



May 8, 2020

Honorable Nancy Pelosi  
Speaker of the House of Representatives  
Washington, DC 20515

Honorable Kevin McCarthy  
Minority Leader, House of Representatives  
Washington, DC 20515

Honorable Mitch McConnell  
Senate Majority Leader  
United States Senate  
Washington, DC 20510

Honorable Chuck Schumer  
Senate Minority Leader  
United States Senate  
Washington, DC 20510

Dear Speaker Pelosi and Leaders McConnell, McCarthy and Schumer:

IAAPA is the global association for the attractions industry, representing major theme parks, local and destination fixed-site attractions, water parks, family entertainment centers, museums, zoos and aquariums, and manufacturers and suppliers. IAAPA's U.S. members employ over 700,000 people in over 5,450 businesses with an annual economic impact of \$51.6 billion on the U.S. economy. IAAPA estimates industry revenue is down approximately 80 percent, requiring IAAPA members to make difficult choices on a daily basis in order to ensure their businesses can withstand the shut-down and are ready, prepared, and properly staffed to safely and fully open when allowed. IAAPA and its members are actively working to develop safety protocols based on the Centers for Disease and Control Prevention recommendations so as states and communities open, attractions can open safely and continue to be economic engines in their local communities.

We appreciate your leadership in expeditiously passing the CARES Act which provided a necessary lifeline to individuals and businesses. Eligible IAAPA members have applied for Paycheck Protection Program loans and bigger businesses are looking at the details of the Title IV mid-size lending programs being developed by the Department of Treasury to evaluate whether the programs will be beneficial to their businesses. All members are hopeful they will be able to utilize the various tax provisions in the bill. However, problems exist with the CARES Act and its implementation which prevent parks and attractions industry businesses and their over 700,000 employees from fully benefitting from it.

As Congress considers the next phase of COVID-19 related legislation, addressing the following issues are essential to ensuring the health of the industry:

- Small Business Administration Loans
  - Increase loan forgiveness flexibility in the Paycheck Protection Program in terms of how funds can be used and extend the timeline for usage from 8 to 20 weeks after commencement of loan.
  - Given the uncertainty of the pandemic and the ability of businesses to fully open, substantially increase the total amount businesses can access and extend the duration of the program through December 31, 2020, focusing funds on the most severely impacted businesses such as those subject to mandatory shutdown and social distancing requirements.
  - Given the anticipated slow recovery to full capacity for the attractions industry, direct Treasury to increase the loan repayment term from 2 to 10 years.
  - For purposes of eligibility for the Paycheck Protection Program for seasonal businesses such as attractions industry businesses, change the definition of "employee" to "full-time equivalent" to accurately reflect the size of the business. This change would be consistent with the current Internal Revenue Code 45R(d)(2) loan amount which is based on actual payroll costs, and with the forgiveness sections of the Act which rely on full-time equivalent calculations.

- Mid-Size Lending Programs in the Emergency Stabilization Fund
  - Requirements for employee retention should focus on permanent year-around employees to accommodate the attractions industry, and other industries, that have a substantial number of part-time, temporary and seasonal workers who are critical, but hired on an “as needed” basis.
  - Employers should not be responsible for retaining employees that opt not to return (similar to PPP).
  - Should state and local health guidelines prevent businesses from fully opening, deferral of repayment should be extended beyond the current 1 year and should be interest free to encourage businesses to maintain employees and sustain their businesses until they can open at full capacity.
  
- Tax credits
  - Support the bi-partisan *Jumpstarting Our Businesses Success Credit* (JOBS Credit), introduced by Representatives Stephanie Murphy (D-FL) and John Katko (R-NY), which among other things, modifies the Employee Retention Tax Credit (ERTC), by: (1) increasing the credit percentage from 50 percent to 80 percent of qualified wages; (2) increasing the per-employee limitation from \$10,000 for all quarters to \$15,000 per calendar quarter; (3) changing the threshold for treatment as a large employer from employers having more than 100 employees to employers having more than 1,500 employees (based on the average number of full-time employees in 2019) or having gross receipts above \$41.5 million in 2019; (3) enabling ERTC eligibility for Paycheck Protection Program (Section 1102 of the CARES Act) recipients, with safeguards in place to prevent double-dipping; and (4) clarifying that “qualified wages” include qualified health.
  - Create a temporary travel tax credit worth 50 percent of qualified travel expenses incurred in the U.S. during a specified 12-month period up, to a maximum tax credit of \$4,000 per household in order to incentivize a restart of the travel economy.
  
- Liability Protection
  - Provide COVID-19 liability protection for businesses that are following best practices to protect guests and workers against COVID-related illness.

Thank you for your leadership during this challenging time. If we can do anything to assist you in its ongoing response during this pandemic, please do not hesitate to let us know.

With great respect and sincerity,



Hal McEvoy  
President and CEO  
IAAPA

CC:

The Honorable Richard Neal, Chairman  
Committee on Ways & Means  
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The Honorable Kevin Brady, Ranking Member  
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The Honorable Chuck Grassley, Chairman  
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The Honorable Ron Wyden, Ranking Member  
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The Honorable Lindsey Graham, Chairman  
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The Honorable Dianne Feinstein, Ranking Member  
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The Honorable Jerrold Nadler, Chairman  
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for the Attractions Industry