

# NOVEMBER ADVOCACY UPDATE

11/19/2021

Happy Friday!

For those of you unable to make this month's Advocacy call. [Here](#) is a link to the recording. We went around and introduced ourselves, so the meeting started around minute 25:23. For those of you still wondering, the last time Congress passed all their annual appropriations bills was in 1996. Since 1996, Congress has done omnibus appropriations and continuing resolutions (CR).

Mark your calendars! Our next monthly meeting is **Tuesday, January 18**.

Here is the **request for comments** this week:

- Please reply to this email with anything you and your chapter believe should be part of the **NAWBO National Advocacy Agenda for 2022**.

Thank you to everyone who sent comments on the SBA Strategic Plan. We value your input tremendously! Our remarks were sent this morning.

**LAST CALL!! NAWBO National Advocacy Committee—Calling for Nominations:** Click [here](#) to nominate yourself for the NAWBO National Advocacy Committee. This smaller group will help to outreach regionally and assist NAWBO National's Advocacy efforts.

## **Hill Updates:**

- With the President's signature on the Bipartisan Infrastructure Package this week, [NAWBO](#) issued a press release and the [Small Business Roundtable](#), which included compiled quotes from the SBR community.
- Yesterday, the Congressional Budget Office (CBO) released the full cost of President Biden's Build Back Better Plan, saying it would increase the deficit by \$367 billion over ten years. However, other economists say the number does not consider \$207 billion in revenue that the CBO estimates would be raised by providing the IRS with more money for enforcement.
  - House Minority Leader McCarthy held the floor for more than eight hours yesterday, delaying passage of (BBB) last night. The House passed it this morning. The bill heads to the U.S. Senate, where it will have an uphill battle with moderate Democrats.
- This week, for the fifth time, Republican members of the U.S. Senate Committee on Small Business & Entrepreneurship failed to attend a scheduled business meeting to consider the nomination of Dilawar Syed to be Deputy Administrator of the U.S. Small Business Administration (SBA). Without the members, the committee did not have the quorum necessary under the Senate rules to forward the nomination.

## **What's next?**

It looks like the Senate will be voting on the National Defense Authorization Act (NDAA) when they return from the Thanksgiving recess. The Senate will need to secure the government funding because the Continuing Resolution (CR) expires on December 3. Earlier this week, Secretary Yellen said the new date for the debt limit to expire is now December 15. These are the new deadlines for Congress before

the December holidays. Plus, the Senate may turn to the Build Back Better Plan after its passage in the House.

### [House Hearings](#)

### [Senate Hearings](#)

#### **Biden Administration Updates:**

- Nominations are now being accepted for the [2022 National Small Business Week \(NSBW\) Awards](#). The NSBW Awards recognize the achievements of SBA-assisted small businesses and the contributions they have made to their communities and our nation's economy. All nominations should be submitted electronically by 3 p.m. EST on January 11, 2022. The awards will be presented during the NSBW Awards ceremony in the first week of May 2022. To nominate a small business owner in your area or download related forms, criteria, and guidelines, visit [sba.gov/nsbw](http://sba.gov/nsbw).
- **SBA Opens Public Comment on Two Proposed Size Standard Modifications**  
The proposed changes would modify the averaging period for calculating a small business's number of employees, increasing it from 12 months to 24 months, and applying it to all SBA's programs. In addition, the proposed changes would also give small businesses participating in SBA's loan programs and Small Business Investment Company (SBIC) Programs the option to choose between the new five-year averaging period or the existing three-year averaging period to calculate average annual revenues.
  - The public is invited to comment on the proposed rule on or before December 2, 2021. Submissions may be submitted at [www.regulations.gov](http://www.regulations.gov) or via [FederalRegister.gov](http://FederalRegister.gov) and identified by the following RIN number: RIN 3245-AH26. Comments will also be accepted by mail directed to Khem R. Sharma, Chief, Office of Size Standards, 409 3rd Street SW, Mail Code 6530, Washington, D.C. 20416.
- The SBA and Public Private Strategies Institute have teamed up to provide small business owners with a series of webinars that will cover resources to help small businesses grow and thrive. Join us for the next session on **Wednesday, December 1, 2021, at 2:00 p.m. ET: Government Contracting and Procurement**. [Register](#)
  - During this webinar, you will:
    - Learn more about COVID EIDL and how you can take advantage before December 31, 2021
    - Discover tools and resources you can use to start and grow your business
    - Have your questions answered by SBA leadership and small business experts
    - Learn how you can become a vaccine leader in your community
    - Get an update regarding programs and recent policy announcements made by the Biden-Harris Administration

11/12/2021

Happy Friday!

Remember, next **Tuesday, November 16, at 12 p.m. ET** is our monthly Advocacy Call. Here is the information to join:

<https://us02web.zoom.us/j/75870625171?pwd=YmRMLys1RThqNmdaUFVDYnNIQ2tOQT09>

Meeting ID: 758 7062 5171

Passcode: 8MUVut

I hope to see you all there! Remember, we won't meet again until January!

Here is the **request for comments** this week:

- As the U.S. Small Business Administration develops its *FY 2022-2026 Strategic Plan* and *Enterprise Learning Agenda* (ELA), they are seeking feedback from NAWBO as a key stakeholder and advocate for small businesses to strengthen their plans. You can find the draft [Strategic Plan framework](#) and draft [Enterprise Learning Agenda](#) are available at [www.sba.gov/sp](http://www.sba.gov/sp). I need all feedback by **Monday, November 15**.

**NAWBO National Advocacy Committee—Calling for Nominations:** Click [here](#) to nominate yourself for the NAWBO National Advocacy Committee. This smaller group will help to outreach regionally and assist NAWBO National's Advocacy efforts.

### Hill Updates:

As you heard last weekend, late Friday evening, House lawmakers [voted in favor](#) of the *Infrastructure Investment and Jobs Act* (BIF). This action has officially separated the broader social spending package (known as the Build Back Better plan, or, BBB) from the recently-passed BIF. ICYMI: six progressives [voted against](#) the BIF and 13 Republicans [voted for](#) it. Of those who declared Nay included "Squad" members, Rep. Ocasio-Cortez (D-NY), Rep. Omar (D-MN), Rep. Pressley (D-MA), and Rep. Talib (D-MI). If you need a refresher on [what is in the BIF](#), please see the below:

- **\$110b for roads and bridges**
- **\$39b for public transit**
- **\$66b for passenger and freight rail**
- **\$7.5b for electric vehicles**
- **\$65b for broadband**
- **\$65b for modernizing the electric grid**
- **\$25b for airports**
- **\$55b for water and wastewater systems**

The White House says BIF will:

- Create 700,000 jobs per year over the next ten years,
- Modernize rails, roads and bridges, and transportation safety programs,
- Direct spending to bolster innovation in climate technology to reduce emissions and creates Office of Clean Energy Development to Dept. of Energy,
  - Includes programs to help small businesses reduce energy costs and increase energy efficiency
- Provide an expansion of broadband services (including \$14b for low-income households and additional workforce development funding) and direct spending to bolster cybersecurity in federal, state, and local IT networks,
- Include a special focus on incorporating underserved communities and populations across all programmatic goals of the legislation,

- The White House will begin to work closely with state, local, tribal, and community partners for implementation.

**What's next?** The government remains funded through early December and Congress is expected to pass another continuing resolution in the next few weeks to avoid a shutdown. However, the Build Back Better Plan is still in limbo. Earlier this week, Speaker Pelosi said they will bring it to a vote next week in the House. Remember, moderates still want to see how much the package costs according to the Congressional Budget Office. Then, once it passes the House, it's still going to hit some roadblocks in the Senate. Let's just say BBB is TBD.

### House Hearings

- Tuesday, November 16, 2021, the Committee on Small Business will hold a hybrid hearing titled: "A Discussion with SBA Administrator Isabella Casillas Guzman." The hearing is scheduled to begin at 10:00 a.m. Go [here](#) to access the link to the live stream.

### Senate Hearings

- Wednesday, November 17, 2021- 9:30 a.m. Senate SBC will be holding a business meeting that will include the nomination of Dilawar Syed to be Deputy Administrator of the Small Business Administration, S. 1617 – Disaster Assistance for Rural Communities Act, and S. 1621 – PREPARE Act. If you or your chapter would like to write a letter on behalf of Mr. Syed, [here](#), you can find a draft letter that you or your chapter can send requesting Senators to bring a quorum and vote on Dilawar Syed's nomination.

### Biden Administration Updates:

- On November 5, 2021, the Occupational Safety and Health Administration (OSHA) published an Emergency Temporary Standard (ETS) on mandatory "COVID-19 Vaccination and Testing" under section 6(c)(1) of the Occupational Safety and Health Act.
  - The ETS requires employers with 100 or more employees to develop, implement, and enforce a mandatory COVID-19 vaccination policy, except for covered employers that adopt an alternative policy of requiring employees to undergo regular COVID-19 testing and wear a face covering at work.
  - OSHA has determined that a grave danger exists that necessitates the ETS and that the ETS is both technically and economically feasible for covered employers.
  - **The rule is effective immediately and employers must comply with most requirements within 30 days and with testing requirements within 60 days. The ETS is open for public comment through December 6, 2021.**
  - For additional information, including OSHA summaries and fact sheets about the ETS, please visit [OSHA's COVID-19 Vaccination and Testing](#) webpage.
- On Tuesday of this week, the SBA Office of Advocacy released its [bi-annual Economic Bulletin](#), which examines new data on how small businesses have recovered since the peak of the COVID-19 pandemic. Both self-employment and proprietor income have recovered since crashing in 2020. These indicators suggest that COVID-19 sparked the shortest recession in U.S. history. Importantly, banking and finance indicators were muted compared to the Great Recession.

11/5/2021

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#### **Hill Updates:**

In other news this week,

- NAWBO National and several other organizations sent a [letter](#) to the House and Senate leadership on the low trust thresholds in the Build Back Better Framework. The proposed surtax thresholds in the Build Back Better framework are much lower for trusts, and family-owned businesses often use trusts to pass the business from one generation to the next—making these low thresholds particularly problematic.
- **Syed Nomination:** The U.S. Senate Committee on Small Business and Entrepreneurship did not receive a quorum to vote Dilawar Syed out of committee again. Click [here](#) to see a press release from Senator Cardin on the nomination. [Here](#), you can find a draft letter that you or your chapter can send requesting Senators to bring a quorum and vote on Dilawar Syed's nomination. The Chapter President, the Advocacy Chair, or a Chapter Member can send a letter.
- **Biden Agenda:** The Biden agenda is still in limbo. Progressive Democrats have agreed to move on infrastructure after getting what they see is a little more on the social agenda. Last night, reporters thought the House would move on the Biden agenda this morning, but it seems it hit another snag with Moderate Democrats asking for a CBO Score on the Build Back Better Plan (the legislative price tag) before voting. The House and Senate are both set to be in recess next week.
- **House Passes Small Business Bills:** The U.S. House of Representatives heads into a week of committee work while the U.S. Senate is in recess. However, this week the House did pass a set of six bipartisan bills that originated out of the House of Small Business Committee:

- [H.R. 3469, "Veteran Entrepreneurship Training Act of 2021"](#), Introduced by Rep. Bradley Schneider (D-IL) and Rep. Roger Williams (R-TX)  
 The bill amends the Small Business Act to authorize the "Boots to Business" veteran entrepreneurship training program for five years.
- [H.R. 4256, "Investing in Main Street Act"](#), Introduced by Rep. Judy Chu (D-CA) and Rep. Andrew Garbarino (R-NY)  
 The bill would increase the percentage of capital and surplus a financial institution or federal savings institution may invest in a Small Business Investment Company from 5 to 15 percent, subject to the approval of the appropriate federal banking agency.
- [H.R. 3462, "SBA Cyber Awareness Act"](#), Introduced by Rep. Jason Crow (D-CO) and Rep. Young Kim (R-CA)  
 The bill directs SBA to issue reports that assess its cybersecurity infrastructure and report cyber threats, breaches, and cyber-attacks.
- [H.R. 4481, "Small Business 7\(a\) Loan Agent Transparency Act"](#), Introduced by Rep. Dean Phillips (D-MN) and Rep. Dan Meuser (R-PA)  
 The bill would require the Small Business Administration Office of Credit Risk Management (OCRM) to establish a registration system for 7(a) agents that assign each a unique identifier and collects data to help OCRM track and evaluate loan performance for loans generated through loan agent activity.
- [H.R. 4531, "7\(a\) Loan Agent Oversight Act"](#), Introduced by Rep. Daniel Meuser (R-PA) and Rep. Dean Phillips (D-MN)  
 The bill requires the OCRM to submit an annual report to Congress regarding the performance of and risk associated with loans generated through loan agent activity.
- [H.R. 4515, "Small Business Development Center Cyber Training Act of 2021"](#), Introduced by Reps. Andrew Garbarino (R-NY), Dwight Evans (D-PA), Steve Chabot (R-OH), and Chrissy Houlahan (D-PA)  
 The bill would establish a cyber counseling certification program in Small business Development Centers (SBDCs) to provide specific, free-of-charge cyber training for small businesses. The cyber training provided by the nationwide network of SBDCs will offer crucial resources for small businesses to plan and implement cybersecurity protections and combat cyberattacks.

## [House Hearings](#)

## [Senate Hearings](#)

### **Biden Administration Updates:**

POTUS proclaimed November 2021 as National Entrepreneurship Month and to celebrate November 16, 2021, as National Entrepreneurs' Day.

## **Small Business Administration Updates:**

- The SBA and Public-Private Strategies Institute have teamed up to provide small business owners with a series of webinars that will cover resources to help small businesses grow and thrive. Join us for the next session on **Wednesday, November 10, 2021, at 2:00 p.m. ET: Community Navigators and Supporting Women Business Owners Women's Programs.**

During this webinar, you will:

- Learn more about COVID EIDL and how you can take advantage before December 31, 2021
- Discover tools and resources you can use to start and grow your business
- Have your questions answered by SBA leadership and small business experts
- Learn how you can become a vaccine leader in your community
- Get an update regarding programs and recent policy announcements made by the Biden-Harris Administration

### **[Register](#)**

- **Paycheck Protection Program borrowers:** If your loan is \$150,000 or less, you may be eligible to apply for direct forgiveness through SBA using our [online portal](#). Follow the steps below.
  - [Find out](#) if your lender is participating.
  - Watch a [video](#) about how to use the portal.
  - [Apply](#) for forgiveness.
  - For additional information, visit the [SBA website](#).
- The Office of Advocacy released a new version of its most popular publication, [Frequently Asked Questions About Small Business](#). Released annually, the FAQ is a great place to find facts about U.S. small businesses and their contribution to the economy.
- The U.S. Small Business Administration (SBA) Administrations announced that the agency reached \$44.8 billion in funding to small businesses through more than 61,000 traditional loans for fiscal year (FY) 2021. The fiscal year 2021 traditional lending data of note include:
  - **\$36.5 billion in 7(a) loans:** Nearly 52,000 7(a) loans worth more than \$36.5 billion were provided to small businesses. Lenders reported that minority business owners received nearly \$11 billion in 7(a) loans or 30% of the SBA's total 7(a) portfolio. Data also shows that women-owned businesses received nearly \$5 billion in FY 21, while veteran-owned businesses received \$1.2 billion.
  - **\$8.2 billion in 504 loans:** Working with authorized Certified Development Companies (CDCs), the SBA's 504 program delivered 9,600 loans worth more than \$8.2 billion to small businesses, fully exhausting funding authority for the first time in the program's history. Minority business owners received nearly \$1.88 billion in loans -- 23% of the total 504 portfolio. In FY 21, the program also provided over \$712 million in lending to

women-owned businesses and increased its support of rural small businesses by nearly 33%.

- **\$71.8 million in microloan funding:** In the fiscal year 2021, \$71.8 million in microloan funding went to nearly 4,400 small businesses. Forty-one percent of those loans went to underserved communities, including Hispanic-owned and Black-owned small businesses.