

Calendar No. 169

113TH CONGRESS
1ST SESSION

S. 537

[Report No. 113–91]

To require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2013

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

SEPTEMBER 10, 2013

Reported by Ms. LANDRIEU, with amendments

[Insert the part printed in *italic*]

A BILL

To require the Small Business Administration to make information relating to lenders making covered loans publicly available, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Communicating Lend-
3 er Activity Reports from the Small Business Administra-
4 tion Act” or the “CLEAR SBA Act”.

5 **SEC. 2. SBA LENDER ACTIVITY INDEX.**

6 (a) *IN GENERAL*.—Section 4 of the Small Business
7 Act (15 U.S.C. 633) is amended by adding at the end the
8 following:

9 “(g) SBA LENDER ACTIVITY INDEX.—

10 “(1) DEFINITION.—In this subsection, the term
11 ‘covered loan’ means a loan made or debenture
12 issued under this Act or the Small Business Invest-
13 ment Act of 1958 (15 U.S.C. 661 et seq.) by a pri-
14 vate individual or entity.

15 “(2) REQUIREMENT.—Not later than 6 months
16 after the date of enactment of this subsection, the
17 Administrator shall make publicly available on the
18 website of the Administration a user-friendly data-
19 base of information relating to lenders making cov-
20 ered loans (to be known as the ‘Lender Activity
21 Index’).

22 “(3) DATA INCLUDED.—

23 “(A) *IN GENERAL*.—The database made
24 available under paragraph (2) shall include, for
25 each lender making a covered loan—

26 “(i) the name of the lender;

1 “(ii) the number of covered loans
2 made by the lender;

3 “(iii) the total dollar amount of cov-
4 ered loans made by the lender;

5 “(iv) a list of each ZIP Code in which
6 a recipient of a covered loan made by the
7 lender is located;

8 “(v) a list of the industries of the re-
9 cipients to which the lender made a cov-
10 ered loan;

11 “(vi) whether the covered loan is for
12 an existing business or a new business;

13 “(vii) the number and total dollar
14 amount of covered loans made by the lend-
15 er to—

16 “(I) small business concerns
17 owned and controlled by women;

18 “(II) socially and economically
19 disadvantaged small business concerns
20 (as defined in section 8(a)(4)(A)); and

21 “(III) small business concerns
22 owned and controlled by veterans; and

23 “(viii) whether the covered loan was
24 made under section 7(a) or under the pro-
25 gram to provide financing to small busi-

ness concerns through guarantees of loans under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.).

“(B) INCORPORATION OF DATA.—The Administrator shall—

“(i) include in the database made available under paragraph (2) information relating to covered loans made during fiscal years 2009, 2010, 2011, 2012, and 2013; and

“(ii) incorporate information relating to covered loans on an ongoing basis.

“(C) PERIOD OF DATA AVAILABILITY.—

The Administrator shall retain information relating to a covered loan in the database made available under paragraph (2) until not earlier than the end of the third fiscal year beginning after the fiscal year during which the covered loan was made.

“(4) NO ADDITIONAL BURDENS ON LENDERS.—

The Administrator may not require lenders to submit additional information or otherwise increase burdens on lenders in order to comply with this subsection.”.

(b) SENSE OF CONGRESS RELATING TO USING EXIST-

ING FUNDS.—It is the sense of Congress that no additional

- 1 *funds shall be made available to carry out the amendments*
- 2 *made by this Act.*

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