AMENDMENT TO DIVISION D OF THE RULES

COMMITTEE PRINT 117–55

OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of division D (before the short title), insert the following:

1 TITLE IX—TECHNICAL AMENDMENTS TO THE
2 STATE SMALL BUSINESS CREDIT INITIATIVE ACT OF 2010
3 TECHNICAL AMENDMENTS TO THE STATE SMALL
4 BUSINESS CREDIT INITIATIVE ACT OF 2010
5 Sec. 901.
6 (a) EXCEPTION FOR ALLOCATED AMOUNTS LESS
7 THAN OR EQUAL TO $1,000,000.—
8 (1) IN GENERAL.—Section 3003(c)(1) of the
9 State Small Business Credit Initiative Act of 2010
10 (12 U.S.C. 5702(c)(1)) is amended—
11 (A) in subparagraph (A)(i), by inserting “,
12 except as provided in subparagraph (D)” before
13 the semicolon at the end; and
14 (B) by amending subparagraph (D) to
15 read as follows:
16 “(D) EXCEPTIONS.—The Secretary—
“(i) may, in the Secretary’s discretion, transfer the full amount of the participating State’s allocated amount to the State in a single transfer if the participating State applies to the Secretary for approval to use the full amount of the allocation as collateral for a qualifying loan or swap funding facility; and

“(ii) shall transfer the full amount of the participating State’s allocated amount, if such amount is less than or equal to $1,000,000, to the State in a single transfer upon approval under section 3004 and subject to the requirements of paragraph (7).”.

(2) USE OF TRANSFERRED FUNDS.—Section 3003(c)(3) of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702(c)(3)) is amended—

(A) in subparagraph (C)—

(i) by inserting “if the allocated amount under subsection (b) is greater than $1,000,000,” before “in the case of”;

and

(ii) by striking “or” at the end;
(B) in subparagraph (D)—

(i) by inserting “if the allocated amount under subsection (b) is greater than $1,000,000,” before “in the case of”; and

(ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(E) if the allocated amount under subsection (b) is less than or equal to $1,000,000, for paying administrative costs incurred by the State in implementing an approved State program in an amount not to exceed 3.6 percent of the allocated amount.”.

(3) RECOUPMENT.—Section 3003(c) of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702(c)) is amended by adding at the end the following new paragraph:

“(7) RECOUPMENT OF ALLOCATED AMOUNTS FOR CERTAIN PARTICIPATING STATES.—

“(A) IN GENERAL.—With respect to a participating State for which the Secretary allocated an amount less than or equal to $1,000,000, the Secretary may recoup an
amount of such State’s allocated amount as follows:

“(i) If, not later than the last day of the 3-year period beginning on the date of approval under section 3004, an amount equal to 80 percent of one-third of such allocated amount has not been certified by the State as expended, obligated, or transferred, the amount recouped shall be equal to two-thirds of the such allocated amount.

“(ii) If, not later than the last day of the 6-year period beginning on the date of approval under section 3004, an amount equal to 80 percent of two-thirds of such allocated amount has not been certified by the State as expended, obligated, or transferred, such amount shall be equal to one-third of the such allocated amount.

“(B) REALLOCATION.—Any amount recouped under this paragraph may be reallocated by the Secretary to a Tribal government that was not a participating State subject to recoupment under this paragraph. In making such a reallocation, the Secretary shall not take into account the specific allocation for Tribal
governments described under subsection (b)(2)(D).”.

(4) APPLICABILITY.—The amendments made by this subsection shall apply with respect to an allocation made to a participating State under the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) for fiscal year 2022 and each fiscal year thereafter.

(b) EXTENSION OF CERTAIN PERIODS.—The State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amended—

(1) in section 3004(d)(2), by striking “12 months” and inserting “18 months”;

(2) in section 3007(d), by striking “the first March 31” and all the follows and inserting “March 31, 2031.”; and

(3) in section 3009(c), by striking “7-year” and inserting “11-year”.

(c) TECHNICAL AMENDMENT.—The State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amended—

(1) in section 3003(b)(2)—

(A) by redesignating subparagraph (D) as subparagraph (E); and
(B) by redesignating subparagraph (C) (relating to “Separate allocation for Tribal governments”) as subparagraph (D); and

(2) in section 3003(c)(4)(B), by striking “subsection (b)(2)(C)” and inserting “subsection (b)(2)(D)”.

[Signature]