

117TH CONGRESS  
1ST SESSION

# H. R. 1138

To prohibit certain business concerns from receiving assistance from the  
Small Business Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

Mr. JACOBS of New York introduced the following bill; which was referred to  
the Committee on Small Business

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## A BILL

To prohibit certain business concerns from receiving 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 “Preventing SBA As-  
5       sistance from Going to China Act”.

6       **SEC. 2. PROHIBITION ON AFFILIATION WITH THE PEOPLE’S**  
7       **REPUBLIC OF CHINA.**

8       (a) IN GENERAL.—Section 3(a) of the Small Busi-  
9       ness Act (15 U.S.C. 632(a)) is amended by adding at the  
10      end the following:

1           “(10) PROHIBITION ON AFFILIATION WITH THE  
2       PEOPLE’S REPUBLIC OF CHINA.—For purposes of  
3       this Act, a small business concern may not—

4           “(A) be headquartered in the People’s Re-  
5       public of China; or

6           “(B) have more than 25 percent of the vot-  
7       ing stock of the small business concern owned  
8       by affiliates that are citizens of the People’s Re-  
9       public of China.”.

10       (b) REGULATIONS AND GUIDANCE.—The Adminis-  
11     trator of the Small Business Administration shall amend  
12     the regulations and guidance of the Administration, in-  
13     cluding sections 120.100, 120.110, and 121.105 of title  
14     13, Code of Federal Regulations, to carry out the amend-  
15     ment made by this Act.

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