

PROVIDING FOR CONSIDERATION OF H.R. 1361—RELIEF
FOR ENTREPRENEURS COORDINATION OF OBJECTIVES
AND VALUES FOR EFFECTIVE RECOVERY ACT OF 2007

APRIL 17, 2007.—Referred to the House Calendar and ordered to be printed

Mr. HASTINGS of Florida, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 302]

The Committee on Rules, having had under consideration House Resolution 302, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1361, the Relief for Entrepreneurs: Coordination of Objectives and Values for Effective Recovery Act of 2007, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill, modified by the amendment printed in Part A of this report, shall be considered as adopted. The bill as amended shall be considered as an original bill for the purpose of amendment and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

The rule makes in order only those further amendments printed in Part B of this report. The further amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Com-

mittee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. Finally, the rule provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The Committee is not aware of any points of order against the bill as amended or against its consideration. The waiver of all points of order (except for clauses 9 and 10 rule XXI) is prophylactic in nature.

SUMMARY OF AMENDMENT CONSIDERED AS ADOPTED

The amendment would narrow the scope of Section 211 by eliminating any retroactive authority to alter existing disaster loans and preserving only the Administrator's prospective authority to provide victims of Hurricanes Katrina, Rita, or Wilma with grants to replace compensation that has been taken by the SBA as a duplication of benefits. The provision would also amend Section 218 of H.R. 1361 to require that the SBA conduct a study assessing the need and ability of the agency to provide economic injury disaster loans for businesses affected by a lack of snowfall.

SUMMARY OF AMENDMENTS MADE ORDER UNDER THE RULE

Chabot (OH), The amendment would strike section 211, thereby requiring anyone receiving both a grant and a disaster loan to use the grant to repay the disaster loan thereby preventing the government from compensating the same person twice for the same disaster.—10 minutes

Chabot (OH), The amendment would strike section 210, thereby eliminating the authority of the Administrator of the Small Business Administration to offer grants to certain small businesses that were severely affected by Hurricanes Katrina, Rita, or Wilma but that were denied disaster loans.—10 minutes

Jindal (LA), The amendment would provide Hurricanes Katrina, Rita, and Wilma disaster victims with an option of receiving an increased four year deferment period for disaster loans. Section 204 of the underlying bill extends this option to future disaster victims; the amendment makes it retroactive to the 2005 hurricanes.—10 minutes

PART A—TEXT OF AMENDMENT TO BE CONSIDERED AS ADOPTED

Strike section 211 and insert the following:

SEC. 211. HURRICANE ASSISTANCE REPLACEMENT GRANT PROGRAM.

(a) PROGRAM ESTABLISHED.—The Administrator may carry out a program under which the Administrator may, in the Administrator's discretion, make grants to individuals who—

(1) are victims of a disaster under disaster declaration 10176, 10177, 10178, 10179, 10180, 10181, 10203, 10204, 10205, 10206, 10222, or 10223; and

(2) receive (whether before, on, or after the date of the enactment of this Act) 7(b) disaster assistance because of that disaster.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(c) **ELIGIBILITY.**—An individual is eligible to receive a grant under this section only if the individual—

(1) receives benefits (other than the 7(b) disaster assistance) because of the disaster; and

(2) is required to remit those benefits to the Small Business Administration because of a duplication of benefits.

(d) **AMOUNT.**—The amount of a grant under this section to an individual shall not exceed the amount of the benefits required to be remitted by the individual, as described in subsection (c).

(e) **TIME.**—The Administrator shall ensure that, to the maximum extent practicable, a grant made under this section is made—

(1) concurrent with the Administration’s receipt of the remittance, if the remittance is made after the date of the enactment of this Act; and

(2) as soon as possible after the Administration’s receipt of the remittance, in all other cases.

(f) **TREATMENT OF GRANTS.**—Grants made under this section shall not be considered a duplication of benefits by the Administrator.

(g) **DEFINITIONS.**—In this section:

(1) The term “Administrator” means the Administrator of the Small Business Administration.

(2) The term “7(b) disaster assistance” means assistance under paragraph (1) or (2) of section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)).

Strike section 218 and insert the following:

SEC. 218. REPORT REGARDING LACK OF SNOW FALL.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Small Business Administration shall conduct a study of, and submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate that describes—

(1) the ability of the Administrator to provide loans under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to small business concerns that depend on high snow fall amounts and sustain economic injury (as described under that section) due to a lack of snow fall;

(2) the criteria the Administrator would use to determine whether to provide a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to a small business concern that has been adversely affected by a lack of snow fall;

(3) other Federal assistance (including loans) available to small business concerns that are adversely affected by a lack of snow fall; and

(4) the history relating to providing loans under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to small business concerns that have been adversely affected by a lack of snow fall.

PART B—TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHABOT OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 211.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHABOT OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 210.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JINDAL OF LOUISIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, line 20, insert “(a) IN GENERAL.—” before “Section 7”.
Page 15, after line 6, insert the following:

- (b) RETROACTIVE APPLICATION VICTIMS OF HURRICANES KATRINA, RITA, AND WILMA.—

- (1) IN GENERAL.—Section 7(f)(1) of the Small Business Act (as added by subsection (a)) applies retroactively to any loan under section 7(b) of that Act that was made—

- (A) in response to Hurricane Katrina, Hurricane Rita, or Hurricane Wilma of 2005; and

- (B) for a small business located in a county or parish designated by the Administrator of the Small Business Administration as a disaster area by reason of such Hurricane Katrina, Hurricane Rita, or Hurricane Wilma, as applicable.

- (2) DISCLOSURE OF ACCRUED INTEREST.—Whenever the Administrator provides an option to defer repayment under paragraph (1), the Administrator shall disclose the accrued interest that must be paid under the option.