

117TH CONGRESS
2D SESSION

H. R. 7838

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 HOUSE OF REPRESENTATIVES

MAY 19, 2022

Mr. BROWN of Maryland (for himself and Mr. KATKO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Paycheck Protection
5 Program Fairness for Engineering Services Act”.

1 **SEC. 2. TREATMENT OF PAYCHECK PROTECTION PROGRAM**
2 **LOAN FORGIVENESS OF PAYROLL COSTS**
3 **UNDER HIGHWAY AND PUBLIC TRANSPOR-**
4 **TATION PROJECT COST-REIMBURSEMENT**
5 **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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