

117TH CONGRESS
1ST SESSION

H. R. 2849

To amend the Small Business Act to prohibit abortion providers from receiving a covered loan under the paycheck protection program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2021

Mr. MURPHY of North Carolina (for himself, Mr. ALLEN, Mr. BABIN, Mr. BANKS, Mr. BILIRAKIS, Mr. BISHOP of North Carolina, Mrs. BOEBERT, Mr. BUDD, Mr. CLOUD, Mr. CRAWFORD, Mr. DUNCAN, Mr. FALLON, Mrs. FISCHBACH, Mr. FLEISCHMANN, Mr. C. SCOTT FRANKLIN of Florida, Mr. FULCHER, Mr. GIBBS, Mr. GOOD of Virginia, Mr. GOHMERT, Mr. GRAVES of Louisiana, Mr. GROTHMAN, Mr. GUEST, Ms. HERRELL, Mr. HICE of Georgia, Mrs. HINSON, Mr. HUIZENGA, Mr. JACKSON, Mr. JORDAN, Mr. KELLY of Pennsylvania, Mr. LAMBORN, Mr. LUETKEMEYER, Mr. MANN, Mr. MAST, Mr. MOONEY, Mr. NORMAN, Mr. PALAZZO, Mr. RESCHENTHALER, Mr. ROGERS of Alabama, Mr. ROSENDALE, Mr. ROUZER, Mr. RUTHERFORD, Mr. SESSIONS, Mr. STEUBE, Mrs. WAGNER, Mrs. WALORSKI, Mr. WALTZ, Mr. WEBER of Texas, Mr. WILLIAMS of Texas, Mr. ROSE, Mr. KELLY of Mississippi, Ms. LETLOW, Mr. PERRY, Mr. BIGGS, Mr. BRADY, Mr. BURGESS, Mrs. CAMMACK, Mr. HIGGINS of Louisiana, Mr. BOST, Mrs. MILLER-MEEKS, Mr. WESTERMAN, Mr. BUCK, Mr. HARRIS, and Mr. POSEY) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to prohibit abortion providers from receiving a covered loan under the paycheck protection program, 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 “Abortion Providers
3 Loan Elimination Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The Coronavirus Aid, Relief, and Economic
7 Security Act (Public Law 116–136) disqualified af-
8 filiations from applying for and receiving loans
9 through the paycheck protection program established
10 under section 7(a)(36) of the Small Business Act
11 (15 U.S.C. 636(a)(36)).

12 (2) Section 7(a)(36)(D)(vi) of the Small Busi-
13 ness Act (15 U.S.C. 7(a)(36)(D)(vi)), as added by
14 the Coronavirus Aid, Relief, and Economic Security
15 Act, established that affiliation rules apply to non-
16 profits for the purpose of determining whether a
17 nonprofit has 500 or fewer employees.

18 (3) Planned Parenthood Federation of America,
19 a national organization with central control over its
20 affiliates and which has nearly \$2,000,000,000 in
21 assets and 16,000 employees, improperly applied for,
22 and received \$80,000,000 in loans through the pay-
23 check protection program.

24 (4) In May of 2020, the Small Business Admin-
25 istration sent letters to the 39 Planned Parenthood
26 affiliates who had improperly applied for and re-

1 ceived funds under the paycheck protection program
2 contrary to the letter of the law, instructing the af-
3 filiates to return the funding.

4 (5) According to the most recently available
5 data, 7 affiliates did so, but the remaining 31 affili-
6 ates kept the received funding despite receiving no-
7 tice that they had received such funds illegally.

8 (6) As of March 23, 2021, 3 of the 31 Planned
9 Parenthood affiliates again applied for and received
10 second draw loans under section 7(a)(37) of the
11 Small Business Act (15 U.S.C. 636(a)(37)) for a
12 combined \$4,800,000 of additional funding.

13 **SEC. 3. PAYCHECK PROTECTION PROGRAM.**

14 (a) IN GENERAL.—Section 7(a)(36) of the Small
15 Business Act (15 U.S.C. 636(a)(36)) is amended by add-
16 ing at the end the following:

17 “(W) PROHIBITION ON COVERED LOANS
18 FOR ABORTION PROVIDERS.—

19 “(i) IN GENERAL.—Except as pro-
20 vided in clause (ii), no individual or entity
21 that provides abortions shall be eligible to
22 receive a covered loan.

23 “(ii) EXCEPTIONS.—Clause (i) shall
24 not apply to—

1 “(I) a hospital, as defined in sec-
2 tion 1861(e) of the Social Security
3 Act (42 U.S.C. 1395x(e)); or

4 “(II) an entity that exclusively
5 provides abortions described in section
6 507(a) of the Further Consolidated
7 Appropriations Act, 2020 (Public Law
8 116–94).”.

9 (b) **EFFECTIVE DATE.**—The amendment made by
10 this section shall be effective as if included in the enact-
11 ment of the CARES Act (Public Law 116–136).

12 **SEC. 4. INSPECTOR GENERAL REPORT.**

13 Not later than 6 months after the date of the enact-
14 ment of this Act, the Inspector General of the Small Busi-
15 ness Administration shall conduct an investigation and
16 submit to Congress a report on the number of covered
17 loans made to the Planned Parenthood Federation of
18 America pursuant to section 7(a)(36) of the Small Busi-
19 ness Act (15 U.S.C. 636(a)(36)) and to other individuals
20 or entities that provide abortions.

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