Suspending the Rules and Pass the Bill, H.R. 3661, with an Amendment
(The amendment strikes all after the enacting clause and inserts a new text)

116th Congress
1st Session

H. R. 3661

To support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

July 10, 2019

Mr. Kim (for himself and Mr. Burchett) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

1. Be it enacted by the Senate and House of Representat-
2. tives of the United States of America in Congress assembled,
3. SECTION 1. SHORT TITLE.
4. This Act may be cited as the “Patriotic Employer
5. Protection Act of 2019”.

SEC. 2. EXTENSION OF LOAN ASSISTANCE AND DEFERRAL

ELIGIBILITY TO RESERVISTS BEYOND PERIODS OF MILITARY CONFLICT.

(a) SMALL BUSINESS ACT AMENDMENTS.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(1) in subsection (b)(3)—

(A) in subparagraph (A)—

(i) by striking clause (ii);

(ii) by redesignating clause (i) as clause (ii);

(iii) by inserting before clause (ii), as so redesignated, the following:

“(i) the term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code;”;

and

(iv) in clause (ii), as so redesignated, by adding “and” at the end;

(B) in subparagraph (B), by striking “being ordered to active military duty during a period of military conflict” and inserting “being ordered to perform active service for a period of more than 30 consecutive days”;

(C) in subparagraph (C), by striking “active duty” each place it appears and inserting “active service”; and
(D) in subparagraph (G)(ii)(II), by striking “active duty” and inserting “active service”; and

(2) in subsection (n)—

(A) in the subsection heading, by striking “ACTIVE DUTY” and inserting “ACTIVE SERVICE”;

(B) in paragraph (1)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(iii) by inserting before subparagraph (B), as so redesignated, the following:

“(A) ACTIVE SERVICE.—The term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code.”;

(iv) in subparagraph (B), as so redesignated, by striking “ordered to active duty during a period of military conflict” and inserting “ordered to perform active service for a period of more than 30 consecutive days”; and
(v) in subparagraph (D), by striking “active duty” each place it appears and inserting “active service”; and
(C) in paragraph (2)(B), by striking “active duty” each place it appears and inserting “active service”.

(b) APPLICABILITY.—The amendments made by subsection (a)(1) shall apply to an economic injury suffered or likely to be suffered as the result of an essential employee being ordered to perform active service (as defined in section 101(d)(3) of title 10, United States Code) for a period of more than 30 consecutive days who is discharged or released from such active service on or after the date of enactment of this Act.

(c) SEMIANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, and semianually thereafter, the President shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report on the number of loans made under the Military Reservist Economic Injury Disaster Loan program and the dollar volume of those loans. The report shall contain the subsidy rate of the disaster loan program as authorized under section 7(b)
of the Small Business Act (15 U.S.C. 636(b)) with the
loans made under the Military Reservist Economic Injury
Disaster Loan program and without those loans included.

(d) TECHNICAL AND CONFORMING AMENDMENT.—
Section 8(l) of the Small Business Act (15 U.S.C. 637(l))
is amended—

(1) by striking “The Administration” and in-
serting the following:
“(1) IN GENERAL.—The Administration”;
(2) by striking “(as defined in section
7(n)(1))”; and
(3) by adding at the end the following:
“(2) DEFINITION OF PERIOD OF MILITARY CON-
FLICT.—In this subsection, the term ‘period of mili-
tary conflict’ means—
“(A) a period of war declared by the Con-
gress;
“(B) a period of national emergency de-
declared by the Congress or by the President; or
“(C) a period of a contingency operation,
as defined in section 101(a) of title 10, United
States Code.”.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.
The budgetary effects of this Act, for the purpose of
complying with the Statutory Pay-As-You-Go Act of 2010,
shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.