



December 12, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, Northwest
Washington, D.C. 20500

Dear Mr. President:

I write to you on behalf of the National Small Business Association (NSBA) representing over 65,000 members in every industry in all 50 states. NSBA has remained the leading non-partisan voice of small business for over 85 years on federal advocacy, enacting critical access to capital programs, preventing unfair small-business tax penalties, and repealing some of the most potentially damaging laws and regulations for the small business community.

We write to you today to discuss a dire need to bring increased capacity, accountability, and service to our small business community within the U.S. Small Business Administration (SBA) by addressing the high-level vacancies that remain unfilled: the Deputy Administrator and Chief Counsel for Advocacy. Despite the small-business community's high demand for support from the SBA, many of these positions have been open since the COVID-19 pandemic, which has left the majority of small-business owners (67 percent) less than fully confident their business will recover.

As you know, the appointment of the Deputy Administrator faced great challenges in Congress, resulting in delays in filling the position. While former nominee Syed has already taken a new post at the Department of State, no new nomination has been made to fill the vacant position of Deputy Administrator. We urge you to work with your colleagues in the Biden Administration to ensure that a new nomination is submitted in early January, paving way for staunchly nonpartisan commitments to fully staffing up the SBA. Filling this position will bring increased capacity to the SBA and we believe this capacity is needed as American small businesses continue to face challenges in navigating business ownership. The absence of a deputy administrator is especially serious given the growth of the SBA's operations during the COVID-19 pandemic. In 2020 alone, the SBA administered \$970 billion in small business aid.

Lastly, the SBA lacks a Chief Counsel for Advocacy to interpret, liaise, and advocate for fair laws and regulations placed on the shoulders of small businesses. The Chief Counsel position has been

vacant since the Obama Administration, with no additional attempts to advance a nominee to confirmation since March 2019. This position is one of 10 senior openings within the Office of Advocacy, which serves as the small-business watchdog when it comes to the federal regulatory process.

As the leading nonpartisan advocate for small businesses across the country, we urge the SBA to quickly fill these vacancies to ensure that the agency can keep pace with the growing demand for its programs, services, and staff.

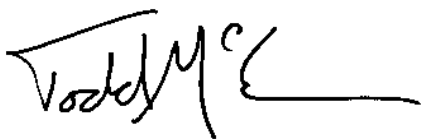
- NSBA calls on Republican members of the Senate Committee on Small Business to sit for a quorum and allow the confirmation of SBA appointments to be brought to the Senate floor for a vote.
- The Administration should move quickly to appoint permanent Chief Counsel for Advocacy. This role is urgently needed as the federally rule-making process continues to ramp-up, potentially created decades of unfair regulatory burden.
- Likewise, the SBA Administrator must act urgently to appoint a National Ombudsman through whom small businesses can respond to undue federal burden

Acting on filling these vacancies will bring greater confidence to the small business community, will build trust between small business owners and entrepreneurs to the federal government, and will prove Congress with the peace of mind it needs to ensure that the small business community is fairly served and represented in Washington.

We thank you for your time and we look forward to discussing this further with your office. The National Small Business Association stands ready to support the SBA in its endeavors to fill these vacancies to provide additional support for the small businesses that we represent.

If you have any questions or concerns, please do not hesitate to reach out to me directly at tmccracken@nsba.biz.

Yours truly,

A handwritten signature in black ink that reads "Todd McCracken". The signature is stylized, with the first name "Todd" written in a cursive-like font, and the last name "McCracken" written in a more blocky, slightly cursive font. A horizontal line extends from the end of the signature.

Todd McCracken
President & CEO