In the third whereas clause, in paragraph (3), strike ''150'' and insert ''over 350''.

SA 1067. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10_____. NOTIFICATIONS WITH RESPECT TO THE USE OF FACIAL RECOGNITION TECHNOLOGY IN AIRPORTS.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall, at each airport where the Transportation Security Administration provides the screening of passengers, notify such passengers of the option to refuse to be identified through the use of facial recognition technology or facial matching software in such airport.

(b) SIGN REQUIREMENTS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall use available funds to post at each location specified in paragraph (2)(C) a sign that reads as follows: ''Identification Choices: Passengers have two options for matching their face to their ID. The first option is to hand your ID to the TSA agent who will compare it to your face. The second option is completely voluntary and uses facial recognition software, which will take a photo of you to match your identity with your ID.''.

(2) SIGN SPECIFICATIONS.—

(A) ACCESSIBILITY.—A sign posted in accordance with paragraph (1) shall be—

(i) printed in a large, easy to read font; and

(ii) accessible to individuals with visual disabilities.

(B) PRINTING SPECIFICATIONS.—For each sign posted in accordance with paragraph (1), the words ''completely voluntary'' shall be printed in bold type.

(C) LOCATION SPECIFICATION.—For each checkpoint or kiosk of an airport where the Transportation Security Administration screens passengers through the use of facial recognition technology or facial matching software, the locations specified in this subparagraph are the following:

(i) A location that is visible from the security line and is not fewer than 10 feet and not more than 20 feet from the checkpoint or kiosk.

(ii) The checkpoint or kiosk.

(iii) Directly under any camera that is used for facial recognition or facial matching.

SA 1068. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION I—SMALL BUSINESS MATTERS

SEC. 11001. DEFINITIONS.

In this division:

(1) ADMINISTRATION.—The term ''Administration'' means the Small Business Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Administration.

(3) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

TITLE LXIX—COMMUNITY ADVANTAGE LOAN PROGRAM AND SMALL BUSINESS LENDING COMPANIES

Subtitle A—Community Advantage Loan Program Act of 2023

SEC. 11101. SHORT TITLE.

This subtitle may be cited as the ''Community Advantage Loan Program Act of 2023''.

SEC. 11102. COMMUNITY ADVANTAGE LOAN PROGRAM.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(38) COMMUNITY ADVANTAGE LOAN PROGRAM.—

''(A) PURPOSES.—The purposes of the Community Advantage Loan Program are—

''(i) to create a mission-oriented loan guarantee program;

''(ii) to increase lending to small business concerns in underserved and rural markets, including to new businesses;

''(iii) to ensure that the program under this subsection expands inclusion and more broadly meets congressional intent to reach borrowers who are unable to get credit elsewhere on reasonable terms and conditions;

''(iv) to help underserved small business concerns become bankable by utilizing the small dollar financing and business support experience of mission-oriented lenders;

''(v) to allow certain mission-oriented lenders, primarily financial intermediaries focused on economic development in underserved markets, access to guarantees for loans under this subsection (referred to in this paragraph as '7(a) loans') and provide management and technical assistance to small business concerns as needed; and

''(vi) to assist covered institutions with providing business support services and technical assistance to small business concerns, when needed.

''(B) DEFINITIONS.—In this paragraph:

''(i) COMMUNITY ADVANTAGE NETWORK PARTNER.—The term 'Community Advantage Network Partner'—

''(I) means a nonprofit, mission-oriented organization that acts as a Referral Agent to covered institutions in order to expand the reach of the program to small business concerns in underserved markets; and

''(II) does not include a covered institution making loans under the program.

''(ii) COVERED INSTITUTION.—The term 'covered institution' means an entity that—

''(I) is—

''(aa) a development company, as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662), participating in the 504 Loan Guaranty program established under title V of that Act (15 U.S.C. 695 et seq.);

''(bb) a nonprofit intermediary, as defined in subsection (m)(11), participating in the microloan program under subsection (m);

''(cc) a non-Federally regulated entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(a)); or

''(dd) an eligible intermediary, as defined in subsection (l)(1), participating in the small business intermediary lending program established under subsection (l)(2); and

''(II) has approved and disbursed 10 similarly sized loans in the preceding 24-month period and is servicing not less than 10 similarly sized loans to small business concerns in the portfolio of the entity.

''(iii) EXISTING BUSINESS.—The term 'existing business' means a small business concern that has been in existence for not less than 2 years on the date on which a loan is made to the small business concern under the program.

''(iv) NEW BUSINESS.—The term 'new business' means a small business concern that has been in existence for not more than 2 years on the date on which a loan is made to the small business concern under the program.

''(v) PROGRAM.—The term 'program' means the Community Advantage Loan Program established under subparagraph (C).

''(vi) REFERRAL AGENT.—The term 'Referral Agent' has the meaning given the term in section 103.1(f) of title 13, Code of Federal Regulations, or any successor regulation.

''(vii) RURAL AREA.—The term 'rural area' means any county that the Bureau of the Census has defined as mostly rural or completely rural in the most recent decennial census.

''(viii) SMALL BUSINESS CONCERN IN AN UNDERSERVED MARKET.—The term 'small business concern in an underserved market' means a small business concern—

''(I) that is located in—

''(aa) a low- to moderate-income community;

''(bb) a HUBZone, as that term is defined in section 31(b);

''(cc) a rural area;

''(dd) a community that has been designated as an empowerment zone or enterprise community under section 1391 of the Internal Revenue Code of 1986;

''(ee) a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986; or

''(ff) a community that has been designated as a promise zone by the Secretary of Housing and Urban Development;

''(II) for which more than 50 percent of the employees reside in a low- or moderate-income community;

''(III) that is a new business; or

''(IV) that is owned and controlled by veterans or spouses of veterans.

''(C) ESTABLISHMENT.—There is established a Community Advantage Loan Program under which the Administration may guarantee loans closed by covered institutions under this subsection, with an emphasis on loans made to small business concerns in underserved markets.

''(D) PROGRAM LEVELS.—In fiscal year 2024 and each fiscal year thereafter, not more than 10 percent of the number of loans guaranteed under this subsection may be guaranteed under the program.

''(E) GRANDFATHERING OF EXISTING LENDERS.—Any covered institution that was licensed by the Administrator as a Community Advantage small business lending company, or that participated in the Community Advantage Pilot Program of the Administration, during the period beginning on May 1, 2023, and ending on September 30, 2023, and was in good standing during that period, as determined by the Administration—

''(i) shall be designated as participants in the program;

''(ii) shall not be required to submit an application to participate in the program; and

''(iii) for the purpose of determining the loan loss reserve amount of the covered institution, shall have participation in the Community Advantage Pilot Program included in the calculation under subparagraph (J).

''(F) REQUIREMENT TO MAKE LOANS TO UNDERSERVED MARKETS.—Not less than 60 percent of loans closed by a covered institution

under the program shall consist of loans made to small business concerns in underserved markets.

''(G) MAXIMUM LOAN AMOUNT; COLLATERAL.—

''(i) MAXIMUM LOAN AMOUNT.—

''(I) IN GENERAL.—Except as provided in subclause (II), the maximum loan amount for a loan guaranteed under the program is $350,000.

''(II) EXPERIENCED LENDERS.—

''(aa) IN GENERAL.—The Administrator may approve not more than 8 covered institutions (referred to in this subclause as the 'experienced lenders'), each of which has not less than 5 years of experience making loans under the Community Advantage Pilot Program of the Administration or the program established under this paragraph, to be eligible to make loans under this subclause.

''(bb) MAXIMUM LOAN AMOUNT.—Subject to item (dd), an experienced lender may make a loan guaranteed under the program in an amount that is not more than $750,000.

''(cc) PARTICIPATION BY THE ADMINISTRATION.—With respect to an agreement to participate in a loan made under this subclause on a deferred basis, the participation by the Administration shall be—

''(AA) 75 percent of the balance of the financing outstanding at the time of the disbursement of the loan, if that balance is more than $350,000;

''(BB) as described in clause (i) of paragraph (2)(G), if the balance of the financing outstanding at the time of the disbursement of the loan is as described in that clause; or

''(CC) as described in clause (ii) of paragraph (2)(G), if the balance of the financing outstanding at the time of the disbursement of the loan is as described in that clause.

''(dd) REQUIREMENTS TO MAKE LOANS IN CERTAIN AMOUNTS.—Not less than 60 percent of loans closed by each experienced lender under the program shall consist of loans in an amount that is not more than $350,000.

''(ii) COLLATERAL.—

''(I) IN GENERAL.—A covered institution shall not be required to take collateral with respect to a loan guaranteed under the program if the amount of that loan is not more than $50,000.

''(II) POLICIES AND PROCEDURES OF COVERED INSTITUTION.—In determining the amount of collateral required with respect to a loan guaranteed under the program, a covered institution may use the collateral policies and procedures of the covered institution with respect to similarly sized commercial loans closed by the covered institution that are not guaranteed by the Administration.

''(H) INTEREST RATES.—The maximum allowable interest rate prescribed by the Administration on any financing made on a deferred basis pursuant to the program shall not exceed the maximum allowable interest rate under sections 120.213 and 120.214 of title 13, Code of Federal Regulations, or any successor regulations.

''(I) REFINANCING OF COMMUNITY ADVANTAGE PROGRAM LOANS.—A loan guaranteed under the program or guaranteed under the Community Advantage Pilot Program of the Administration may be refinanced into another 7(a) loan made by a lender that does not participate in the program.

''(J) LOAN LOSS RESERVE REQUIREMENTS.—

''(i) LOAN LOSS RESERVE ACCOUNT FOR COVERED INSTITUTIONS.—A covered institution—

''(I) with not more than 5 years of participation in the program shall maintain a loan loss reserve account with an amount equal to 5 percent of the outstanding amount of the unguaranteed portion of the loan portfolio of the covered institution under the program; and

''(II) with more than 5 years of participation in the program shall maintain a loan loss reserve account with an amount equal to the average repurchase rate of the covered institution over the preceding 36-month period, except that such amount shall not be less than 3 percent of the outstanding amount of the unguaranteed portion of the loan portfolio of the covered institution under the program.

''(ii) ADDITIONAL LOAN LOSS RESERVE AMOUNT FOR SELLING LOANS ON THE SECONDARY MARKET.—In addition to the amount required in the loan loss reserve account under clause (i), a covered institution that sells a program loan on the secondary market shall be required to maintain the following additional amounts in the loan loss reserve account:

''(I) For a covered institution with less than 5 years of experience selling program loans on the secondary market, an amount equal to 3 percent of the guaranteed portion of each program loan sold on the secondary market.

''(II) For a covered institution with more than 5 years of experience selling program loans on the secondary market, an amount equal to the average repurchase rate for loans sold by the covered institution on the secondary market over the preceding 36 months, except that such amount shall be not less than 2 percent of the guaranteed portion of each program loan sold into the secondary market.

''(iii) RECALCULATION.—On October 1 of each year, the Administrator shall recalculate the loan loss reserve required under clauses (i) and (ii).

''(K) TRAINING.—The Administration—

''(i) shall provide accessible upfront and ongoing training for covered institutions making loans under the program to support program compliance and improve the interface between the covered institutions and the Administration, which shall include—

''(I) guidance for following the regulations of the Administration; and

''(II) guidance specific to mission-oriented lending that is intended to help lenders effectively reach and support small business concerns in underserved markets, including management and technical assistance delivery;

''(ii) may enter into a contract to provide the training described in clause (i) with an organization—

''(I) with expertise in lending under this subsection; and

''(II) primarily specializing in—

''(aa) mission-oriented lending; and

''(bb) lending to small business concerns in underserved markets; and

''(iii) shall provide training for the employees and contractors of the Administration that regularly engage with covered institutions or borrowers under the program.

''(L) COMMUNITY ADVANTAGE OUTREACH AND EDUCATION.—The Administrator—

''(i) shall develop and implement a program to promote to, conduct outreach to, and educate prospective covered institutions about the program; and

''(ii) may enter into a contract with 1 or more nonprofit organizations experienced in working with and training mission-oriented lenders to provide the promotion, outreach, and education described in clause (i).

''(M) COMMUNITY ADVANTAGE NETWORK PARTNER PARTICIPATION.—

''(i) IN GENERAL.—A covered institution that uses a Community Advantage Network Partner shall abide by policies and procedures of the Administration concerning the use of Referral Agent fees permitted by the Administration and disclosure of those fees.

''(ii) PAYMENT OF FEES.—Notwithstanding any other provision of law, all fees described in clause (i) shall be paid by the covered institution to the Community Advantage Network Partner upon disbursement of the applicable program loan.

''(N) DELEGATED AUTHORITY.—A covered institution is not eligible to receive delegated authority from the Administration under the program until the covered institution has satisfied the following applicable requirements:

''(i) For a covered institution actively participating in the Community Advantage Pilot Program of the Administration, as of the day before the date of enactment of this paragraph—

''(I) the covered institution has approved and fully disbursed not fewer than 10 loans under that Pilot Program; and

''(II) the Administration has evaluated the ability of the covered institution to fulfill program requirements.

''(ii) For any covered institution not described in clause (i)—

''(I) the covered institution has approved and fully disbursed not fewer than 20 loans under the program; and

''(II) the Administration has evaluated the ability of the covered institution to fulfill program requirements.

''(O) REPORTING.—

''(i) WEEKLY REPORTS.—

''(I) IN GENERAL.—The Administration shall report on the website of the Administration, as part of the weekly reports on lending approvals under this subsection—

''(aa) on and after the date of enactment of this paragraph, the number and dollar amount of loans guaranteed under the Community Advantage Pilot Program of the Administration; and

''(bb) on and after the date on which the Administration begins to approve loans under the program, the number and dollar amount of loans guaranteed under the program.

''(II) SEPARATE ACCOUNTING.—The number and dollar amount of loans reported in a weekly report under subclause (I) for loans guaranteed under the Community Advantage Pilot Program of the Administration and under the program shall include a breakdown by the demographic information of the owners of the small business concerns, by whether the small business concern is a new business or an existing business, and by whether the small business concern is located in an urban or rural area, and broken down by—

''(aa) loans of not more than $50,000;

''(bb) loans of more than $50,000 and not more than $150,000;

''(cc) loans of more than $150,000 and not more than $250,000;

''(dd) loans of more than $250,000 and not more than $350,000; and

''(ee) loans of more than $350,000 and not more than $750,000.

''(ii) ANNUAL REPORTS.—

''(I) IN GENERAL.—For each fiscal year in which the program is in effect, the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, and make publicly available on the internet, information about loans provided under the program and under the Community Advantage Pilot Program of the Administration.

''(II) CONTENTS.—Each report submitted and made publicly available under subclause (I) shall include—

''(aa) the number and dollar amounts of loans provided to small business concerns under the program, including a breakdown by—

''(AA) the demographic information of the owners of the small business concern;

''(BB) whether the small business concern is located in an urban or rural area; and

''(CC) whether the small business concern is an existing business or a new business, as

provided in the weekly reports on lending approvals under this subsection;

''(bb) the proportion of loans described in item (aa) compared to—

''(AA) other 7(a) loans of any amount;

''(BB) other 7(a) loans of similar amounts;

''(CC) express loans provided under paragraph (31) of similar amounts; and

''(DD) other 7(a) loans of similar amounts provided to small business concerns in underserved markets;

''(cc) the number and dollar amounts of loans provided to small business concerns under each category described in subitems (AA), (BB), and (CC) of item (aa), which shall be broken down by—

''(AA) loans of not more than $50,000;

''(BB) loans of more than $50,000 and not more than $150,000;

''(CC) loans of more than $150,000 and not more than $250,000;

''(DD) loans of more than $250,000 and not more than $350,000; and

''(EE) loans of more than $350,000 and not more than $750,000;

''(dd) the number and dollar amounts of loans provided to small business concerns under the program by State, and the jobs created or retained within each State; and

''(ee) a list of covered institutions participating in the program and the Community Advantage Pilot Program of the Administration, including—

''(AA) the name, location, and contact information, such as the website and telephone number, of each covered institution; and

''(BB) a breakdown by the number and dollar amount of the loans approved for small business concerns.

''(III) TIMING.—An annual report required under this clause shall—

''(aa) be submitted and made publicly available not later than December 1 of each year; and

''(bb) cover the lending activity for the fiscal year that ended on September 30 of that same year.

''(P) GAO REPORT.—Not later than 5 years after the date of enactment of this paragraph, the Comptroller General of the United States shall submit to the Administrator, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report—

''(i) assessing—

''(I) the extent to which the program fulfills the requirements of this paragraph; and

''(II) the performance of covered institutions participating in the program; and

''(ii) providing recommendations on the administration of the program and the findings under subclauses (I) and (II) of clause (i).

''(Q) REGULATIONS.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Administrator shall promulgate regulations governing the program, including metrics for lender performance, metrics of success and benchmarks of the program, and criteria for appropriate management and technical assistance.

''(ii) UPDATES.—The Administrator shall consult the report submitted under subparagraph (P) and, not later than 180 days after the date on which the Comptroller General of the United States submits the report, promulgate any necessary changes to existing regulations of the Administration based on the recommendations contained in the report.''.

(b) PARTICIPATION.—Section 7(a)(2) of the Small Business Act (15 U.S.C. 636(a)(2)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''and (F)'' and inserting ''(F), and (G)''; and

(2) by adding at the end the following:

''(G) PARTICIPATION IN THE COMMUNITY ADVANTAGE LOAN PROGRAM.—Subject to subparagraph (G)(i)(II)(cc) of paragraph (38), in an agreement to participate in a loan on a deferred basis under that paragraph, the participation by the Administration shall be—

''(i) 80 percent of the balance of the financing outstanding at the time of the disbursement of the loan, if that balance is more than $150,000 and not more than $350,000; or

''(ii) 90 percent of the balance of the financing outstanding at the time of the disbursement of the loan, if that balance is not more than $150,000.''.

Subtitle B—Modernizing SBA's Loan Programs Act of 2023

SEC. 11111. SHORT TITLE.

This subtitle may be cited as the ''Modernizing SBA's Business Loan Programs Act of 2023''.

SEC. 11112. FINDINGS.

Congress finds that—

(1) in 1982, the Administration placed a moratorium on licensing new small business lending companies because the Administration lacked the resources to effectively service and supervise additional small business lending companies;

(2) according to the Office of the Inspector General of the Administration, the reduction in staff in the Office of Credit Risk Management of the Administration from 42 full-time employees to 29 full-time employees could affect the fiscal year 2023 goals of the Administration for oversight reviews;

(3) the Administration has finalized a rulemaking to lift the moratorium on the licensing new small business lending companies and establish a new Community Advantage small business lending company license, and there is no cap on the number of small business lending companies licenses that could be issued by the Administration;

(4) the increased costs and fees for an existing Community Advantage lender in the Community Advantage Pilot Program of the Administration to obtain and maintain a Community Advantage small business lending company license could be cost prohibitive for a majority of current Community Advantage lenders to transition to a Community Advantage small business lending company;

(5) on May 1, 2023, the Administration announced that the Community Advantage Pilot Program would sunset on September 30, 2023, and the authority of a Community Advantage lender to make loans under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) under the pilot program will terminate;

(6) the Administration does not have adequate resources to issue either more than 3 new small business lending company licenses or new Community Advantage small business lending company licenses, as the Office of Credit Risk Management does not have the capacity to assume additional oversight responsibilities; and

(7) in order to increase small dollar lending in underserved areas, the Community Advantage Pilot Program should be made permanent, giving lenders certainty to continue to make loans under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

SEC. 11113. LENDING CRITERIA.

(a) 7(A) LOANS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended by adding at the end the following:

''(D) UNDERWRITING REQUIREMENTS.—

''(i) IN GENERAL.—With respect to a loan guaranteed under this subsection—

''(I) the applicant (including an operating company) shall be creditworthy;

''(II) the loan must be so sound as to reasonably assure repayment; and

''(III) subject to the approval of the Administrator, the Director of the Office of Credit Risk Management may require additional criteria.

''(ii) LENDING CRITERIA FOR LOANS OF $350,000 OR MORE.—With respect to a loan guaranteed under this section that is not less than $350,000, the Administration and lenders shall, as applicable, consider the following:

''(I) Credit history of the applicant (and the operating company, if applicable), and the associates and guarantors of the applicant.

''(II) Experience and depth of management.

''(III) Strength of the business.

''(IV) Past earnings, projected cash flow, and future prospects.

''(V) Ability to repay the loan with earnings from the business of the applicant.

''(VI) Sufficient invested equity to operate on a sound financial basis.

''(VII) Potential for long-term success.

''(VIII) Nature and value of collateral (although inadequate collateral may not be the sole reason for denial of a loan application).

''(IX) The effect any affiliate of the applicant may have on the ultimate repayment ability of the applicant.

''(iii) LENDING CRITERIA FOR LOANS OF LESS THAN $350,000.—With respect to a loan guaranteed under this section that is less than $350,000—

''(I) lenders shall use appropriate and generally acceptable commercial credit analysis processes and procedures consistent with those used for similarly-sized commercial loans that are not guaranteed by the Administration;

''(II) the Administration and lenders may use a business credit scoring model; and

''(III) the Administration and lenders shall, as applicable, consider—

''(aa) the credit score or credit history of the applicant (and the operating company, if applicable), and the associates and guarantors of the applicant;

''(bb) the earnings or cash flow of the applicant;

''(cc) any equity or collateral of the applicant; and

''(dd) the effect any affiliates of the applicant may have on the ultimate repayment ability of the applicant.''.

(b) 504/CDC LOANS.—Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended by adding at the end the following:

''(8) UNDERWRITING REQUIREMENTS.—

''(A) IN GENERAL.—With respect to a loan made under this section—

''(i) the applicant (including an operating company) shall be creditworthy; and

''(ii) the loan must be so sound as to reasonably assure repayment.

''(B) LENDING CRITERIA.—With respect to a loan made under this section—

''(i) lenders and certified development companies shall use appropriate and generally acceptable commercial credit analysis processes and procedures consistent with those used for similarly-sized commercial loans that are not guaranteed by the Administration;

''(ii) the Administration, lenders, and certified development companies may use a business credit scoring model; and

''(iii) the Administration, lenders, and certified development companies shall, as applicable, consider—

''(I) the credit score or credit history of the applicant (and the operating company, if applicable), and the associates and guarantors of the applicant;

''(II) the earnings or cash flow of the applicant; and

''(III) any equity or collateral of the applicant.''.

SEC. 11114. AFFILIATION AND FRANCHISE DIRECTORY.

(a) AFFILIATION PRINCIPLES.—

(1) BUSINESS LOANS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(E) AFFILIATION PRINCIPLES.—Affiliation under any of the circumstances described below is sufficient to establish affiliation for applicants for a loan guaranteed under this subsection:

''(i) AFFILIATION BASED ON OWNERSHIP.—

''(I) IN GENERAL.—For determining affiliation based on equity ownership, a concern is an affiliate of an individual, concern, or entity that owns or has the power to control more than 50 percent of the voting equity of the concern.

''(II) OTHER OFFICERS.—If no individual, concern, or entity is found to control a concern under subclause (I), the Administrator shall deem the board of directors, president, or chief executive officer (or other officers, managing members, or partners who control the management of the concern) to be in control of the concern.

''(III) MINORITY SHAREHOLDER.—The Administrator shall deem a minority shareholder of a concern to be in control of the concern if that individual or entity has the ability, under the charter, by-laws, or shareholder agreement of the concern, to prevent a quorum or otherwise block action by the board of directors or shareholders of the concern.

''(ii) AFFILIATION ARISING UNDER STOCK OPTIONS, CONVERTIBLE SECURITIES, AND AGREEMENTS TO MERGE.—

''(I) IN GENERAL.—In determining the size of a concern, the Administrator shall—

''(aa) consider stock options, convertible securities, and agreements to merge (including agreements in principle) to have a present effect on the power to control a concern; and

''(bb) treat options, convertible securities, and agreements described in item (aa) as though the rights granted have been exercised.

''(II) AGREEMENTS TO OPEN OR CONTINUE NEGOTIATIONS.—An agreement to open or continue negotiations towards the possibility of a merger or a sale of stock at some later date is not considered an 'agreement in principle' and is not given present effect.

''(III) CONDITIONS PRECEDENT.—Stock options, convertible securities, and agreements that are subject to conditions precedent that are incapable of fulfillment, speculative, conjectural, or unenforceable under State or Federal law, or where the probability of the transaction (or exercise of the rights) occurring is shown to be extremely remote, are not given present effect.

''(IV) TERMINATION OF CONTROL.—

''(aa) IN GENERAL.—An individual, concern, or other entity that controls 1 or more other concerns cannot use stock options, convertible securities, or agreements to appear to terminate such control before actually doing so.

''(bb) DIVESTING.—The Administrator shall not give present effect to the ability of an individual, concern, or other entity to divest all or part of their ownership interest in a concern in order to avoid a finding of affiliation.

''(iii) AFFILIATION BASED ON MANAGEMENT.—Affiliation arises where—

''(I) the chief executive officer or president of the applicant concern (or other officers, managing members, or partners who control the management of the concern) also controls the management of 1 or more other concerns;

''(II) a single individual, concern, or entity that controls the board of directors or management of 1 concern also controls the board of directors or management of 1 of more other concerns; or

''(III) a single individual, concern, or entity controls the management of the applicant concern through a management agreement.

''(iv) AFFILIATION BASED ON IDENTITY OF INTEREST.—

''(I) DEFINITION.—In this clause, the term 'close relative' means—

''(aa) a spouse, parent, child, or sibling; and

''(bb) the spouse of any individual described in item (aa).

''(II) CLOSE RELATIVES.—Affiliation arises when there is an identity of interest between close relatives with identical or substantially identical business or economic interests, such as where the close relatives operate concerns in the same or similar industry in the same geographic area.

''(III) AGGREGATED INTERESTS.—If the Administrator determines that interests described in subclause (II) should be aggregated, an individual or firm may rebut that determination with evidence showing that the interests deemed to be affiliated are in fact separate.

''(v) AFFILIATION BASED ON FRANCHISE AND LICENSE AGREEMENTS.—

''(I) IN GENERAL.—The restraints imposed on a franchisee or licensee by its franchise or license agreement generally shall not be considered in determining whether the franchisor or licensor is affiliated with an applicant franchisee or licensee, if the applicant franchisee or licensee has the right to profit from its efforts and bears the risk of loss commensurate with ownership.

''(II) NATURE OF AGREEMENT.—For purposes of subclause (I), the Administrator shall only consider the franchise or license agreements of the applicant concern.

''(vi) DETERMINING THE CONCERN'S SIZE.—In determining the size of a concern, the Administrator counts the receipts, employees, or the alternate size standard (if applicable) of the concern whose size is at issue and all of the domestic and foreign affiliates of the concern, regardless of whether the affiliates are organized for profit.

''(vii) EXCEPTIONS TO AFFILIATION.—The exceptions to affiliation described in section 121.103(b) of title 13, Code of Federal Regulations, or any successor regulation, shall apply.''.

(2) 504/CDC LOANS.—Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696), as amended by this subtitle, is amended by adding at the end the following:

''(9) AFFILIATION PRINCIPLES.—Affiliation under any of the circumstances described below is sufficient to establish affiliation for applicants for a loan under this section:

''(A) AFFILIATION BASED ON OWNERSHIP.—

''(i) OWNERSHIP OF ANOTHER BUSINESS.—When the applicant owns more than 50 percent of another business, the applicant and the other business are affiliated.

''(ii) OWNERSHIP BY OTHER BUSINESSES.—

''(I) IN GENERAL.—When a business owns more than 50 percent of an applicant, the business that owns the applicant is affiliated with the applicant.

''(II) OTHER BUSINESS OWNED BY OWNER OF APPLICANT.—If a business entity owner that owns more than 50 percent of an applicant also owns more than 50 percent of another business that operates in the same 3-digit North American Industry Classification System subsector as the applicant, then the business entity owner, the other business, and the applicant are all affiliated.

''(iii) OWNERSHIP BY INDIVIDUALS.—When an individual owns more than 50 percent of the applicant and the individual also owns more than 50 percent of another business entity that operates in the same 3-digit North American Industry Classification System subsector as the applicant, the applicant and the individual owner's other business entity are affiliated.

''(iv) LESS THAN 50 PERCENT.—When an applicant does not have an owner that owns more than 50 percent of the applicant, if an owner of 20 percent or more of the applicant also owns more than 50 percent of another business entity that operates in the same 3-digit North American Industry Classification System subsector as the applicant, the applicant and the owner's other business entity are affiliated.

''(v) SPOUSE AND MINOR CHILDREN.—Ownership interests of spouses and minor children shall be combined when determining amount of ownership interest.

''(vi) PERCENTAGE OF OWNERSHIP.—When determining the percentage of ownership that an individual owns in a business, the Administrator shall consider the pro rata ownership of entities.

''(B) AFFILIATION ARISING UNDER STOCK OPTIONS, CONVERTIBLE SECURITIES, AND AGREEMENTS TO MERGE.—

''(i) IN GENERAL.—The Administrator shall—

''(I) consider stock options, convertible securities, and agreements to merge (including agreements in principle) to have a present effect on the ownership of an entity; and

''(II) treat options, convertible securities, and agreements described in subclause (I) as though the rights granted have been exercised.

''(ii) AGREEMENTS TO OPEN OR CONTINUE NEGOTIATIONS.—An agreement to open or continue negotiations towards the possibility of a merger or a sale of stock at some later date is not considered an 'agreement in principle' and is not given present effect.

''(iii) CONDITIONS PRECEDENT.—Stock options, convertible securities, and agreements that are subject to conditions precedent that are incapable of fulfillment, speculative, conjectural, or unenforceable under State or Federal law, or where the probability of the transaction (or exercise of the rights) occurring is shown to be extremely remote, are not given present effect.

''(iv) ABILITY TO DIVEST.—The Administrator shall not give present effect to individuals', concerns', or other entities' ability to divest all or part of their ownership interest to avoid a finding of affiliation.

''(C) DETERMINING THE CONCERN'S SIZE.—In determining the size of a concern, the Administrator counts the receipts, employees, or the alternate size standard (if applicable) of the concern whose size is at issue and all of the domestic and foreign affiliates of the concern, regardless of whether the affiliates are organized for profit.

''(D) EXCEPTIONS TO AFFILIATION.—The exceptions to affiliation described in section 121.103(b) of title 13, Code of Federal Regulations, or any successor regulation, shall apply.''.

(b) FRANCHISE DIRECTORY.—Not later than 30 days after the date of enactment of this Act, the Administration shall publish and maintain on the website of the Administration a Franchise Directory, which shall contain a list that lenders and certified development companies may use in evaluating whether a franchise is eligible for financing from the Administration.

SEC. 11115. LOAN AUTHORIZATION.

(a) 7(A) LOANS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(F) LOAN AUTHORIZATION.—

''(i) IN GENERAL.—With respect to a loan made or guaranteed under this subsection, the Administration shall issue a written

agreement providing the terms and conditions under which the Administration will make or guarantee the loan.

''(ii) NOT A CONTRACT.—A written agreement issued under clause (i) is not a contract to make a loan.''.

(b) 504/CDC LOANS.—Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696), as amended by this subtitle, is amended by adding at the end the following:

''(10) LOAN AUTHORIZATION.—

''(A) IN GENERAL.—With respect to a loan made under this section, the Administration shall issue a written agreement providing the terms and conditions under which the Administration will make the loan.

''(B) NOT A CONTRACT.—A written agreement issued under subparagraph (A) is not a contract to make a loan.''.

SEC. 11116. OVERSIGHT OF SMALL BUSINESS LENDING COMPANIES.

(a) DEFINITION.—Section 3(r) of the Small Business Act (15 U.S.C. 632(r)) is amended, in the matter preceding paragraph (1), by striking ''As used in section 23 of this Act'' and inserting ''In this Act''.

(b) CAPITAL REQUIREMENTS; MAXIMUM NUMBER.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(G) ADDITIONAL PROVISIONS RELATING TO SMALL BUSINESS LENDING COMPANIES.—

''(i) MAXIMUM NUMBER.—

''(I) IN GENERAL.—Not more than 17 small business lending companies may be authorized to make loans under this subsection at any time.

''(II) EXISTING SMALL BUSINESS LENDING COMPANIES.—

''(aa) IN GENERAL.—Except as provided in subclause (III), each of the 14 small business lending companies authorized to make loans under this subsection as of June 1, 2023 shall retain such authorization on and after the date of enactment of this subparagraph.

''(bb) LOSS OF AUTHORIZATION.—With respect to a lender that, as of the date of enactment of this subparagraph, is authorized as a Community Advantage small business lending company, that lender shall, beginning on that date of enactment—

''(AA) no longer have that authorization; and

''(BB) be designated as a lender under the Community Advantage Loan Program established under paragraph (38).

''(III) TRANSFER OR SALE.—The Administrator shall have the discretion to authorize the transfer or sale of a license of a small business lending company to make loans under this subsection to another small business lending company.

''(IV) LIMITATION OF DELEGATED AUTHORITY.—

''(aa) IN GENERAL.—Notwithstanding paragraph (31), any small business lending company that the Administration authorizes after June 1, 2023 to make loans under this subsection shall be ineligible for delegated authority from the Administration to process, close, service, and liquidate certain loans made under this subsection for the 5-year period beginning on the date on which the Administration authorizes the small business lending company to make loans under this subsection.

''(bb) EXISTING SBLCS.—Item (aa) shall not apply with respect to each of the 14 small business lending companies authorized to make loans under this subsection as of June 1, 2023.

''(ii) MINIMUM CAPITAL REQUIREMENTS.—

''(I) IN GENERAL.—Except as provided in subclauses (II) and (III), to be authorized to make loans under this subsection, a small business lending company shall comply with the minimum capital requirements in effect on January 3, 2021.

''(II) APPROVED ON OR AFTER JANUARY 4, 2021.—Any small business lending company authorized by the Administration to make loans under this subsection on or after January 4, 2021, including in the event of a change of ownership or control, shall maintain, at a minimum, the greater of—

''(aa) unencumbered paid-in capital and paid-in surplus of not less than $5,000,000; or

''(bb) an amount equal to 10 percent of the aggregate of its share of all outstanding loans.

''(III) REQUIREMENTS ON AND AFTER JANUARY 4, 2024.—On and after January 4, 2024, each small business lending company that makes or acquires a loan under this subsection shall maintain, at a minimum, the greater of—

''(aa) unencumbered paid-in capital and paid-in surplus of not less than $5,000,000; or

''(bb) an amount equal to 10 percent of the aggregate of its share of all outstanding loans.

''(iii) CRITERIA FOR LICENSING SMALL BUSINESS LENDING COMPANIES.—The Administrator shall use uniform terms for the licensing of business concerns as small business lending companies and the participation of those companies in the programs under this subsection.''.

(c) ANNUAL STRESS TESTING AND REVIEWS.—Section 23(d) of the Small Business Act (15 U.S.C. 650(d)) is amended—

(1) in paragraph (1), by inserting ''IN GENERAL.—'' after ''(1)'';

(2) in paragraph (2), by inserting ''HEARING.—'' after ''(2)'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

''(3) SPECIAL SUPERVISORY AUTHORITIES RELATED TO SMALL BUSINESS LENDING COMPANIES.—

''(A) REVIEW AND REVOCATION OF AUTHORITY.—

''(i) IN GENERAL.—The Director of the Office of Credit Risk Management (in this paragraph referred to as the 'Director')—

''(I) may review and revoke the authority of a small business lending company to make, service, or liquidate business loans under section 7(a) for performance, excessive losses, or predatory lending;

''(II) shall review and may revoke the authority of a small business lending company to make, service, or liquidate business loans under section 7(a) if—

''(aa) the early default rate for the small business lending company exceeds the average default rate for all small business lending companies participating in the loan program under section 7(a);

''(bb) the small business lending company fails to comply with the requirements under subparagraph (B); or

''(cc) the Director finds in an audit conducted under subparagraph (C)(ii) that the small business lending company is not in compliance with 1 or more of the requirements described in subparagraph (C); and

''(III) shall revoke the authority of a small business lending company to make, service, or liquidate business loans under section 7(a) if the Director has determined the small business lending company has failed to comply with the requirements in subclause (II) or (III) of subparagraph (B)(ii) for 2 or more years in a row.

''(ii) REPORTING REQUIREMENT.—If the Director revokes the authority of a small business lending company to make, service, or liquidate business loans under section 7(a), the Director shall report the revocation, along with details and information describing why that decision was made, to the Office of the Inspector General of the Administration.

''(B) ANNUAL STRESS TESTS.—

''(i) IN GENERAL.—Each small business lending company shall—

''(I) conduct an annual stress test of the portfolio of the small business lending company under section 7(a) in accordance with the requirements under clause (ii); and

''(II) report to the Director the findings of each annual stress test conducted under subclause (I).

''(ii) REQUIREMENTS.—Each stress test conducted under clause (i) shall comply with the following requirements:

''(I) The small business lending company shall use financial data as of December 31 of the calendar year prior to the reporting year.

''(II) The small business lending company shall use the scenarios provided by the Director, which shall reflect a minimum of 2 sets of economic and financial conditions, including baseline and severely adverse scenarios that incorporate consideration of interest rate risk. The Director shall provide a description of the scenarios required to be used by each small business lending company not later than February 15 of the reporting year.

''(III) The board of directors and senior management of each small business lending company shall consider the results of the stress tests conducted under this subsection in the normal course of business, including capital planning, assessment of capital adequacy, and risk management practices of the small business lending company.

''(C) COMPLIANCE WITH BANK SECRECY ACT AND ANTI-MONEY LAUNDERING REQUIREMENTS.—

''(i) DEFINITION.—In this subparagraph, the term 'Bank Secrecy Act' means—

''(I) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

''(II) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

''(III) subchapter II of chapter 53 of title 31, United States Code.

''(ii) ANNUAL REVIEWS.—The Director—

''(I) shall conduct annual reviews to ensure that small business lending companies are in compliance with the requirements contained in the regulations issued under clause (iii); and

''(II) in conducting a review under subclause (I), may not rely on self-certification by a small business lending company that the small business lending company is in compliance with those requirements.

''(iii) REGULATIONS.—Not later than 1 year after the date of enactment of the Modernizing SBA's Business Loan Programs Act of 2023, the Administrator shall, in consultation with other appropriate Federal agencies, issue regulations to provide a framework to ensure that small business lending companies are in compliance with the requirements under the Bank Secrecy Act, including Know Your Customer and anti-money laundering requirements, and any applicable consumer protection laws, including the Truth in Lending Act (15 U.S.C. 1601 et seq.), the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.), and the Gramm-Leach-Bliley Act (Public Law 106–102; 113 Stat. 1338).'';

(5) in paragraph (4), as so redesignated, by inserting ''NOTIFICATION.—'' after ''(4)''; and

(6) in paragraph (5), as so redesignated, by inserting ''DELEGATION.—'' after ''(5)''.

SEC. 11117. OFFICE OF CREDIT RISK MANAGEMENT.

Section 47 of the Small Business Act (15 U.S.C. 657t) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting before the period at the end the following: ''with a

demonstrated career in or outstanding qualifications or expertise related to finance and financial risk management. The Director shall report directly to the Administrator''; and

(B) by adding at the end the following:

''(3) COMPENSATION.—The Administrator shall fix the compensation of the Director—

''(A) as necessary to carry out the duties of the Office; and

''(B) in an amount that is not less than the highest rate of basic pay for the Senior Executive Service under section 5382(b) of title 5, United States Code.''; and

(2) in subsection (h)(2)—

(A) in subparagraph (I), by striking ''and'' at the end;

(B) in subparagraph (J), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(K) the number of 7(a) lenders that had an early default rate of more than 3 percent; and

''(L) an analysis of the median and average credit scores of borrowers relating to early default rates, purchase rates, and charge offs.''.

SEC. 11118. DENIED LOAN OR LOAN MODIFICATION REQUEST.

(a) 7(A) LOANS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(H) DENIED LOAN OR LOAN MODIFICATION REQUEST.—

''(i) ROLE OF ADMINISTRATOR.—The Administrator may not intervene or make a final decision with respect to a request for reconsideration of a denied loan or loan modification request made by an applicant or recipient of a loan under this subsection.

''(ii) FINAL DECISION.—Only the Director of the Office of Financial Assistance may make a final decision with respect to a request for reconsideration of a denied loan or loan modification request made by an applicant or recipient of a loan under this subsection.''.

(b) 504/CDC LOANS.—Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696), as amended by this subtitle, is amended by adding at the end the following:

''(11) DENIED LOAN OR LOAN MODIFICATION REQUEST.—

''(A) ROLE OF ADMINISTRATOR.—The Administrator may not intervene or make a final decision with respect to a request for reconsideration of a denied loan or loan modification request made by an applicant or recipient of a loan under this section.

''(B) FINAL DECISION.—Only the Director of the Office of Financial Assistance may make a final decision with respect to a request for reconsideration of a denied loan or loan modification request made by an applicant or recipient of a loan under this section.''.

SEC. 11119. DIRECT LENDING.

Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(I) NOTIFICATION REQUIRED BEFORE DIRECT LENDING.—Not later than 60 days before the Administration implements any policy or pilot program that would allow the Administration to directly make a loan under this subsection, the Administrator shall submit a notification to Congress for review.''.

SEC. 11120. RESTRICTION ON REFINANCING DEBT.

Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)), as amended by this subtitle, is amended by adding at the end the following:

''(J) RESTRICTION ON REFINANCING DEBT.—

''(i) DEFINITION.—In this subparagraph, the term 'delegated authority' means status granted by the Administration to a lender to allow the lender to process, close, service, and liquidate certain loans made under this subsection without prior review by the Administration.

''(ii) RESTRICTION.—A lender shall be prohibited from using any delegated authority under this subsection to refinance any debt held by the lender, including any loan made under this subsection.''.

SEC. 11121. GAO STUDY.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Administrator, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report that includes—

(1) an analysis of the use of alternative credit models for loans made under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) in an amount of less than $350,000, including—

(A) an analysis of whether appropriate guardrails are in place to prevent fraud, waste, and abuse and provide protections for the borrower;

(B) an evaluation of the effectiveness of those credit models in reducing barriers to access to capital to underserved and rural communities; and

(C) recommendations as to whether improvements can be made by Administration in its use of alternative credit models to prevent waste, fraud, and abuse and to improve access to capital to underserved and rural communities;

(2) an audit of the operations, staffing, and resources of the Office of Credit Risk Management of the Administration, including the efforts of the Office to implement the new oversight provisions under the amendments made by this title; and

(3) a survey of the practices of lenders under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) relating to the use of criminal history when determining whether to approve a loan under that section or a similarly sized commercial loan that is not guaranteed by the Administration.

TITLE LXX—VETERAN ENTREPRENEURSHIP TRAINING ACT OF 2023

SEC. 11201. SHORT TITLE.

This title may be cited as the ''Veteran Entrepreneurship Training Act of 2023''.

SEC. 11202. BOOTS TO BUSINESS PROGRAM.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by adding at the end the following:

''(h) BOOTS TO BUSINESS PROGRAM.—

''(1) COVERED INDIVIDUAL DEFINED.—In this subsection, the term 'covered individual' means—

''(A) a member of the Armed Forces, including the National Guard or Reserves;

''(B) an individual who is participating in the Transition Assistance Program established under section 1144 of title 10, United States Code;

''(C) an individual who—

''(i) served on active duty in any branch of the Armed Forces, including the National Guard or Reserves; and

''(ii) was discharged or released from such service under conditions other than dishonorable; and

''(D) a spouse or dependent of an individual described in subparagraph (A), (B), or (C).

''(2) ESTABLISHMENT.—During the period beginning on the date of enactment of this subsection and ending on September 30, 2028, the Administrator shall carry out a program to be known as the 'Boots to Business Program' to provide entrepreneurship training to covered individuals.

''(3) GOALS.—The goals of the Boots to Business Program are to—

''(A) provide assistance and in-depth training to covered individuals interested in business ownership; and

''(B) provide covered individuals with the tools, skills, and knowledge necessary to identify a business opportunity, draft a business plan, identify sources of capital, connect with local resources for small business concerns, and start up a small business concern.

''(4) PROGRAM COMPONENTS.—

''(A) IN GENERAL.—The Boots to Business Program may include—

''(i) an in-person and virtual, as applicable, presentation providing exposure to the considerations involved in self-employment and ownership of a small business concern;

''(ii) an online, self-study course focused on the basic skills of entrepreneurship, the language of business, and the considerations involved in self-employment and ownership of a small business concern;

''(iii) an in-person and virtual, as applicable, classroom instruction component providing an introduction to the foundations of self employment and ownership of a small business concern; and

''(iv) in-depth training delivered through online instruction, including an online course that leads to the creation of a business plan.

''(B) TRAVEL COSTS.—

''(i) IN GENERAL.—Subject to the other provisions of this subparagraph, of the total amount of grant funding that a Veteran Business Outreach Center participating in the Boots to Business Program receives from the Administration, the center may not expend more than 35 percent of that funding on costs relating to international travel with respect to the Boots to Business Program.

''(ii) COSTS NOT INCLUDED IN CAP.—Costs relating to the salaries of, or stipends for, instructors under the Boots to Business Program shall not be included for the purposes of the limitation under clause (i).

''(iii) PETITION.—

''(I) IN GENERAL.—A Veteran Business Outreach Center may petition the Administrator for the center to expend additional funds beyond the limitation under clause (i) for the purposes described in that clause.

''(II) NOTIFICATION REQUIREMENT.—If the Administrator grants any petition submitted under subclause (I), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a notification regarding that decision by the Administrator.

''(C) COLLABORATION.—The Administrator may—

''(i) collaborate with public and private entities to develop course curricula for the Boots to Business Program;

''(ii) modify program components in coordination with entities participating in a Warriors in Transition program, as defined in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 1071 note); and

''(iii) consult with Directors of Veteran Business Outreach Centers regarding the necessity of instructor international travel and the feasibility of incorporating virtual classroom components.

''(D) USE OF RESOURCE PARTNERS AND DISTRICT OFFICES.—

''(i) IN GENERAL.—The Administrator shall—

''(I) ensure that Veteran Business Outreach Centers regularly participate, on a nationwide basis, in the Boots to Business Program; and

''(II) to the maximum extent practicable, use district offices of the Administration and

a variety of other resource partners and entities in administering the Boots to Business Program.

''(ii) GRANT AUTHORITY.—In carrying out clause (i), the Administrator may make grants to Veteran Business Outreach Centers, other resource partners, or other entities to carry out components of the Boots to Business Program.

''(E) AVAILABILITY TO DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF LABOR.—The Administrator shall make available to the Secretary of Defense and the Secretary of Labor information regarding the Boots to Business Program, including all course materials and outreach materials related to the Boots to Business Program, for inclusion on the websites of the Department of Defense and the Department of Labor relating to the Transition Assistance Program, in the Transition Assistance Program manual, and in other relevant materials available for distribution from the Secretary of Defense and the Secretary of Labor.

''(F) AVAILABILITY TO DEPARTMENT OF VETERANS AFFAIRS.—In consultation with the Secretary of Veterans Affairs, the Administrator shall make available for distribution and display on the website of the Department of Veterans Affairs and at local facilities of the Department of Veterans Affairs outreach materials regarding the Boots to Business Program, which shall, at a minimum—

''(i) describe the Boots to Business Program and the services provided; and

''(ii) include eligibility requirements for participating in the Boots to Business Program.

''(G) AVAILABILITY TO OTHER PARTICIPATING AGENCIES.—The Administrator shall ensure information regarding the Boots to Business program, including all course materials and outreach materials related to the Boots to Business Program, is made available to other participating agencies in the Transition Assistance Program and upon request of other agencies.

''(5) COMPETITIVE BIDDING PROCEDURES.—The Administration shall use relevant competitive bidding procedures with respect to any contract or cooperative agreement executed by the Administration under the Boots to Business Program.

''(6) PUBLICATION OF NOTICE OF FUNDING OPPORTUNITY.—Not later than 30 days before the deadline for submitting applications for any funding opportunity under the Boots to Business Program, the Administration shall publish a notice of the funding opportunity.

''(7) REPORT.—Not later than 180 days after the date of enactment of this subsection, and not less frequently than annually thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the performance and effectiveness of the Boots to Business Program, which—

''(A) may be included as part of another report submitted to such committees by the Administrator related to the Office of Veterans Business Development; and

''(B) shall summarize available information relating to—

''(i) grants awarded under paragraph (4)(D);

''(ii) the total cost of the Boots to Business Program;

''(iii) the amount of program funds used for domestic and international travel expenses;

''(iv) each domestic location and international location traveled to for Boots to Business program instruction;

''(v) the number of program participants using each component of the Boots to Business Program;

''(vi) the completion rates for each component of the Boots to Business Program; and

''(vii) to the extent possible—

''(I) the demographics of program participants, to include gender, age, race, ethnicity, and relationship to the Armed Forces;

''(II) the number of program participants that connect with a district office of the Administration, a Veteran Business Outreach Center, or another resource partner of the Administration;

''(III) the number of program participants that start a small business concern;

''(IV) the results of the Boots to Business and Boots to Business Reboot course quality surveys conducted by the Office of Veterans Business Development before and after attending each of those courses, including a summary of any comments received from program participants;

''(V) the results of the Boots to Business Program outcome surveys conducted by the Office of Veterans Business Development, including a summary of any comments received from program participants; and

''(VI) the results of other germane participant satisfaction surveys;

''(C) an evaluation of the overall effectiveness of the Boots to Business Program based on each geographic region covered by the Administration during the most recent fiscal year;

''(D) an assessment of additional performance outcome measures for the Boots to Business Program, as identified by the Administrator;

''(E) any recommendations of the Administrator for improvement of the Boots to Business Program, which may include expansion of the types of individuals who are covered individuals;

''(F) an explanation of how the Boots to Business Program has been integrated with other transition programs and related resources of the Administration and other Federal agencies; and

''(G) any additional information the Administrator determines necessary.''.

TITLE LXXI—SMALL BUSINESS CHILD CARE INVESTMENT ACT

SEC. 11301. SHORT TITLE.

This title may be cited as the ''Small Business Child Care Investment Act''.

SEC. 11302. SMALL BUSINESS LOANS FOR NONPROFIT CHILD CARE PROVIDERS.

(a) IN GENERAL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(10) NONPROFIT CHILD CARE PROVIDERS.—

''(A) DEFINITION.—In this paragraph, the term 'covered nonprofit child care provider' means an organization—

''(i) that—

''(I) is in compliance with licensing requirements for child care providers of the State in which the organization is located;

''(II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

''(III) is primarily engaged in providing child care for children from birth to compulsory school age; and

''(IV) is in compliance with the size standards established under this subsection for business concerns in the applicable industry;

''(ii) for which each employee and regular volunteer complies with the criminal background check requirements under section 658H(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f(b));

''(iii) that may—

''(I) provide care for school-age children outside of school hours or outside of the school year; or

''(II) offer preschool or prekindergarten educational programs; and

''(iv) subject to any exemption under Federal law applicable to the organization, that certifies to the Administrator that the organization will not discriminate in any business practice, including providing services to the public, on the basis of race, color, religion, sex, sexual orientation, marital status, age, disability, or national origin.

''(B) ELIGIBILITY FOR CERTAIN LOAN PROGRAMS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subsection, a covered nonprofit child care provider shall be deemed to be a small business concern for purposes of loans under section 7(a) of this Act or financing under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.).

''(ii) LOAN GUARANTEE.—A covered nonprofit child care center provider—

''(I) shall obtain a guarantee of timely payment of the loan or financing from another person or entity to be eligible for a loan or financing of more than $500,000 under the authority under clause (i); and

''(II) shall not be required to obtain a guarantee of timely payment of the loan or financing to be eligible for a loan or financing that is not more than $500,000 under the authority under clause (i).

''(C) LIMITATION ON BASIS FOR INELIGIBILITY.—The Administrator may not determine that a covered nonprofit child care center provider is not eligible for a loan or financing described in subparagraph (B)(i) on the basis that the proceeds of the loan or financing will be used for a religious activity protected under the First Amendment to the Constitution of the United States, as interpreted by the courts of the United States.''.

(b) REPORTING.—

(1) DEFINITION.—In this subsection, the term ''covered nonprofit child care provider'' has the meaning given the term in paragraph (10) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)), as added by subsection (a).

(2) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report that contains—

(A) for the year covered by the report—

(i) the number of loans made under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) and the number of financings provided under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) to covered nonprofit child care providers; and

(ii) the amount of such loans made and the amount of such financings provided to covered nonprofit child care providers; and

(B) any other information determined relevant by the Administrator.

TITLE LXXII—SUPPORTING SMALL BUSINESS AND CAREER AND TECHNICAL EDUCATION ACT OF 2023

SEC. 11401. SHORT TITLE.

This title may be cited as the ''Supporting Small Business and Career and Technical Education Act of 2023''.

SEC. 11402. INCLUSION OF CAREER AND TECHNICAL EDUCATION.

(a) DEFINITION.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

''(gg) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).''.

(b) SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in clause (v) of the first subparagraph (U) (relating to succession planning), by striking the period at the end and inserting a semicolon;

(3) by redesignating the second subparagraph (U) (relating to training on domestic

and international intellectual property protections) as subparagraph (V);

(4) in subparagraph (V)(ii)(II), as so redesignated, by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(W) assisting small business concerns in hiring graduates from career and technical education programs or programs of study; and

''(X) assisting graduates of career and technical education programs or programs of study in starting up a small business concern.''.

(c) WOMEN'S BUSINESS CENTERS.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(4) assistance for small business concerns to hire graduates from career and technical education programs or programs of study; and

''(5) assistance for graduates of career and technical education programs or programs of study to start up a small business concern.''.

TITLE LXXIII—SMALL BUSINESS DISASTER DAMAGE FAIRNESS ACT OF 2023

SEC. 11501. SHORT TITLE.

This title may be cited as the ''Small Business Disaster Damage Fairness Act of 2023''.

SEC. 11502. COLLATERAL REQUIREMENTS FOR DISASTER LOANS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended, in the third proviso—

(1) by striking ''$14,000'' and inserting ''$25,000''; and

(2) by striking ''major disaster'' and inserting ''disaster''.

SEC. 11503. GAO REPORT ON DEFAULT RATES.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the performance, including the default rate, of loans made under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)), and the impact of the amendments to collateral amounts made under section 11502 on the performance of those loans, during the period—

(1) beginning on September 30, 2020; and

(2) ending on the date on that is 2 years after the date of enactment of this Act.

TITLE LXXIV—NATIVE AMERICAN ENTREPRENEURIAL AND OPPORTUNITY ACT OF 2023

SEC. 11601. SHORT TITLE.

This title may be cited as the ''Native American Entrepreneurial and Opportunity Act of 2023''.

SEC. 11602. OFFICE OF NATIVE AMERICAN AFFAIRS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 49 (15 U.S.C. 631 note) as section 50; and

(2) by inserting after section 48 (15 U.S.C. 657u) the following:

''SEC. 49. OFFICE OF NATIVE AMERICAN AFFAIRS.

''(a) DEFINITIONS.—In this section:

''(1) ASSOCIATE ADMINISTRATOR.—The term 'Associate Administrator' means the Associate Administrator for Native American Affairs appointed under subsection (c).

''(2) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term 'Indian tribe' in section 8(a)(13).

''(3) NATIVE HAWAIIAN ORGANIZATION.—The term 'Native Hawaiian Organization' has the meaning given the term in section 8(a)(15).

''(4) OFFICE.—The term 'Office' means the Office of Native American Affairs described in this section.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established within the Administration the Office of Native American Affairs, which shall be responsible for establishing a working relationship with Indian Tribes and Native Hawaiian Organizations by targeting programs of the Administration relating to entrepreneurial development, contracting, and capital access to revitalize Native businesses and economic development in Indian country.

''(2) CONNECTION WITH OTHER PROGRAMS.—To the extent reasonable, the Office shall connect Indian Tribes and Native Hawaiian Organizations to programs administered by other Federal agencies related to the interests described in paragraph (1).

''(3) ALTERNATIVE WORK SITES.—

''(A) IN GENERAL.—The Office may establish alternative work sites within such regional offices of the Administration as may be necessary, with initial focus on those parts of Indian Country most economically disadvantaged, to perform efficiently the functions and responsibilities of the Office.

''(B) PROHIBITION.—The alternative work sites established under subparagraph (A) shall not be field offices of the Administration.

''(c) ASSOCIATE ADMINISTRATOR.—The Office shall be headed by an Associate Administrator for Native American Affairs, who shall—

''(1) be appointed by and report to the Administrator;

''(2) have knowledge of Native American cultures and experience providing culturally tailored small business development assistance to Native Americans;

''(3) carry out the program to provide assistance to Indian Tribes and Native Hawaiian Organizations and small business concerns owned and controlled by individuals who are members of those groups;

''(4) administer and manage Native American outreach expansion;

''(5) enhance assistance to Native Americans by formulating and promoting policies, programs, and assistance that better address their entrepreneurial, capital access, business development, and contracting needs, and collaborate with other Associate Administrators and intergovernmental leaders with similar missions across Federal agencies on the development of policies and plans to implement new programs of the Administration, while supplementing existing Federal programs to holistically serve those needs;

''(6) provide grants, contracts, cooperative agreements, or other financial assistance to Indian Tribes and Native Hawaiian Organizations, or to private nonprofit organizations governed by members of those entities, that have the experience and capability to—

''(A) deploy training, counseling, workshops, educational outreach, and supplier events; and

''(B) access the entrepreneurial, capital, and contracting programs of the Administration;

''(7) assist the Administrator in conducting, or conduct, Tribal consultation to solicit input and facilitate discussion of potential modifications to programs and procedures of the Administration; and

''(8) recommend annual budgets for the Office.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office such sums as may be necessary for each of fiscal years 2024 through 2028 to carry out this section.''.

TITLE LXXV—SUPPORTING COMMUNITY LENDERS ACT

SEC. 11701. SHORT TITLE.

This title may be cited as the ''Supporting Community Lenders Act''.

SEC. 11702. COORDINATOR FOR COMMUNITY FINANCIAL INSTITUTIONS.

Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following:

''(o) COORDINATOR FOR COMMUNITY FINANCIAL INSTITUTIONS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Associate Administrator' means the Associate Administrator of the Office of Capital Access of the Administration;

''(B) the term 'community financial institution' has the meaning given the term in paragraph (36); and

''(C) the term 'Coordinator' means the Coordinator for Community Financial Institutions.

''(2) ESTABLISHMENT.—There is established within the Office of Capital Access of the Administration the position of Coordinator for Community Financial Institutions, the occupant of which shall be responsible for the planning, coordination, implementation, evaluation, and improvement of the efforts of the Administrator to enhance the performance of community financial institutions and support access to capital for small business concerns.

''(3) COORDINATOR.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Supporting Community Lenders Act, the Administrator shall designate an individual to serve as Coordinator, who shall—

''(i) report to the Associate Administrator; and

''(ii) have knowledge of community financial institutions and experience providing access to capital to small business concerns in underserved communities.

''(B) DUTIES.—The Coordinator shall—

''(i) create and implement strategies and programs that support the activities, development, and growth of community financial institutions;

''(ii) administer and manage outreach, technical support, and training programs to existing, and potential, community financial institutions;

''(iii) establish partnerships within the Administration and with relevant Federal agencies, including the Department of the Treasury, the Federal Deposit Insurance Corporation, the Department of Agriculture, and the Minority Business Development Agency, to advance the goal of supporting the economic success of small business concerns through community financial institutions;

''(iv) review the effectiveness and impact of community financial institutions;

''(v) when appropriate, advocate on behalf of community financial institutions within the Administration, and to outside organizations, including other relevant Federal agencies;

''(vi) hold public meetings with relevant stakeholders not less frequently than once every 6 months beginning 1 year after the date of enactment of the Supporting Community Lenders Act; and

''(vii) not later than 3 years after the date of enactment of the Supporting Community Lenders Act, and not less frequently than once every 3 years thereafter, submit to Congress a report on the major activities of the Coordinator, recommendations for congressional action based on the expertise of the Coordinator, and potential for growth within the areas in which the Coordinator operates.

''(C) CONSULTATION.—In carrying out the duties under this paragraph, the Coordinator shall consult with—

''(i) district offices of the Administration; and

''(ii) other relevant Federal agencies, including the Department of the Treasury, the Federal Deposit Insurance Corporation, and the Minority Business Development Agency.''.

SEC. 11703. OFFICE OF ADVOCACY EMPLOYEE ELIGIBILITY FOR FAMILY AND MEDICAL LEAVE.

The Chief Counsel for Advocacy of the Administration shall immediately notify the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives if, at any point, an employee, including a contracted employee, of the Office of Advocacy who has been employed at the Office of Advocacy for more than 1 year is not eligible for paid leave under subchapter V of chapter 63 of title 5, United States Code.

TITLE LXXVI—SBIC ADVISORY COMMITTEE ACT OF 2023

SEC. 11801. SHORT TITLE.

This title may be cited as the ''SBIC Advisory Committee Act of 2023''.

SEC. 11802. SBIC ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section—

(1) the term ''Advisory Committee'' means the SBIC Advisory Committee established under subsection (b);

(2) the term ''covered Members'' means the Chair and Ranking Member of—

(A) the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Small Business of the House of Representatives;

(3) the terms ''licensee'', ''small business investment company'', and ''underlicensed State'' have the meanings given those terms in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662);

(4) the term ''low-income community'' has the meaning given the term in section 45D(e) of the Internal Revenue Code of 1986;

(5) the term ''rural area'' has the meaning given the term by the Bureau of the Census;

(6) the terms ''small business concern owned and controlled by veterans'' and ''small business concern owned and controlled by women'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632);

(7) the term ''socially or economically disadvantaged individual'' means a socially disadvantaged individual or economically disadvantaged individual, as described in paragraphs (5) and (6)(A), respectively, of section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(8) the term ''underfinanced State'' means a State that has below median financing, as determined by the Administrator; and

(9) the term ''underserved community'' means—

(A) a HUBZone, as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b));

(B) a community that has been designated as an empowerment zone or an enterprise community under section 1391 of the Internal Revenue Code of 1986;

(C) a community that has been designated as a promise zone by the Secretary of Housing and Urban Development; or

(D) a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986.

(b) ESTABLISHMENT.—The Administrator shall establish an SBIC Advisory Committee to convene outside experts to advise on the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.).

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Advisory Committee shall be composed of 16 members appointed by the Administrator as follows:

(A) The Associate Administrator of the Office of Investment and Innovation of the Administration, or another designee of the Associate Administrator, as determined by the Administrator.

(B) 7 members with competence regarding, interest in, or knowledge of the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.), of whom—

(i) not fewer than 3 shall have a demonstrated record of expertise in investing in—

(I) low-income communities;

(II) communities that have been designated as qualified opportunity zones under section 1400Z–1 of the Internal Revenue Code of 1986;

(III) businesses primarily engaged in research and development;

(IV) manufacturers;

(V) businesses primarily owned or controlled by individuals in underserved communities before receiving capital from the licensee;

(VI) rural areas; or

(VII) underfinanced States; and

(ii) not less than 1 shall be a representative from a trade association for the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.).

(C) 8 members appointed by the Administrator as follows:

(i) 2 members shall be selected from among the individuals in the list submitted by the Chair of the Committee on Small Business and Entrepreneurship of the Senate under paragraph (2).

(ii) 2 members shall be selected from among the individuals in the list submitted by the Ranking Member of the Committee on Small Business and Entrepreneurship of the Senate under paragraph (2).

(iii) 2 members shall be selected from among the individuals in the list submitted by the Chair of the Committee on Small Business of the House of Representatives under paragraph (2).

(iv) 2 members shall be selected from among the individuals in the list submitted by the Ranking Member of the Committee on Small Business of the House of Representatives under paragraph (2).

(2) RECOMMENDATIONS.—Not later than 30 days after the date of enactment of this Act, each of the covered Members shall provide to the Administrator a list of 3 candidates for membership on the Advisory Committee, who shall be individuals who have no conflict of interest in the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) and hold a high-ranking position or senior leadership role in—

(A) a relevant industry trade association;

(B) the investment industry with expertise in pensions, endowments, and other nonbanking institutions;

(C) academia with expertise in the investment industry; or

(D) a nonprofit institution, including a nonprofit institution that serves any of the entities described in subclauses (I) through (VII) of paragraph (1)(B)(i).

(3) PRIVATE SECTOR MEMBERS.—Not fewer than 2 and not more than 4 of the members of the Advisory Committee shall be investors in the private sector who—

(A) invest in small business concerns; and

(B) as of the date of appointment, do not participate in the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.).

(4) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be the member of the Advisory Committee appointed under paragraph (1)(A).

(5) PERIOD OF APPOINTMENT.—Members of the Advisory Committee shall be appointed for the life of the Advisory Committee.

(6) VACANCIES.—Any vacancy in the Advisory Committee shall be filled in the same manner as the original appointment.

(d) DEADLINE FOR APPOINTMENT.—Not later than 60 days after the date on which the covered Members provide the lists to the Administrator under subsection (c)(2), the Administrator shall—

(1) appoint the members of the Advisory Committee; and

(2) submit to Congress a list of the members so appointed.

(e) DUTIES.—The Advisory Committee shall provide advice and recommendations to the Administrator concerning—

(1) policy and program development and other matters of significance concerning activities under the Small Business Act (15 U.S.C. 631 et seq.) and the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), including diversifying management teams or companies;

(2) incentives for small business investment companies to—

(A) invest and locate in underlicensed States and underfinanced States; and

(B) invest in small business concerns, including small business concerns owned and controlled by socially or economically disadvantaged individuals, small business concerns owned and controlled by veterans, and small business concerns owned and controlled by women;

(3) metrics of success, and benchmarks for success, with respect to the goals described in this section; and

(4) the impact of the small business investment program under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) on the private investment market, including whether investments under the program compete with the private sector.

(f) REPORT.—Not later than 18 months after the date on which the Administrator establishes the Advisory Committee under subsection (b), the Advisory Committee shall submit to the Administrator, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report that includes the recommendations of the Advisory Committee described in subsection (e).

(g) TERMINATION.—The Advisory Committee shall terminate on the date on which the Advisory Committee submits the report required under subsection (f).

SA 1069. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. AMENDMENT TO DEPARTMENT OF STATE REWARDS PROGRAM.

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

(1) in paragraph (13), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph: