

Calendar No. 36

119TH CONGRESS
1ST SESSION**S. 1047**

To prohibit individuals convicted of defrauding the Government from receiving any assistance from the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2025

Mr. YOUNG (for himself and Ms. ERNST) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

APRIL 1 (legislative day, MARCH 31), 2025

Reported by Ms. ERNST, without amendment

A BILL

To prohibit individuals convicted of defrauding the Government from receiving any assistance from the Small Business Administration, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Assisting Small Busi-
5 nesses Not Fraudsters Act”.

1 **SEC. 2. ASSISTANCE PROHIBITED AFTER FRAUD CONVIC-**
 2 **TION.**

3 (a) IN GENERAL.—Section 16 of the Small Business
 4 Act (15 U.S.C. 645) is amended by adding at the end the
 5 following new subsection:

6 “(h) FINANCIAL ASSISTANCE PROHIBITION.—

7 “(1) IN GENERAL.—An associate of a small
 8 business concern who is finally convicted of any
 9 crime involving or relating to financial misconduct or
 10 a false statement with respect to a covered loan or
 11 grant shall be ineligible to receive any financial as-
 12 sistance from the Administrator, other than financial
 13 assistance under section 7(b).

14 “(2) BUSINESS CONCERNS.—A small business
 15 concern that has as an associate an individual sub-
 16 ject to paragraph (1) shall be ineligible to receive
 17 any financial assistance from the Administrator,
 18 other than financial assistance under section 7(b).

19 “(3) DEFINITIONS.—In this subsection:

20 “(A) ASSOCIATE.—The term ‘associate’
 21 means, with respect to a small business con-
 22 cern—

23 “(i) an officer, director, or owner of
 24 more than 20 percent of the equity of, or
 25 a key employee of, such small business
 26 concern;

“(ii) any entity not less than 20 per-
cent owned or controlled by one or more
individuals referred to in clause (i); and

“(iii) any other individual or entity in
control of or controlled by such small busi-
ness concern, except for a licensed small
business investment company (as defined
in section 103(3) of the Small Business In-
vestment Act of 1958 (15 U.S.C. 662(3))).

“(B) COVERED LOAN OR GRANT.—The
term ‘covered loan or grant’ means—

“(i) a loan made under—

“(I) paragraph (36) or (37) of
section 7(a); or

“(II) section 7(b) in response to
the COVID–19 pandemic; or

“(ii) a grant made under—

“(I) section 5003 of the Amer-
ican Rescue Plan Act of 2021 (15
U.S.C. 9009c); or

“(II) section 324 of the Eco-
nomic Aid to Hard-Hit Small Busi-
nesses, Nonprofits, and Venues Act
(15 U.S.C. 9009a).

1 “(C) FINALLY CONVICTED.—The term ‘fi-
2 nally convicted’ means, with respect to a per-
3 son, that such person has been convicted of an
4 offense and such conviction—

5 “(i) has not been appealed and is no
6 longer appealable because the time for tak-
7 ing an appeal has expired; or

8 “(ii) has been appealed and the ap-
9 peals process for such conviction is com-
10 pleted.”.

11 (b) APPLICABILITY.—Subsection (h) of section 16 of
12 the Small Business Act (15 U.S.C. 645), as added by sub-
13 section (a) of this section, shall not apply to any contract
14 or other agreement entered into by the Government prior
15 to the date of the enactment of this Act.

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