

Calendar No. 635

115TH CONGRESS
2D SESSION**S. 3561**

To support entrepreneurs serving in the National Guard and Reserve, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 2018

Mrs. SHAHEEN (for herself, Mr. LEAHY, Mr. COONS, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

OCTOBER 11, 2018

Reported by Mr. RISCH, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To support entrepreneurs serving in the National Guard
and Reserve, and for other purposes.

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 “National Guard and
5 Reserve Entrepreneurship Support Act”.

1 **SEC. 2. EXTENSION OF LOAN ASSISTANCE AND DEFERRAL**
 2 **ELIGIBILITY TO RESERVISTS BEYOND PERI-**
 3 **ODS OF MILITARY CONFLICT.**

4 (a) SMALL BUSINESS ACT AMENDMENTS.—Section
 5 7 of the Small Business Act (15 U.S.C. 636) is amend-
 6 ed—

7 (1) in subsection (b)(3)—

8 (A) in subparagraph (A)—

9 (i) by striking clause (ii);

10 (ii) by redesignating clause (i) as
 11 clause (ii);

12 (iii) by inserting before clause (ii), as
 13 so redesignated, the following:

14 “(i) the term ‘active service’ has the mean-
 15 ing given that term in section 101(d)(3) of title
 16 10, United States Code;” and

17 (iv) in clause (ii), as so redesignated,
 18 by adding “and” at the end;

19 (B) in subparagraph (B), by striking
 20 “being ordered to active military duty during a
 21 period of military conflict” and inserting “being
 22 ordered to perform active service for a period of
 23 more than 30 consecutive days”;

24 (C) in subparagraph (C), by striking “ac-
 25 tive duty” each place it appears and inserting
 26 “active service”; and

1 (D) in subparagraph (G)(ii)(II), by strik-
 2 ing “active duty” and inserting “active service”;
 3 and

4 (2) in subsection (n)—

5 (A) in the subsection heading, by striking
 6 “ACTIVE DUTY” and inserting “ACTIVE SERV-
 7 ICE”;

8 (B) in paragraph (1)—

9 (i) by striking subparagraph (C);

10 (ii) by redesignating subparagraphs
 11 (A) and (B) as subparagraphs (B) and
 12 (C), respectively;

13 (iii) by inserting before subparagraph
 14 (B), as so redesignated, the following:

15 “(A) ACTIVE SERVICE.—The term ‘active
 16 service’ has the meaning given that term in sec-
 17 tion 101(d)(3) of title 10, United States
 18 Code.”;

19 (iv) in subparagraph (B), as so redesi-
 20 gnated, by striking “ordered to active duty
 21 during a period of military conflict” and
 22 inserting “ordered to perform active serv-
 23 ice for a period of more than 30 consec-
 24 utive days”; and

1 (v) in subparagraph (D), by striking
2 “active duty” each place it appears and in-
3 serting “active service”; and
4 (C) in paragraph (2)(B), by striking “ac-
5 tive duty” each place it appears and inserting
6 “active service”.

7 (b) APPLICABILITY.—The amendments made by sub-
8 section (a)(1) shall apply to an economic injury suffered
9 or likely to be suffered as the result of an essential em-
10 ployee being ordered to perform active service (as defined
11 in section 101(d)(3) of title 10, United States Code) for
12 a period of more than 30 consecutive days who is dis-
13 charged or released from such active service on or after
14 the date of enactment of this Act.

15 (c) SEMIANNUAL REPORT.—Not later than 180 days
16 after the date of enactment of this Act, and semiannually
17 thereafter, the President shall submit to the Committee
18 on Small Business and Entrepreneurship and the Com-
19 mittee on Appropriations of the Senate and the Committee
20 on Small Business and the Committee on Appropriations
21 of the House of Representatives a report on the number
22 of loans made under the Military Reservist Economic In-
23 jury Disaster Loan program and the dollar volume of
24 those loans. The report shall contain the subsidy rate of
25 the disaster loan program as authorized under section 7(b)

1 of the Small Business Act (15 U.S.C. 636(b)) with the
2 loans made under the Military Reservist Economic Injury
3 Disaster Loan program and without those loans included.

4 (d) TECHNICAL AND CONFORMING AMENDMENT.—
5 Section 8(l) of the Small Business Act (15 U.S.C. 637(l))
6 is amended—

7 (1) by striking “The Administration” and in-
8 serting the following:

9 “(1) IN GENERAL.—The Administration”;

10 (2) by striking “(as defined in section
11 7(n)(1))”; and

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

13 “(2) DEFINITION OF PERIOD OF MILITARY CON-
14 FFLICT.—In this subsection, the term ‘period of mili-
15 tary conflict’ means—

16 “(A) a period of war declared by the Con-
17 gress;

18 “(B) a period of national emergency de-
19 clared by the Congress or by the President; or

20 “(C) a period of a contingency operation,
21 as defined in section 101(a) of title 10, United
22 States Code.”.

1 **SEC. 3. NATIONAL GUARD AND RESERVE DEPLOYMENT**
 2 **SUPPORT AND BUSINESS TRAINING PRO-**
 3 **GRAM.**

4 (a) EXPANSION OF SMALL BUSINESS ADMINISTRA-
 5 TION OUTREACH PROGRAMS.—Section 8(b)(17) of the
 6 Small Business Act (15 U.S.C. 637(b)(17)) is amended
 7 by striking “and members of a reserve component of the
 8 Armed Forces” and inserting “members of a reserve com-
 9 ponent of the Armed Forces, and the spouses of veterans
 10 and members of a reserve component of the Armed
 11 Forces”.

12 (b) ESTABLISHMENT OF PROGRAM.—Section 32 of
 13 the Small Business Act (15 U.S.C. ~~657~~ 657b) is amended
 14 by adding at the end the following:

15 “(g) NATIONAL GUARD AND RESERVE DEPLOYMENT
 16 SUPPORT AND BUSINESS TRAINING.—

17 “(1) IN GENERAL.—In making grants carried
 18 out under section 8(b)(17), the Associate Adminis-
 19 trator shall establish a program, to be known as the
 20 ‘National Guard and Reserve Deployment Support
 21 and Business Training Program’, to provide train-
 22 ing, counseling and other assistance to support
 23 members of a reserve component of the Armed
 24 Forces and their spouses.

25 “(2) AUTHORITIES.—In carrying out this sub-
 26 section, the Associate Administrator may—

1 “(A) modify programs and resources made
2 available through section 8(b)(17) to provide
3 pre-deployment and other information specific
4 to members of a reserve component of the
5 Armed Forces and their spouses;

6 “(B) collaborate with the Chief of the Na-
7 tional Guard Bureau or the Chief’s designee,
8 State Adjutant Generals or their designees, and
9 other public and private partners; and

10 “(C) provide training, ~~information~~ *infor-*
11 *mation*, and other resources to the Chief of the
12 National Guard Bureau or the Chief’s designee
13 and State Adjutant Generals or their designees
14 for the purpose of supporting members of a re-
15 serve component of the Armed Forces and the
16 spouses of veterans and members of a reserve
17 component of the Armed Forces.”.

Calendar No. 635

115TH CONGRESS
2^D Session

S. 3561

A BILL

To support entrepreneurs serving in the National
Guard and Reserve, and for other purposes.

OCTOBER 11, 2018

Reported with amendments