

107TH CONGRESS
1ST SESSION

S. 1552

To provide for grants through the Small Business Administration for losses suffered by general aviation small business concerns as a result of the terrorist attacks of September 11, 2001.

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2001

Mr. HARKIN (for himself, Mr. INHOFE, Mr. BAUCUS, Mr. BURNS, Mr. JOHNSON, Mr. HOLLINGS, Mr. CLELAND, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To provide for grants through the Small Business Administration for losses suffered by general aviation small business concerns as a result of the terrorist attacks of September 11, 2001.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “General Aviation Small
5 Business Assistance Act.”

1 **SEC. 2. GENERAL AVIATION SMALL BUSINESS GRANTS.**

2 Section 7(b) of the Small Business Act (15 U.S.C.
3 636(b)) is amended by inserting immediately after para-
4 graph (3) the following:

5 “(4) GENERAL AVIATION SMALL BUSINESS
6 GRANTS.—

7 “(A) IN GENERAL.—Notwithstanding any
8 other provision of law, the Administration shall,
9 upon application, make grants to general avia-
10 tion small business concerns for direct and in-
11 cremental losses incurred by such small busi-
12 ness concerns as a result of the Federal ground
13 stop order issued by the Secretary of Transpor-
14 tation on September 11, 2001, or any such sub-
15 sequent order issued by the Department of
16 Transportation that adversely affects General
17 Aviation Small Business.

18 “(B) GRANT AMOUNTS.—

19 “(i) IN GENERAL.—A grant under
20 subparagraph (A) shall be made in an
21 amount equal to the amount of direct and
22 incremental losses incurred by a general
23 aviation small business concern during the
24 period beginning on September 11, 2001,
25 and ending on December 31, 2001, to the

1 extent that such losses are not com-
2 pensated for by insurance or otherwise.

3 “(ii) MAXIMUM GRANT.—The amount
4 of a grant under this paragraph may not
5 exceed \$6,000,000.

6 “(iii) WAIVER AUTHORITY.—The Ad-
7 ministrator may, at the discretion of the
8 Administrator, waive the aggregate grant
9 amounts established under clause (ii).

10 “(iv) DOCUMENTATION.—The amount
11 of the grant payable under this paragraph
12 may not exceed the incremental loss that
13 the business demonstrates, to the satisfac-
14 tion of the Administrator, using sworn fi-
15 nancial statements or other appropriate
16 data.

17 “(C) NO DISASTER DECLARATION RE-
18 QUIRED.—For purposes of assistance under this
19 paragraph, no declaration of a disaster area
20 shall be required.

21 “(D) EXTENDED APPLICATION PERIOD.—
22 Notwithstanding any other provision of law, the
23 Administrator shall accept applications of as-
24 sistance under this program until September
25 10, 2002, with respect to small business con-

1 cerns adversely affected by the terrorist attacks
2 perpetrated against the United States on Sep-
3 tember 11, 2001.

4 “(E) AUDITS.—The Small Business Ad-
5 ministration may audit financial statements or
6 other appropriate data of any business receiving
7 assistance under this paragraph for not more
8 than 3 years after the grant has been finalized.
9 The business shall provide any requests for in-
10 formation that the Administration may request
11 while conducting such audit.

12 “(F) DEFINITIONS.—As used in this
13 paragraph—

14 “(i) the term ‘general aviation small
15 business concern’ means a small business
16 concern that is a regular provider of gen-
17 eral aviation services, such as aircraft rent-
18 als, crop dusting, flight training instruc-
19 tion, repair, and other fixed based services;
20 and

21 “(ii) the term ‘incremental loss’ does
22 not include any loss that the Administra-
23 tion determines would have been incurred
24 if the terrorist attacks on the United

1 States that occurred on September 11,
2 2001, had not occurred.”.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated, \$400,000,000
5 to carry out section 7(b)(4) of the Small Business Act,
6 as added by this Act.

7 **SEC. 4. CLERICAL AMENDMENTS.**

8 Section 7(b) of the Small Business Act (15 U.S.C.
9 636(b)) is amended in the undesignated matter at the
10 end—

11 (1) by striking “, (2), and (4)” and inserting
12 “and (2)”; and

13 (2) by striking “, (2), or (4)” and inserting
14 “(2)”.

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