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September 9, 2020

Dear Senator:

On behalf of NFIB, the nation's leading small business advocacy organization, I write in support of S. 178, the *Delivering Immediate Relief to America's Families, Schools, and Small Businesses Act*. This legislation provides necessary and targeted financial assistance, as well as important liability protections, to small businesses for the purposes of keeping workers employed and keeping their doors open during the ongoing public health crisis. **The vote on the motion to invoke cloture on the *Delivering Immediate Relief to America's Families, Schools, and Small Businesses Act* will be considered an NFIB Key Vote for the 116th Congress.**

The Paycheck Protection Program (PPP) has been a vital financial assistance tool to over 5 million small businesses, helping these businesses maintain employees and assisting with expenses such as rent, utilities, and mortgage interest.¹ Unfortunately, the negative economic consequences of government responses to the COVID-19 pandemic have lasted longer than Congress anticipated when the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* was enacted in late March.

With the interruption of state reopening plans and the realization that lower than average sales are likely for months to come, many small business owners need additional financial assistance. According to NFIB's most recent survey, 47% of small business owners who received PPP loan and/or an Economic Injury Disaster Loan (EIDL) anticipate needing additional financial support in the next 12 months.² Economic conditions continue to significantly lag pre-crisis levels for many small business owners with nearly half (49%) of small business owners currently impacted by a postponement or reversal of state or local reopening actions.³

Title IV, the *Continuing the Paycheck Protection Program Act*, provides more than \$250 billion in funds to allow for targeted second PPP loans for small businesses that can demonstrate at least 35% in reduced quarterly revenues relative to 2019. NFIB supports allowing struggling small businesses to

¹ *Paycheck Protection Program (PPP) Report*, Small Business Administration, August 8, 2020, https://www.sba.gov/sites/default/files/2020-08/PPP_Report%20-%202020-08-10-508.pdf.

² *COVID-19 Small Business Survey (11) (PPP, EIDL, Unemployment Insurance, the Economy)*, NFIB Research Center, August 18, 2020, <https://assets.nfib.com/nfibcom/Covid-19-11-Questionnaire-and-Write-up-FINAL.pdf>.

³ *COVID-19 Small Business Survey (10) (PPP, Real Estate, Business Expenses, the Economy)*, NFIB Research Center, July 21, 2020, <https://assets.nfib.com/nfibcom/Covid-19-10-Survey.pdf>.

receive second PPP loans. The opportunity for second PPP loans would significantly help small businesses who continue to be negatively impacted by government responses to COVID-19.

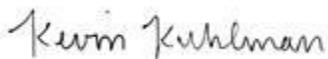
Additionally, the legislation expands the definition of PPP expenses to include certain operational expenditures, property damage costs, certain supplier costs, and worker protection expenditures, as well as allows small business borrowers to select an 8-week covered period to utilize their PPP loan funds. NFIB supports expanding eligible expenses to help small businesses cover essential reopening and operational expenses and providing flexibility regarding timing of PPP expenditures.

S. 178 also simplifies the PPP loan forgiveness process, allowing small businesses who received a loan of \$150,000 or less to attest to a good faith effort to comply with PPP loan requirements and obtain forgiveness. The success of the PPP will be determined ultimately on whether small business owners receive loan forgiveness. NFIB supports providing a more efficient way to demonstrate compliance and receive forgiveness as the vast majority of small business owners (84%) have exhausted their PPP funds and are preparing to apply for forgiveness.⁴

Title II, the *SAFE TO WORK Act*, protects small business owners who are following safety guidelines to keep employees and customers safe from the threat of devastating lawsuits. Small business owners have to manage the health and safety of both their employees and customers in addition to managing the normal day-to-day business operations. Increased liability related to COVID-19 is a concern for many small business owners as they navigate the health crisis in operating their business. The threat of legal action against their business is a concern for 55% of small business owners.⁵ NFIB supports the liability protections for small businesses contained within this legislation.

NFIB supports the *Delivering Immediate Relief to America's Families, Schools, and Small Businesses Act* and will consider the motion to invoke cloture as an NFIB Key Vote for the 116th Congress.

Sincerely,



Kevin Kuhlman
Vice President, Federal Government Relations
NFIB

⁴ *COVID-19 Small Business Survey (11) (PPP, EIDL, Unemployment Insurance, the Economy)*, NFIB Research Center, August 18, 2020, <https://assets.nfib.com/nfibcom/Covid-19-11-Questionnaire-and-Write-up-FINAL.pdf>.

⁵ *Ibid.*