

## HR 208

RISE After Disaster Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Jan 8, 2015

**Current Status:** Became Public Law No: 114-88.

**Latest Action:** Became Public Law No: 114-88. (Nov 25, 2015)

**Law:** 114-88 (Enacted Nov 25, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/208>

### Sponsor

**Name:** Rep. Velazquez, Nydia M. [D-NY-7]

**Party:** Democratic • **State:** NY • **Chamber:** House

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Crowley, Joseph [D-NY-14]	D · NY		Jan 8, 2015
Rep. Meng, Grace [D-NY-6]	D · NY		Jan 8, 2015
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Jan 8, 2015
Rep. Rangel, Charles B. [D-NY-13]	D · NY		Jan 8, 2015
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Jan 9, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Small Business and Entrepreneurship Committee	Senate	Discharged From	Oct 21, 2015
Small Business Committee	House	Reported By	Jun 25, 2015

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
114 S 1811	Related bill	<b>Dec 20, 2016:</b> By Senator Vitter from Committee on Small Business and Entrepreneurship filed written report under authority of the order of the Senate of 12/10/2016. Report No. 114-409.
114 HR 2397	Related bill	<b>May 18, 2015:</b> Referred to the House Committee on Small Business.

(This measure has not been amended since it was passed by the Senate on October 21, 2015. The summary of that version is repeated here.)

## **Recovery Improvements for Small Entities After Disaster Act of 2015 or the RISE After Disaster Act of 2015**

### **DIVISION A--SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS**

#### *Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015*

#### **TITLE I--DISASTER ASSISTANCE IMPROVEMENTS**

(Sec. 1101) This bill amends the Small Business Act to authorize a small business, homeowner, nonprofit entity, or renter that was located within a declared major disaster area during Superstorm Sandy in 2012 to apply for a Small Business Administration (SBA) loan to: (1) repair, rehabilitate, or replace property damaged or destroyed because of the storm; or (2) assist a small business that suffered substantial economic injury because of it.

The SBA must select loan recipients and make such loans available for at least one year after the date on which it carries out this authority.

The SBA Inspector General must review the controls for ensuring applicant eligibility for these loans.

(Sec. 1102) SBA physical disaster loans may be used to construct a safe room or similar storm shelter designed to protect property and occupants from tornadoes or other natural disasters, if they are constructed in accordance with Federal Emergency Management Agency (FEMA) standards.

(Sec. 1103) The SBA shall make a clear and concise notification on all application materials for SBA disaster loans and on relevant websites notifying an applicant that:

- he or she may submit all documentation necessary for the approval of the loan at the time of application, and
- failure to do so could delay the loan's approval and disbursement.

(Sec. 1104) The SBA must establish and implement clear, written policies and procedures for analyzing the ability of a loan applicant to repay a SBA disaster loan.

(Sec. 1105) The SBA shall revise the comprehensive written disaster response plan, and any successor response plan, to incorporate the SBA response to a situation in which an extreme volume of applications are received during the period of time immediately after a disaster. The revised plan must: (1) ensure that sufficient human and technological resources are made available, and (2) prevent delays in loan processing.

### **DIVISION B--RECOVERY IMPROVEMENTS FOR SMALL ENTITIES**

#### *Recovery Improvements for Small Entities After Disaster Act of 2015 or the RISE After Disaster Act of 2015*

#### **TITLE I--IMPROVEMENTS OF DISASTER RESPONSE AND LOANS**

(Sec. 2101) This title amends the Small Business Act to authorize the Small Business Administration (SBA), in order to spur disaster recovery and growth of small businesses located in a declared major disaster area, to provide up to two

years of additional financial assistance, on a competitive basis, to a small business development center (SBDC), an SBA women's business center, the Service Corps of Retired Executives, or any proposed consortium of such individuals or entities.

No matching funds shall be required for any grant, contract, or cooperative agreement relating to such financial assistance.

Recipients of this assistance must provide counseling, training, and other related services, such as promoting long-term resiliency, to small businesses and entrepreneurs impacted by a major disaster.

The SBA shall establish performance metrics and goals for grants, contracts, and cooperative agreements, including recovery of sales, recovery of employment, reestablishment of business premises, and establishment of new small business concerns.

The SBA may make one extension of a grant, contract, or cooperative agreement for up to one year, upon a showing of good cause and need.

(Sec. 2102) The minimum disaster loan amount for which the SBA may require collateral is increased, for a 3-year period only, from \$14,000 to \$25,000 (or, as under existing law, any higher amount the SBA determines appropriate in the event of a disaster). Three years after enactment of this Act the minimum disaster loan threshold shall revert to \$14,000.

The SBA must assess for Congress the impact and benefits resulting from the increase to \$25,000, and recommend whether it should be made permanent.

(Sec. 2103) The SBA may authorize an SBDC to provide advice, information, and assistance to small businesses outside the SBDC's state, without regard to geographical proximity to the SBDC, if the small business is in a declared major disaster area.

It is the sense of Congress that the SBA shall ensure that an SBDC is appropriately reimbursed for any legitimate expenses in carrying out such activities.

(Sec. 2104) The Small Business Act is further amended to:

- require special consideration of federal and state technology (FAST) partnership program applications for awards or cooperative agreements from applicants located in an area affected by a major disaster comparable to the description of a catastrophic incident in the SBA National Response Plan; and
- waive matching requirements for such awards or cooperative agreements.

(Sec. 2105) The SBA may transfer, on a priority basis, federal technology or surplus property to certain small businesses in major disaster areas. Such property may not be sold or transferred to any non-federal party during the two-year period of the declared major disaster area.

(Sec. 2106) The SBA may guarantee up to 85% of an express recovery opportunity loan of up to \$150,000 to a small business located in a disaster area if the concern has the capacity to repay it. The guarantee fee, unless waived, and except in certain cost circumstances, shall be the same as the one the SBA would collect if the guarantee rate were 50%.

(Sec. 2107) The SBA may provide supplemental assistance for contractor malfeasance in the form of an increased disaster loan to cover the cost of any repairs, rehabilitation, or replacement of real or personal property needed to

address economic damage or health or safety risks caused by the malfeasance of a contractor or other person.

(Sec. 2108) Federal agencies shall establish contracting preferences and incentives for small businesses located in disaster areas if they will perform the work required under the contract. The value of the contract shall be doubled if SBA goals for procurement contracts are met.

(Sec. 2109) In obtaining the best available collateral for a disaster loan of up to \$200,000 relating to damage to or destruction of the property of, or economic injury to, a small business, the SBA may not require the small business owner to use his or her primary residence as collateral if the owner has other assets with a value equal to or greater than the amount of the loan that could be used.

## TITLE II--DISASTER PLANNING AND MITIGATION

(Sec. 2201) This title amends the Small Business Act to require SBA district offices to identify locations that may be used as SBA recovery centers in the event of a natural or a major disaster.

## TITLE III--OTHER PROVISIONS

(Sec. 2301) This title requires the SBA to increase oversight of small businesses receiving economic injury disaster loans, and may consider random site visits and random review of loan usage.

It is the sense of Congress that no additional federal funds should be made available to provide this oversight.

(Sec. 2302) The Government Accountability Office shall evaluate and report to specified congressional committees on steps the SBA has taken, with respect to SBA applications for disaster assistance, to comply with the Paper Reduction Act and related guidance.

(Sec. 2303) The SBA must report to specified congressional committees on creation of a web portal to track the status of disaster loan applications.

## Actions Timeline

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- **Nov 25, 2015:** Signed by President.
- **Nov 25, 2015:** Became Public Law No: 114-88.
- **Nov 19, 2015:** Presented to President.
- **Nov 16, 2015:** Mr. Chabot moved that the House suspend the rules and agree to the Senate amendments. (consideration: CR H8223-8227)
- **Nov 16, 2015:** DEBATE - The House proceeded with forty minutes of debate on the Chabot motion to suspend the rules and agree to the Senate amendments to H.R. 208.
- **Nov 16, 2015:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendments Agreed to by voice vote.(text as House agreed to Senate amendments: CR H8223-8226)
- **Nov 16, 2015:** On motion that the House suspend the rules and agree to the Senate amendments Agreed to by voice vote. (text as House agreed to Senate amendments: CR H8223-8226)
- **Nov 16, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 22, 2015:** Message on Senate action sent to the House.
- **Oct 21, 2015:** Senate Committee on Small Business and Entrepreneurship discharged by Unanimous Consent.(consideration: CR S7406)
- **Oct 21, 2015:** Senate Committee on Small Business and Entrepreneurship discharged by Unanimous Consent. (consideration: CR S7406)
- **Oct 21, 2015:** Measure laid before Senate by unanimous consent. (consideration: CR S7406-7407)
- **Oct 21, 2015:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.
- **Oct 21, 2015:** Passed Senate with amendments by Unanimous Consent.
- **Jul 14, 2015:** Received in the Senate and Read twice and referred to the Committee on Small Business and Entrepreneurship.
- **Jul 13, 2015:** Mr. Chabot moved to suspend the rules and pass the bill, as amended.
- **Jul 13, 2015:** Considered under suspension of the rules. (consideration: CR H5096-5099)
- **Jul 13, 2015:** DEBATE - The House proceeded with forty minutes of debate on H.R. 208.
- **Jul 13, 2015:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H5096-5097)
- **Jul 13, 2015:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H5096-5097)
- **Jul 13, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 13, 2015:** The title of the measure was amended. Agreed to without objection.
- **Jun 25, 2015:** Reported (Amended) by the Committee on Small Business. H. Rept. 114-186.
- **Jun 25, 2015:** Placed on the Union Calendar, Calendar No. 138.
- **Jun 10, 2015:** Committee Consideration and Mark-up Session Held.
- **Jun 10, 2015:** Ordered to be Reported (Amended) by Voice Vote.
- **Jan 8, 2015:** Introduced in House
- **Jan 8, 2015:** Referred to the House Committee on Small Business.