

Monday, August 10, 2020

To: New York Community Banks

## FROM ICBA

### **PPP forgiveness platform now live**

The Small Business Administration's Paycheck Protection Program [forgiveness platform](#) is live and scheduled to begin accepting loan-forgiveness applications and decisions today. An [SBA user guide](#) released last week provides details on the timeline, decision process, account management, and more.

In a recent [procedural notice](#), the SBA said all PPP Lender Authorizing Officials in the CAFS/ETRAN system should have received a welcome email from [PPPForgivenessRequests@SBA.gov](mailto:PPPForgivenessRequests@SBA.gov) with instructions. Officials who have not received the email can contact SBA's PPP Lender Hotline at 833-572-0502.

Additional PPP guidance and resources are available on [Treasury's PPP webpage](#) and ICBA's [COVID-19 resource center](#).

The forgiveness platform is live after the SBA stopped processing new PPP loan applications Saturday night, in alignment with federal law. Congress and the Trump administration are debating the future of the PPP as part of the negotiations over the next stimulus package.

ICBA continues calling on community bankers to use its [Be Heard grassroots action center](#) to urge policymakers to advance PPP reforms as well as capital, accounting, and tax relief.

### **[ACCESS THE PLATFORM](#)**

### **ICBA seeks clear rules on PPP agent relationships**

ICBA called on the Treasury Department and SBA to clarify rules on Paycheck Protection Program fees paid to agents that assist borrowers or lenders. In a [letter to SBA and Treasury](#), ICBA said rules and guidance dictate that agents are to be paid from lender fees, though how the agency relationship is to be formed remains unclear. Common law requires contractual relationships to form agency relationships, as suggested by Treasury Secretary Steven Mnuchin in congressional testimony. ICBA asked Treasury and SBA to confirm that this is the case for PPP agency arrangements for agents to be entitled to compensation for their services. ICBA noted that the lack of clarity has led third parties to demand fees from PPP lenders—including via a growing number of lawsuits—simply because they communicated with the borrower in some manner.

### **Grassroots push continues amid stimulus debate**

As negotiations over the next emergency stimulus package continue, ICBA is calling on community bankers to urge needed reforms. ICBA's [Be Heard grassroots action center](#) offers specific recommendations on the Paycheck Protection Program as well as capital, accounting, and tax relief. [Contact Congress](#).

## FROM OTHER SOURCES

- With negotiations in Congress over [a pandemic recovery](#) package seemingly on the verge of collapse, President Trump took executive action on Saturday to extend federal relief himself. But Congress controls the power of the purse, and it is unclear whether Trump had the authority to act on his own — or [whether the measures will have any immediate effect](#). [The orders he signed](#) were billed as a federal eviction ban, a payroll tax suspension, relief for student borrowers and \$400 a week for unemployed people. But they do not add funding for small businesses, schools, or state and local governments, and do not include a second round of stimulus checks.
- President Trump's new executive actions to disburse coronavirus relief without congressional approval sparked confusion and frustration on Sunday among businesses, Democrats and state officials, some of whom lamented the moves would not deliver the necessary relief to cash-

strapped Americans. Trump's directives were aimed at offering new unemployment benefits, protecting renters from eviction and postponing the payment of a federal tax. [Trump's executive orders spark confusion among businesses and state officials as Democrats assail them as 'unworkable'](#)

- During Sunday talk shows, House Speaker Nancy Pelosi (D-Calif.) and Treasury Secretary Steven Mnuchin both suggested that they would consider a narrower deal on coronavirus economic relief, one that could extend federal aid until the end of the year, then revisit the issue in January. Pelosi said Democrats could agree to shorten the time the federal aid is extended from their original wish list in order to get the total cost of the bill down. ([Reuters](#))
- “Pelosi Is Playing Hardball on Coronavirus Relief. She Thinks She’ll Win,” via NYT’s Emily Cochrane and Nicholas Fandos: <https://nyti.ms/2PDWQCm>; and “Mark Meadows Brings Harder Spending Line to Coronavirus Talks,” from WSJ’s Siobhan Hughes: <https://on.wsj.com/2CfdFk3>.

### FROM NEW YORK

- New York had its lowest positive COVID-19 rate Saturday – about .78 percent of the 65,812 people tested – since testing began in March; the number had remained at 1% the past several weeks, [the Times Union reports](#). Governor Cuomo said that President Trump’s executive orders won't help New York out of its fiscal hole and that some of the requirements may be impossible for the state to meet, [State of Politics reports](#).
- President Donald Trump's executive orders won't help New York out of its fiscal hole and some of the requirements may be impossible for the state to meet, Gov. Andrew Cuomo said Sunday in a conference call. [Read More](#)

. . . Governor Cuomo [gave the go-ahead](#) for schools across the state to reopen in September, [setting New York apart](#) from many other cities and states that have scrapped reopening plans and opted to start the school year exclusively online. "By our infection rates, every school district can open," Cuomo said. "If anyone can open schools, we can open schools." But it will be up to local districts to decide whether to open, when, and how.

Governor Cuomo updated New Yorkers on the state's progress during the ongoing COVID-19 pandemic. The number of new cases, percentage of tests that were positive and many other helpful data points are always available at [forward.ny.gov](http://forward.ny.gov). Saturday's data is briefly summarized below:

Today's data is summarized briefly below:

- Patient Hospitalization - 548 (-25)
- Patients Newly Admitted - 66
- Hospital Counties - 30
- Number ICU - 131 (-2)
- Number ICU with Intubation - 66 (+2)
- Total Discharges - 73,689 (+80)
- Deaths - 7

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**IBANYS will continue to provide updates as additional information becomes available. Thank you all for your continued participation and support.**

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