

Calendar No. 134

119TH CONGRESS
1ST SESSION**S. 1199**

To extend the statute of limitations for fraud under certain pandemic programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2025

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

JULY 30, 2025

Reported by Ms. ERNST, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To extend the statute of limitations for fraud under certain pandemic programs, 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 “SBA Fraud Enforce-
5 ment Extension Act”.

1 **SEC. 2. STATUTE OF LIMITATIONS FOR CERTAIN PRO-**
 2 **GRAMS.**

3 (a) SHUTTERED VENUE OPERATORS.—Section 324
 4 of division N of the Consolidated Appropriations Act,
 5 2021 (15 U.S.C. 9009a) is amended by adding at the end
 6 the following:

7 “(g) STATUTE OF LIMITATIONS.—Notwithstanding
 8 any other provision of law, any criminal prosecution or
 9 civil enforcement action for a violation of, or conspiracy
 10 to violate, section 371, 641, 1028A, 1029, 1341, 1343,
 11 1344, 1349, 1956, or 1957 of title 18, United States
 12 Code, or section 3729 or 3801 of title 31, United States
 13 Code, with respect to any grant for shuttered venue opera-
 14 tors received under this section shall be brought not later
 15 than 10 years after the date of the violation or con-
 16 spiracy.”.

17 (b) RESTAURANT REVITALIZATION.—Section 5003 of
 18 the American Rescue Plan Act of 2021 (15 U.S.C. 9009c)
 19 is amended by adding at the end the following:

20 “(d) STATUTE OF LIMITATIONS.—Notwithstanding
 21 any other provision of law, any criminal prosecution or
 22 civil enforcement action for a violation of, or conspiracy
 23 to violate, section 371, 641, 1028A, 1029, 1341, 1343,
 24 1344, 1349, 1956, or 1957 of title 18, United States
 25 Code, or section 3729 or 3801 of title 31, United States
 26 Code, with respect to any restaurant revitalization grant

1 received under this section shall be brought not later than
 2 10 years after the date of the violation or conspiracy.”.

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “SBA Fraud Enforcement*
 5 *Extension Act”.*

6 **SEC. 2. STATUTE OF LIMITATIONS FOR CERTAIN PRO-**
 7 **GRAMS.**

8 *(a) SHUTTERED VENUE OPERATORS.—Section 324 of*
 9 *division N of the Consolidated Appropriations Act, 2021*
 10 *(15 U.S.C. 9009a) is amended by adding at the end the*
 11 *following:*

12 *“(g) STATUTE OF LIMITATIONS.—Notwithstanding*
 13 *any other provision of law, any criminal prosecution or*
 14 *civil enforcement action for a violation of, or conspiracy*
 15 *to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343,*
 16 *1349, 1956, or 1957 of title 18, United States Code, or sec-*
 17 *tion 3729 or 3802 of title 31, United States Code, with re-*
 18 *spect to any grant received or applied for under this section*
 19 *shall be filed not later than 10 years after the date of the*
 20 *violation or conspiracy.”.*

21 *(b) RESTAURANT REVITALIZATION.—Section 5003 of*
 22 *the American Rescue Plan Act of 2021 (15 U.S.C. 9009c)*
 23 *is amended by adding at the end the following:*

24 *“(d) STATUTE OF LIMITATIONS.—Notwithstanding*
 25 *any other provision of law, any criminal prosecution or*

1 *civil enforcement action for a violation of, or conspiracy*
 2 *to violate, section 371, 641, 1001, 1028A, 1029, 1341, 1343,*
 3 *1349, 1956, or 1957 of title 18, United States Code, or sec-*
 4 *tion 3729 or 3802 of title 31, United States Code, with re-*
 5 *spect to any grant received or applied for under this section*
 6 *shall be filed not later than 10 years after the date of the*
 7 *violation or conspiracy.”.*

8 (c) *CERTAIN ECONOMIC INJURY DISASTER LOANS.—*
 9 *Section 7 of the Small Business Act (15 U.S.C. 636) is*
 10 *amended—*

11 (1) *by redesignating the matter appearing be-*
 12 *tween paragraphs (12)(A) and (13) of subsection (a)*
 13 *and designated as subsection (b) (relating to deferred*
 14 *participation in loans) as subparagraph (B) and ad-*
 15 *justing the margins 2 ems to the right; and*

16 (2) *in the second subsection (b), relating to dis-*
 17 *aster loans—*

18 (A) *by inserting after “(b)” the following:*

19 *“FEDERAL DISASTER LOANS.—”; and*

20 (B) *by striking the second paragraph (16),*
 21 *relating to the statute of limitations, and insert-*
 22 *ing the following:*

23 *“(17) STATUTE OF LIMITATIONS.—Notwith-*
 24 *standing any other provision of law, any criminal*
 25 *prosecution or civil enforcement action for a violation*

1 *of, or conspiracy to violate, section 371, 641, 1001,*
 2 *1028A, 1029, 1341, 1343, 1349, 1956, or 1957 of title*
 3 *18, United States Code, or section 3729 or 3802 of*
 4 *title 31, United States Code, in which a borrower en-*
 5 *gaged in fraud with respect to a loan made under this*
 6 *subsection in response to COVID–19 during the cov-*
 7 *ered period (as defined in section 1110(a) of the*
 8 *CARES Act (15 U.S.C. 9009(a))) shall be filed not*
 9 *later than 10 years after the date of the violation or*
 10 *conspiracy.”.*

11 *(d) PAYCHECK PROTECTION PROGRAM.—Section*
 12 *7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36))*
 13 *is amended by striking subparagraph (W) and inserting the*
 14 *following:*

15 *“(W) STATUTE OF LIMITATIONS.—Notwith-*
 16 *standing any other provision of law, any crimi-*
 17 *nal prosecution or civil enforcement action for a*
 18 *violation of, or conspiracy to violate, section 371,*
 19 *641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956,*
 20 *or 1957 of title 18, United States Code, or sec-*
 21 *tion 3729 or 3802 of title 31, United States*
 22 *Code, in which a borrower engaged in fraud with*
 23 *respect to a covered loan guaranteed under this*
 24 *paragraph shall be filed not later than 10 years*
 25 *after the offense was committed.”.*

1 (e) *PAYCHECK PROTECTION PROGRAM SECOND DRAW*
2 *LOANS.*—Section 7(a)(37) of the Small Business Act (15
3 U.S.C. 636(a)(37)) is amended by striking subparagraph
4 (P) and inserting the following:

5 “(P) *STATUTE OF LIMITATIONS.*—Notwith-
6 standing any other provision of law, any crimi-
7 nal prosecution or civil enforcement action for a
8 violation of, or conspiracy to violate, section 371,
9 641, 1001, 1028A, 1029, 1341, 1343, 1349, 1956,
10 or 1957 of title 18, United States Code, or sec-
11 tion 3729 or 3802 of title 31, United States
12 Code, in which a borrower engaged in fraud with
13 respect to a covered loan guaranteed under this
14 paragraph shall be filed not later than 10 years
15 after the offense was committed.”.

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