The HEALS & HEROES Acts include provisions championed by the American Hotel and Lodging Association, including: a second round of Paycheck Protection Program (PPP) loans and grants; liability protections for hotels; and tax provisions which benefit the hotel industry, including: Enhanced Employee Retention Tax Credit, Workforce Opportunity Tax Credit and PPE.

<table>
<thead>
<tr>
<th>Issue</th>
<th>HEALS Act</th>
<th>HEROES Act</th>
</tr>
</thead>
</table>
| **Small Business - Paycheck Protection Program and Other Provisions** | • Second round of PPP loans of up to $2 million available for businesses under 300 workers or other small businesses with 50% lost revenue  
• PPP set-asides for small entities, including those with fewer than 10 employees ($2 billion) and community institutions ($10 billion)  
• New loan program providing working capital loans for small businesses as an alternative to a second PPP loan  
• Simplifies the forgiveness application process for small loans  
• New allowable loan uses, which include working capital, acquisition of fixed assets, and refinancing existing indebtedness  
• Hold harmless provision for PPP lenders that no enforcement action could be taken against a lender who in good faith relief on borrower certifications or documentation | • PPP eligibility expanded to all nonprofits but does not include a second round of PPP funding  
• Funding set-asides focused on underserved communities and nonprofits  
• Expanded data collection requirements including total amount of fees paid to lenders  
• Improved coordination between PPP and Employee Retention Tax Credit  
• Expands the pool of available capital for small firms by increasing the annual lending limit of the 7(a) program from $30 billion to $75 billion  
• Ensures the principal and interest loan assistance is not treated as taxable income to small business borrowers  
• Clarifies the hold harmless provision for lenders |
| **Provide Liability Protection to Hotels** | • Includes the SAFE TO WORK Act which provides limited liability protections for businesses from 12/1/2019 to 10/1/2024.  
• Allows cases to be brought in state or federal court, but only one standard of liability applies. Defendants may move cases filed in state court to federal district court  
• Limits compensatory damages to economic losses and prohibits punitive | N/A |
| **Labor and Employment Law Liability** | Protects employers from liability under federal labor and employment laws (including ADA, OSHA, and Civil Rights Act of 1964) for actions taken to comply with Coronavirus related public-health guidance and regulations | N/A |
| **State and Local Funding** | No additional state/local aid; however, additional flexibility on state money granted through CARES Act | $1 trillion to state and local governments, including:  
  - $500 billion for state fiscal relief  
  - $375 billion for local fiscal relief |
| **Unemployment Insurance** | • Extends the enhanced weekly benefits through 12/31/20 at the following amounts:  
  - Aug & Sept: $200/week  
  - Oct-Dec: A payment (up to $500) that, when combined with the state UI payment, would replace 70% of lost wages. (States may apply for a waiver to continue paying a flat fee through Nov.)  
  - Includes $2 billion for state unemployment system upgrades | • Extension of $600/week Federal Pandemic Unemployment Compensation to January 2021  
  • Allows gig workers, independent contractors, part-time & self-employed workers typically ineligible for unemployment insurance to receive insurance (but not the additional pandemic unemployment compensation) through March 2021 (currently set to expire 1/31/21) |
| **Tax Provisions** | • Mobile Workforce legislation to standardize state tax liability for work travel, and a temporary solution for state tax withholding rules for large employers with remote workers  
  • Refundable payroll tax credit for employer purchasing testing, PPE & certain other safety supplies  
  • Expanded Employee Refundable Tax Credit and Workforce Opportunity Tax Credit for employers with significant decrease in receipts  
  • Increases business meal deduction from 50% to 100% | • Elimination of the State and Local Tax Deduction (SALT) cap for 2020 and 2021 tax years  
  • Increases employee retention tax credit (ERTC) from 50% to 80%  
  • Changes to the net operating loss (NOL) provisions that were included in CARES Act |