—Not later  
6 than 90 days after the date on which  
7 a request for purchase is filed with  
8 the Administrator, the Administrator  
9 shall determine whether to pay the  
10 guaranteed portion of the loan.

11 “(II) RECAPTURE.—Notwith-  
12 standing any other provision of law,  
13 unless there is a subsequent finding of  
14 fraud by a court of competent juris-  
15 diction relating to a loan guaranteed  
16 under clause (i), on and after the date  
17 that is 6 months after the date on  
18 which the Administrator determines to  
19 pay the guaranteed portion of the  
20 loan, the Administrator may not at-  
21 tempt to recapture the paid guar-  
22 antee.

23 “(vii) FEES.—

24 “(I) IN GENERAL.—Unless the  
25 Administrator has waived the guar-

1           antee fee that would otherwise be col-  
2           lected by the Administrator under  
3           paragraph (18) for a loan guaranteed  
4           under clause (i), and except as pro-  
5           vided in subclause (II), the guarantee  
6           fee for the loan shall be equal to the  
7           guarantee fee that the Administrator  
8           would collect if the guarantee rate for  
9           the loan was 50 percent.

10                   “(II) EXCEPTION.—Subclause (I)  
11           shall not apply if the cost of carrying  
12           out the program under this subsection  
13           in a fiscal year is more than zero and  
14           such cost is directly attributable to  
15           the cost of guaranteeing loans under  
16           clause (i).”.

17 **SEC. 109. CONTRACTOR MALFEASANCE.**

18           Section 7(b) of the Small Business Act (15 U.S.C.  
19 636(b)) is amended by inserting before the undesignated  
20 matter following paragraph (10), as added by section 102  
21 of this Act, the following:

22                   “(11) SUPPLEMENTAL ASSISTANCE FOR CON-  
23           TRACTOR MALFEASANCE.—

24                   “(A) IN GENERAL.—If a contractor or  
25           other person engages in malfeasance in connec-

1           tion with repairs to, rehabilitation of, or re-  
2           placement of real or personal property relating  
3           to which a loan was made under this subsection  
4           and the malfeasance results in substantial eco-  
5           nomic damage to the recipient of the loan or  
6           substantial risks to health or safety, upon re-  
7           ceiving documentation of the substantial eco-  
8           nomic damage or the substantial risk to health  
9           and safety from an independent loss verifier,  
10          and subject to subparagraph (B), the Adminis-  
11          trator may increase the amount of the loan  
12          under this subsection, as necessary for the cost  
13          of repairs, rehabilitation, or replacement needed  
14          to address the cause of the economic damage or  
15          health or safety risk.

16                 “(B) REQUIREMENTS.—The Administrator  
17                 may only increase the amount of a loan under  
18                 subparagraph (A) upon receiving an appro-  
19                 priate certification from the borrower and per-  
20                 son performing the mitigation attesting to the  
21                 reasonableness of the mitigation costs and an  
22                 assignment of any proceeds received from the  
23                 person engaging in the malfeasance. The as-  
24                 signment of proceeds recovered from the person  
25                 engaging in the malfeasance shall be equal to

1           the amount of the loan under this section. Any  
2           mitigation activities shall be subject to audit  
3           and independent verification of completeness  
4           and cost reasonableness.”.

5 **SEC. 110. LOCAL CONTRACTING PREFERENCES AND INCEN-**  
6                                   **TIVES.**

7           Section 15 of the Small Business Act (15 U.S.C. 644)  
8 is amended by inserting after subsection (e) the following:

9           “(f) CONTRACTING PREFERENCE FOR SMALL BUSI-  
10 NESS CONCERNS IN A MAJOR DISASTER AREA.—

11           “(1) DEFINITION.—In this subsection, the term  
12 ‘disaster area’ means the area for which the Presi-  
13 dent has declared a major disaster, during the pe-  
14 riod of the declaration.

15           “(2) CONTRACTING PREFERENCE.—An agency  
16 shall provide a contracting preference for a small  
17 business concern located in a disaster area if the  
18 small business concern will perform the work re-  
19 quired under the contract in the disaster area.

20           “(3) CREDIT FOR MEETING CONTRACTING  
21 GOALS.—If an agency awards a contract to a small  
22 business concern under the circumstances described  
23 in paragraph (2), the value of the contract shall be  
24 doubled for purposes of determining compliance with

1 the goals for procurement contracts under sub-  
2 section (g)(1)(A).”.

3 **SEC. 111. CLARIFICATION OF COLLATERAL REQUIRE-**  
4 **MENTS.**

5 Section 7(d)(6) of the Small Business Act (15 U.S.C.  
6 636(d)(6)) is amended by inserting after “which are made  
7 under paragraph (1) of subsection (b)” the following: “:  
8 *Provided further*, That the Administrator, in obtaining the  
9 best available collateral for a loan of not more than  
10 \$200,000 under paragraph (1) or (2) of subsection (b) re-  
11 lating to damage to or destruction of the property of, or  
12 economic injury to, a small business concern, shall not re-  
13 quire the owner of the small business concern to use the  
14 primary residence of the owner as collateral if the Admin-  
15 istrator determines that the owner has other assets of  
16 equal quality and with a value equal to or greater than  
17 the amount of the loan that could be used as collateral  
18 for the loan: *Provided further*, That nothing in the pre-  
19 ceding proviso may be construed to reduce the amount of  
20 collateral required by the Administrator in connection with  
21 a loan described in the preceding proviso or to modify the  
22 standards used to evaluate the quality (rather than the  
23 type) of such collateral”.

1     **TITLE II—DISASTER PLANNING**  
2                     **AND MITIGATION**

3     **SEC. 201. USE OF PHYSICAL DAMAGE DISASTER LOANS.**

4             Section 7(b)(1)(A) of the Small Business Act (15  
5 U.S.C. 636(b)(1)(A)) is amended in the second proviso—

6                     (1) by striking “the Administration may in-  
7                     crease” and inserting “the Administration may, sub-  
8                     ject to section 18(a), increase”; and

9                     (2) by striking “and modifying structures” and  
10                    inserting “, and modifying structures (including con-  
11                    struction of a safe room or similar storm shelter de-  
12                    signed to protect property and occupants from tor-  
13                    nadoes or other natural disasters)”.

14     **SEC. 202. BUSINESS RECOVERY CENTERS.**

15             Section 7(b) of the Small Business Act (15 U.S.C.  
16 636(b)) is amended by inserting before the undesignated  
17 matter following paragraph (11), as added by section 109  
18 of this Act, the following:

19                     “(12) BUSINESS RECOVERY CENTERS.—

20                     “(A) IN GENERAL.—The Administrator,  
21                     acting through the district offices of the Admin-  
22                     istration, shall identify locations that may be  
23                     used as recovery centers by the Administration  
24                     in the event of a disaster declared under this  
25                     subsection or a major disaster.

1           “(B) REQUIREMENTS FOR IDENTIFICA-  
2           TION.—Each district office of the Administra-  
3           tion shall—

4                   “(i) identify a location described in  
5                   subparagraph (A) in each county, parish,  
6                   or similar unit of general local government  
7                   in the area served by the district office;  
8                   and

9                   “(ii) ensure that the locations identi-  
10                  fied under subparagraph (A) may be used  
11                  as a recovery center without cost to the  
12                  Government, to the extent practicable.”.

### 13       **TITLE III—OTHER PROVISIONS**

#### 14       **SEC. 301. INCREASED OVERSIGHT OF ECONOMIC INJURY** 15                   **DISASTER LOANS.**

16           (a) IN GENERAL.—Section 7(b) of the Small Busi-  
17           ness Act (15 U.S.C. 636(b)) is amended by inserting be-  
18           fore the undesignated matter following paragraph (12), as  
19           added by section 202 of this Act, the following:

20                   “(13) INCREASED OVERSIGHT OF ECONOMIC IN-  
21                   JURY DISASTER LOANS.—The Administrator shall  
22                   increase oversight of entities receiving loans under  
23                   paragraph (2), including through—

1           “(A) scheduled site visits to ensure bor-  
2           rower eligibility and compliance with require-  
3           ments established by the Administrator; and

4           “(B) reviews of the use of the loan pro-  
5           ceeds by an entity described in paragraph (2) to  
6           ensure compliance with requirements estab-  
7           lished by the Administrator.”.

8           (b) SENSE OF CONGRESS RELATING TO USING EX-  
9           ISTING FUNDS.—It is the sense of Congress that no addi-  
10          tional Federal funds should be made available to carry out  
11          the amendments made by this section.

12       **SEC. 302. REDUCTION OF PAPERWORK BURDEN.**

13          (a) SENSE OF CONGRESS.—It is the sense of Con-  
14          gress that the Administrator should—

15               (1) reduce paperwork burdens pursuant to sec-  
16               tion 3501 of title 44, United States Code, on small  
17               business concerns applying for disaster assistance  
18               under section 7(b) of the Small Business Act (15  
19               U.S.C. 636(b)); and

20               (2) ensure that the application for disaster as-  
21               sistance under section 7(b) of the Small Business  
22               Act (15 U.S.C. 636(b)) facilitates deterring and de-  
23               tecting potential incidents of waste, fraud, and  
24               abuse.

1 (b) REDUCTION.—Section 7(b) of the Small Business  
2 Act (15 U.S.C. 636(b)) is amended by inserting before the  
3 undesignated matter following paragraph (13), as added  
4 by section 301 of this Act, the following:

5 “(14) PAPERWORK REDUCTION.—The Adminis-  
6 trator shall take steps to reduce, to the maximum  
7 extent practicable, the paperwork associated with the  
8 application for a loan under this subsection.”.

9 **SEC. 303. REPORT ON WEB PORTAL FOR DISASTER LOAN**  
10 **APPLICANTS.**

11 Section 38 of the Small Business Act (15 U.S.C.  
12 657j) is amended by adding at the end the following:

13 “(c) REPORT ON WEB PORTAL FOR DISASTER LOAN  
14 APPLICATION STATUS.—

15 “(1) IN GENERAL.—Not later than 90 days  
16 after the date of enactment of this subsection, the  
17 Administrator shall submit to the Committee on  
18 Small Business and Entrepreneurship of the Senate  
19 and the Committee on Small Business of the House  
20 of Representatives a report relating to the creation  
21 of a web portal to the track the status of applica-  
22 tions for disaster assistance under section 7(b).

23 “(2) CONTENTS.—The report under paragraph  
24 (1) shall include—

1           “(A) information on the progress of the  
2           Administration in implementing the information  
3           system under subsection (a);

4           “(B) recommendations from the Adminis-  
5           tration relating to the creation of a web portal  
6           for applicants to check the status of an applica-  
7           tion for disaster assistance under section 7(b),  
8           including a review of best practices and web  
9           portal models from the private sector;

10          “(C) information on any related costs or  
11          staffing needed to implement such a web portal;

12          “(D) information on whether such a web  
13          portal can maintain high standards for data  
14          privacy and data security;

15          “(E) information on whether such a web  
16          portal will minimize redundancy among Admin-  
17          istration disaster programs, improve manage-  
18          ment of the number of inquiries made by dis-  
19          aster applicants to employees located in the  
20          area affected by the disaster and to call centers,  
21          and reduce paperwork burdens on disaster vic-  
22          tims; and

23          “(F) such additional information as is de-  
24          termined necessary by the Administrator.”.

1 **SEC. 304. LOCAL DISASTER CONTRACTING FAIRNESS.**

2 (a) DEFINITIONS.—In this section—

3 (1) the term “executive agency” has the mean-  
4 ing given that term in section 133 of title 41, United  
5 States Code;

6 (2) the term “local subcontractor” means, with  
7 respect to a contract, a subcontractor who has a  
8 principal place of business or regularly conducts op-  
9 erations in the area in which work is to be per-  
10 formed under the contract by the subcontractor; and

11 (3) the term “natural disaster reconstruction  
12 efforts” means reconstruction efforts undertaken in  
13 an area for which the President has declared a  
14 major disaster under section 401 of the Robert T.  
15 Stafford Disaster Relief and Emergency Assistance  
16 Act (42 U.S.C. 5170).

17 (b) FEDERAL CONTRACTING REQUIREMENTS.—

18 (1) IN GENERAL.—The head of an executive  
19 agency may not enter into an agreement for debris  
20 removal or demolition services in connection with  
21 natural disaster reconstruction efforts unless the  
22 agreement specifies that—

23 (A) all of the work under the contract will  
24 be performed by the prime contractor or 1 or  
25 more subcontractors at 1 tier under the con-  
26 tract;

1           (B) any work performed under the con-  
2           tract by subcontractors will be performed by  
3           local subcontractors, except to the extent that  
4           local subcontractors are not available to per-  
5           form such work;

6           (C) the prime contractor will act as the  
7           project manager or construction manager for  
8           the contract; and

9           (D) the prime contractor—

10           (i) has primary responsibility for man-  
11           aging all work under the contract; and

12           (ii) will be paid a certain percentage  
13           of the overall value of the contract as sole  
14           compensation for assuming the risk associ-  
15           ated with such responsibility.

16           (2) PREFERENCE FOR SUBCONTRACTORS AF-  
17           FECTED BY NATURAL DISASTERS.—In entering into  
18           an agreement for debris removal or demolition serv-  
19           ices in connection with natural disaster reconstruc-  
20           tion efforts, the head of an executive agency shall  
21           give a preference in the source selection process to  
22           each offeror who certifies that any work that is to  
23           be performed under the contract by subcontractors  
24           will be performed by local subcontractors.

1           (c) APPLICABILITY.—The requirements under sub-  
2 section (b) shall apply to agreements entered into on or  
3 after the date of enactment of this Act.