April 16, 2020

The Honorable Marco Rubio
Chairman
Committee on Small Business &
Entrepreneurship
United States Senate
Washington, DC 20510

The Honorable Benjamin Cardin
Ranking Member
Committee on Small Business &
Entrepreneurship
United States Senate
Washington, DC 20510

The Honorable Nydia Velázquez
Chair
Committee on Small Business
United States House of Representatives
Washington, DC 20515

The Honorable Steve Chabot
Ranking Member
Committee on Small Business
United States House of Representatives
Washington, DC 20515

Dear Chairs Rubio and Velazquez and Ranking Members Cardin and Chabot:

On behalf of the Solar Energy Industries Association (SEIA) and the 250,000 solar workers we represent, we write to thank you and your colleagues for the swift passage of several provisions within the first three COVID-19 relief bills that are providing much-needed emergency funding to small businesses across the nation, including small solar companies. As your respective committees continue to lead the ongoing discussions around additional assistance for small businesses in subsequent COVID-19 relief bills, we wanted to highlight some of the obstacles SEIA members face when trying to access the benefits available in both the Paycheck Protection Program (PPP) and the Economic Injury Disaster Loans (EIDL).

Some of the general issues PPP and EIDL applicants are facing as these programs rollout include limited access to SBA staff, availability of partnering lending institutions, and timing of disbursements. In addition, there are some specific policy changes that our members would like to encourage Congress to consider as you review the parameters surrounding these funding programs.

Flexibility on PPP Loan Maturity Payback Period

We understand that the Small Business Administration (SBA) intends to make the payback period of PPP loans two years, even though the CARES Act authorizes a payback of up to ten years. Given these extremely uncertain times and the need to stabilize the economy both during and after the COVID-19 crisis, we would ask that Congress would consider extending the payback period to be not less than five years for PPP recipients.

Variations in Affiliate Rules

Several SEIA member companies have found that their affiliation with larger companies is making them ineligible for loans under both programs. Congress, in these extreme circumstances, should consider eliminating the varying affiliate rules for small sized companies when applying for funding from the PPP and EIDL programs.

Personal Guarantees in PPP vs. EIDL

Several SEIA members that identify as small businesses do not qualify for the EIDL because these entities are investor backed. Stipulations in the CARES Act require that these loans require personal guarantees, unlike the PPP. We would ask that the Congress consider temporarily removing the guarantee requirement for EIDL loans as this would allow some of our companies to qualify for these much-needed loans under this program.

Extension of PPP and EIDL programs

The current provisions of both the PPP and EIDL provide some flexibility that hopefully helps our member companies through theCOVID-19 crisis, but several of our companies are still at high risk of forcing massive layoffs even after the COVID-19 crisis is over. We hope Congress will extend and expand provisions in both measures until the nation reaches a stable level where small businesses thrive on their own economic strength.

During these tough economic times of COVID-19 we ask that you consider the changes listed above that will help not only SEIA's members that are small businesses, to ensure that both the PPP and EIDL are perfected so our companies can provide the continuation of employment and employer-provided benefits during these uncertain times as well as continue to build clean energy across the United States. We urge you to consider these changes and thank you for moving swiftly to help American workers, their families, and the small businesses that employ them.

Sincerely,

Abigail Ross Hopper, Esq.
President & CEO
Solar Energy Industries Association