

112TH CONGRESS
1ST SESSION

S. 653

To allow the Administrator of the Small Business Administration to create or save jobs by providing interest relief on certain outstanding disaster loans relating to damage caused by the 2005 Gulf Coast hurricanes or the 2008 Gulf Coast hurricanes.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2011

Ms. LANDRIEU (for herself, Mr. WICKER, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To allow the Administrator of the Small Business Administration to create or save jobs by providing interest relief on certain outstanding disaster loans relating to damage caused by the 2005 Gulf Coast hurricanes or the 2008 Gulf Coast hurricanes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southeast Hurricanes
5 Small Business Disaster Relief Act of 2011”.

1 **SEC. 2. SOUTHEAST HURRICANES SMALL BUSINESS DIS-**
2 **ASTER RELIEF PROGRAM.**

3 (a) IN GENERAL.—Section 12086 of the Food, Con-
4 servation, and Energy Act of 2008 (Public Law 110–234;
5 122 Stat. 1422) is amended to read as follows:

6 **“SEC. 12086. SOUTHEAST HURRICANES SMALL BUSINESS**
7 **DISASTER RELIEF PROGRAM.**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘covered area’ means an area in
10 the State of Louisiana, the State of Mississippi, the
11 State of Alabama, or the State of Texas for which
12 the President declared a major disaster relating to
13 Hurricane Katrina of 2005, Hurricane Rita of 2005,
14 Hurricane Gustav of 2008, or Hurricane Ike of
15 2008;

16 “(2) the term ‘covered disaster loan’ means a
17 loan—

18 “(A) made under section 7(b) of the Small
19 Business Act (15 U.S.C. 636(b));

20 “(B) for damage or injury caused by Hur-
21 ricane Katrina of 2005, Hurricane Rita of
22 2005, Hurricane Gustav of 2008, or Hurricane
23 Ike of 2008; and

24 “(C) made to a business located in a cov-
25 ered area;

1 “(3) the term ‘Deepwater Horizon oil spill’
2 means the blowout and explosion of the mobile off-
3 shore drilling unit Deepwater Horizon that occurred
4 on April 20, 2010, and resulting hydrocarbon re-
5 leases into the environment; and

6 “(4) the term ‘program’ means the Southeast
7 Hurricanes Small Business Disaster Relief Program
8 established under subsection (b).

9 “(b) PROGRAM ESTABLISHED.—Subject to the avail-
10 ability of appropriations, the Administrator shall establish
11 a Southeast Hurricanes Small Business Disaster Relief
12 Program, under which the Administrator may waive pay-
13 ment of interest by a business on a covered disaster loan—

14 “(1) for not more than 3 years; and

15 “(2) in a total amount of not more than
16 \$15,000.

17 “(c) PRIORITY OF APPLICATIONS.—The Adminis-
18 trator shall, to the extent practicable, give priority to an
19 application for a waiver of payment of interest under the
20 program by a small business concern—

21 “(1) with not more than 50 employees;

22 “(2) that demonstrates substantial economic in-
23 jury as a result of the Deepwater Horizon oil spill;
24 or

25 “(3) that resumed business operations—

1 “(A) during the period beginning on Sep-
2 tember 1, 2005 and ending on October 1, 2006
3 in a covered area relating to Hurricane Katrina
4 of 2005 or Hurricane Rita of 2005; or

5 “(B) during the period beginning on Sep-
6 tember 1, 2008 and ending on January 1, 2009
7 in a covered area relating to Hurricane Gustav
8 of 2008 or Hurricane Ike of 2008.

9 “(d) REIMBURSEMENT BY RESPONSIBLE PARTY.—
10 The Administrator may present a claim to the responsible
11 party (as defined in section 1001 of the Oil Pollution Act
12 of 1990 (33 U.S.C. 2701)) for costs and expenses de-
13 scribed in section 1012(a)(5) of the Oil Pollution Act of
14 1990 (33 U.S.C. 2712(a)(5)) relating to a waiver of inter-
15 est under this section for a business suffering a substan-
16 tial economic injury as a result of the Deepwater Horizon
17 oil spill in accordance with section 1013 of the Oil Pollu-
18 tion Act of 1990 (33 U.S.C. 2713).

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Administrator
21 such sums as may be necessary to carry out the program.

22 “(f) TERMINATION OF PROGRAM.—The Adminis-
23 trator may not approve an application under the program
24 after March 31, 2012.”.

1 (b) SAVINGS CLAUSE.—A loan refinanced under sec-
2 tion 12086 of the Food, Conservation, and Energy Act
3 of 2008 (Public Law 110–234; 122 Stat. 1422) before the
4 date of enactment of this Act shall remain in full force
5 and effect under the terms, and for the duration, of the
6 loan (including any option to defer repayment).

7 (c) TECHNICAL AND CONFORMING AMENDMENT.—
8 The table of contents in section 1(b) of the Food, Con-
9 servation, and Energy Act of 2008 (Public Law 110–234;
10 122 Stat. 933) is amended by striking the item relating
11 to section 12086 and inserting the following:

“Sec. 12086. Southeast Hurricanes Small Business Disaster Relief Program.”.

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