

116TH CONGRESS  
2D SESSION

# H. R. 6816

To amend the CARES Act to provide additional time for employers to maximize their loan forgiveness under the paycheck protection program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2020

Mr. GONZALEZ of Ohio (for himself, Mr. JOYCE of Ohio, Mr. LAHOOD, Mrs. MURPHY of Florida, and Mr. WENSTRUP) introduced the following bill; which was referred to the Committee on Small Business

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## A BILL

To amend the CARES Act to provide additional time for employers to maximize their loan forgiveness under the paycheck protection program, 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 “Promoting Flexibility  
5 for Small Business Owners Act”.

1 **SEC. 2. ADDITIONAL TIME TO MAXIMIZE LOAN FORGIVE-**  
2 **NESS UNDER THE PAYCHECK PROTECTION**  
3 **PROGRAM.**

4 Section 1106 of the CARES Act (Public Law 116–  
5 136) is amended—

6 (1) in subsection (a)(3), by striking “the 8-week  
7 period beginning on” and inserting the following:  
8 “the 12-week period beginning on the date that is  
9 the earlier of—

10 “(A) the date selected by the borrower; or

11 “(B) the date that is 30 days after”; and

12 (2) in subsection (d)(5)—

13 (A) in subparagraph (B)—

14 (i) in clause (i)(II), by striking “June  
15 30, 2020” and inserting “July 31, 2020”;

16 and

17 (ii) in clause (ii)(II), by striking  
18 “June 30, 2020” and inserting “July 31,  
19 2020”; and

20 (B) by adding at the end the following new  
21 subparagraph:

22 “(C) EXTENSION.—

23 “(i) IN GENERAL.—The Adminis-  
24 trator, in coordination with the Secretary  
25 of the Treasury, may extend the deadlines  
26 described in clauses (i)(II) and (ii)(II) of

1           subparagraph (B) for entities within cer-  
2           tain industry categories, as determined by  
3           the Administrator in accordance with the  
4           North American Industry Classification  
5           System codes.

6           “(ii) CRITERIA.—When making a de-  
7           termination whether to extend a deadline  
8           under clause (i), the Administrator shall  
9           consider—

10                   “(I) the restrictions on the oper-  
11                   ations of the industry category im-  
12                   posed by Federal, State, or local gov-  
13                   ernments based on COVID–19;

14                   “(II) industry category revenue  
15                   as compared to industry category rev-  
16                   enue at the same time in prior years;

17                   “(III) unemployment levels in the  
18                   industry category as compared to un-  
19                   employment levels in the industry cat-  
20                   egory in prior years; and

21                   “(IV) such other criteria as de-  
22                   termined by the Administrator, in  
23                   consultation with the Secretary of the  
24                   Treasury, to be appropriate.”.

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