

117TH CONGRESS
2D SESSION

S. 3711

To ensure that no cost reduction or cash refund is due under certain transportation cost-reimbursement contracts on the basis of the forgiveness of certain covered loans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2022

Mr. BRAUN (for himself and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To ensure that no cost reduction or cash refund is due under certain transportation cost-reimbursement contracts on the basis of the forgiveness of certain covered loans, 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. TREATMENT OF PAYCHECK PROTECTION PRO-**
 2 **GRAM LOAN FORGIVENESS OF PAYROLL**
 3 **COSTS UNDER HIGHWAY AND PUBLIC TRANS-**
 4 **PORTATION PROJECT COST-REIMBURSE-**
 5 **MENT CONTRACTS.**

6 (a) IN GENERAL.—Notwithstanding section 31.201–
 7 5 of title 48, Code of Federal Regulations (or successor
 8 regulations), for the purposes of any cost-reimbursement
 9 contract awarded in accordance with section 112 of title
 10 23, United States Code, or section 5325 of title 49, United
 11 States Code, or any subcontract under such a contract,
 12 no cost reduction or cash refund (including through a re-
 13 duced indirect cost rate) shall be due to the Department
 14 of Transportation or to a State transportation depart-
 15 ment, transit agency, or other recipient of assistance
 16 under chapter 1 of title 23, United States Code, or chapter
 17 53 of title 49, United States Code, on the basis of forgive-
 18 ness of the payroll costs of a covered loan (as those terms
 19 are defined in section 7A(a) of the Small Business Act
 20 (15 U.S.C. 636m(a))) issued under the paycheck protec-
 21 tion program under section 7(a)(36) of that Act (15
 22 U.S.C. 636(a)(36)).

23 (b) SAVING PROVISION.—Nothing in this section
 24 amends or exempts the prohibitions and liabilities under
 25 section 3729 of title 31, United States Code.

1 (c) TERMINATION.—This section ceases to be effec-
2 tive on June 30, 2025.

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