

United States Senate

WASHINGTON, DC 20510

May 22, 2020

The Honorable Jovita Carranza
Administrator
U.S. Small Business Administration
403 3rd St SW
Washington, DC 20416

The Honorable Steven T. Mnuchin
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Ave NW
Washington, DC 20220

Dear Administrator Carranza and Secretary Mnuchin:

We write to address confusion that has arisen in recent reporting regarding the eligibility of Planned Parenthood health centers for participation in the Paycheck Protection Program (PPP) and express our deep concern that the Small Business Administration (SBA) appears to be engaged in targeted, ideologically-based attacks against critical safety-net health care providers.

As established under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the PPP was created specifically to ensure all 501(c)(3) nonprofits who meet the qualifications under the terms and conditions of the law would be eligible to receive these loans. Any terms or conditions applied, including the affiliation rule, were not aimed at targeting or excluding any specific entity or category of entities.

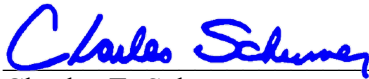
The PPP was created to respond directly to the ongoing severe consequences of the COVID-19 pandemic by providing “a direct incentive for small businesses to keep their workers on the payroll.” The intent of the program is to provide cash flow assistance through 100 percent federally guaranteed loans to qualifying employers who maintain their payroll during this emergency. The law was drafted to provide eligibility for both for-profit and nonprofit organizations, as both types of organizations face severe economic challenges at this moment. The decision to fund PPP was based on a mutual and bipartisan consensus that it was important for this program to assist the broad universe of nonprofit organizations in this country, many of whom provide food assistance, health care services, child care, charitable services, and other essential functions that constitute a critical component of our social safety net. As such, independent Planned Parenthood 501(c)(3) organizations that have less than 500 employees and are compliant with the affiliation rule are eligible for PPP under the CARES Act.

On May 19, conservative media outlets began to report that the SBA is “reaching out to each involved Planned Parenthood affiliate” which has received PPP funding in an effort to pressure them into returning funds. The reporting, combined with the previous comments from a “senior Administration official” and this administration’s longstanding campaign against reproductive health generally and Planned Parenthood specifically, strongly suggests that Planned Parenthood is being arbitrarily singled out amongst over 4.3 million loans that have been issued under this program.

It is critical that the SBA implement the PPP as Congress directed, without ideological efforts to treat certain nonprofit organizations differently from others. The SBA must administer the PPP program in a manner that is uniform and that does not target any entity or subset of entities for exclusion, especially if doing so is based on a political ideology, the services provided by that entity, or any other factor unrelated to the criteria established by law in the CARES Act.

In light of these developments, we ask that the SBA stop ideologically-driven action against Planned Parenthood organizations through the unequal application of the affiliation rule in order to score political points for this administration by attacking nonprofit health care providers.

Sincerely,



Charles E. Schumer
United States Senator



Benjamin L. Cardin
United States Senator



Jeanne Shaheen
United States Senator



Patty Murray
United States Senator



Michael F. Bennet
United States Senator



Ron Wyden
United States Senator



Sheldon Whitehouse
United States Senator



Bernard Sanders
United States Senator



Elizabeth Warren
United States Senator



Patrick Leahy
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator



Tammy Duckworth
United States Senator



Cory A. Booker
United States Senator



Margaret Wood Hassan
United States Senator



Kirsten Gillibrand
United States Senator

/s/ Brian Schatz

Brian Schatz
United States Senator



Jeffrey A. Merkley
United States Senator



Mazie K. Hirono
United States Senator



Richard Blumenthal
United States Senator



Edward J. Markey
United States Senator



Tammy Baldwin
United States Senator



Sherrod Brown
United States Senator



Tim Kaine
United States Senator



Tina Smith
United States Senator



Christopher S. Murphy
United States Senator



Maria Cantwell
United States Senator



Christopher A. Coons
United States Senator



Catherine Cortez Masto
United States Senator



Debbie Stabenow
United States Senator

/s/ Martin Heinrich

Martin Heinrich
United States Senator



Robert Menendez
United States Senator



Richard J. Durbin
United States Senator

/s/ Robert P. Casey, Jr.

Robert P. Casey, Jr.
United States Senator

/s/ Jack Reed

Jack Reed
United States Senator



Jacky Rosen
United States Senator



Amy Klobuchar
United States Senator



Kamala D. Harris
United States Senator



Tom Udall
United States Senator

/s/ Mark R. Warner

Mark R. Warner
United States Senator



Jon Tester
United States Senator

/s/ Dianne Feinstein

Dianne Feinstein
United States Senator