

ORGANIZATIONAL MEETING

HEARING

BEFORE THE

COMMITTEE ON SMALL BUSINESS

UNITED STATES

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

HEARING HELD
FEBRUARY 8, 2023



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ORGANIZATIONAL MEETING

WEDNESDAY, FEBRUARY 8, 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,

Washington, DC.

The Committee met, pursuant to call, at 3:31 p.m., in Room 2360, Rayburn House Office Building, Hon. Roger Williams [Chairman of the Committee] presiding.

Present: Representatives Williams, Luetkemeyer, Stauber, Meuser, Salazar, Ellzey, Molinaro, Alford, Crane, Bean, LaLota, Velázquez, Mfume, Phillips, Landsman, McGarvey, Gluesenkamp Perez, Scholten, Thanedar, Davids, and Pappas.

Chairman WILLIAMS. Good afternoon, everybody. We are going to get started. And let me just say before we get started, as we start our next hearings that we have coming up, we are going to be saying the Pledge of Allegiance and a short blessing, just like we do on the House floor. And so, if any of our colleagues on either side of the aisle are interested in leading the Pledge or blessing for a hearing, let my office know. We will get you on the schedule. So let us begin.

The Committee will now come to order, and without objection, the Chair is authorized to declare a recess of the Committee at any time. I want to welcome all our Members, both returning and new, to the organizational meeting of the Committee on Small Business for the 118th Congress.

This meeting will proceed as follows. First, Ranking Member Velázquez and I will introduce our Members on each side. Then we will introduce and officially approve our Subcommittee Chairs. Next, we will officially adopt our Committee rules. And finally, we will officially adopt our Committee's authorization and oversight plan.

I want to take a moment to recognize Ranking Member Velázquez. As you said last year, Ms. Velázquez, small business deserve our partnership. And I look forward to working together to make the small business in this nation better and more prosperous. And I think we will find out we have much more in common than we don't.

As a small business owner myself, I know firsthand the hardship many small businesses face every single day. As Chairman, I hope we can come together, conduct meaningful oversight of the many problems in the SBA during the COVID-19 pandemic and of the overburdensome regulations coming out of the Biden administration.

Now, before I introduce our new Members, I want to welcome back Congressman Blaine Luetkemeyer from Missouri, who will serve as the Vice Chair of this Congress. I was his Vice Ranking Member last year, and I look forward to continuing to work together to make America the greatest country in the world and the best place to do business.

So now I want to introduce the new Majority Members of this Committee. First, Congressman Tracey Mann from Kansas, Congressman Jake Ellzey from Texas, Congressman Marc Molinaro from New York, Congressman Mark Alford from Missouri, Congressman Eli Crane from Arizona, Congressman Aaron Bean from Florida, Congressman Wesley Hunt from Texas, and Congressman Nick LaLota from New York.

I also want to welcome back our Members returning to the Committee: Congressman Pete Stauber from Minnesota, who is serving his third term in Congress and served on two of our Subcommittees last Congress; Congressman Dan Meuser from Pennsylvania, who was our Ranking Member of the Subcommittee on Economic Growth, Tax, and Capital Access last Congress; Congresswoman Beth Van Duyne from Texas, who served as our Ranking Member for the Subcommittee on Oversight, Investigations, and Regulations last Congress; and finally, Congresswoman Maria Salazar from Florida, who served as our Ranking Member for the Subcommittee on Contracting Infrastructure last Congress. I am excited to have you all join us for the 118th, and I am looking forward to all we will accomplish together as we move forward.

So with that, I will yield to our distinguished Ranking Member from New York, Ms. Velázquez.

Ms. VELAZQUEZ. Thank you, Chairman Williams, and congratulations on your new role.

Small businesses make vital contributions to our economy. Not only do they generate two out of the three net jobs, but they drive innovation and economic progress throughout our country. However, the past few years have not been easy for small businesses. The pandemic brought challenges that were unthinkable a short time ago. Perseverance, combined with the historic investment in economic recovery, helped millions of small firms stay afloat.

Since January 2021, there has been over 10.5 million applications for new businesses. In January 2022, we smashed economic growth expectations with the addition of more than 500,000 new jobs—but our work is not done. Looking ahead, we must work together on this Committee to make sure small businesses are given the resources and protections they need to prosper. I hope we can continue our bipartisan tradition during the 118th Congress and show our constituents and new Members what it is like to make real change happen.

I now would like to welcome our new and returning Members and take a moment to introduce the Democratic Members on our side. Let me begin with the newest Members of our Committee. First is Mr. Greg Landsman of Ohio. He is a former public school teacher and faith-based nonprofit leader who served five terms on the Cincinnati City Council before being elected to Congress. As someone with deep community connections, he will be a vital resource to our efforts to strengthen our nation's main street.

Our next freshman Member is Mr. Morgan McGarvey, an attorney from Louisville, Kentucky, with a history and track record of representing the interests of small businesses. His passion for serving his community led him to run for Kentucky State Senate in 2012, where he became the minority leader by 2018. His leadership, legislative experience, and work ethic will be invaluable to this Committee.

I would also like to introduce Ms. Marie Gluesenkamp Perez, a working mother and small business owner from Southwest Washington. She started her auto repair and machine shop with her husband, Dean, with the help of an SBA loan. Her experience with SBA and running her own business is exactly the type of knowledge we need on the Committee.

Next are two Members from Michigan. First, Ms. Hillary Scholten, an attorney who clerked with the U.S. Court of Appeals for the Second Circuit in a special unit focused on immigration. She is a proven leader that is committed to finding common sense solutions. Secondly, Mr. Shri Thanedar, who immigrated to the U.S. at age 24 with \$20. Discovering a passion for entrepreneurship, he started several small businesses, and his success with the SBIR program will be an asset to this Committee.

Last but not least is Mr. Chris Pappas of New Hampshire, who helps run his family's 100-year-old restaurant. As a third-term Member of Congress, he serves on the Committee on Transportation and Infrastructure and Committee on Veterans Affairs.

I would also like to welcome back some excellent Members from last Congress: Jared Golden from Maine, Kweisi Mfume from Maryland, Dean Phillips of Minnesota, Judy Chu from California, and Sharice Davids of Kansas.

Thank you and I yield back.

Chairman WILLIAMS. Thank you. And I want to also welcome, of course, all the new Committee to the Republican side and all the Democratic side. Look forward to working with all of you. Thank you. And thank you, Ranking Member, for that.

Now, I would like to introduce our five Subcommittee Chairs on the majority side. Congressman Dan Meuser will Chair the Subcommittee on Economic Growth, Tax, and Capital Access. Congresswoman Beth Van Duyne will Chair the Subcommittee on Oversight, Investigations, and Regulations. Congressman Wesley Hunt will Chair the Subcommittee on Rural Development, Energy, and Supply Chains. And Congressman Nick LaLota will Chair the Subcommittee on Contracting and Infrastructure. Congressman Marc Molinaro will Chair the Subcommittee on Innovation, Entrepreneurship, and Workforce Development.

So, I want to thank all of you for your willingness to serve in that capacity. And now I yield to Ranking Member Velázquez to introduce the Ranking Members of the Subcommittees.

Ms. VELAZQUEZ. Thank you, Mr. Williams. I would like to congratulate the Committee Chairs and Ranking Members. We have had some bright, dynamic Members join our Committee, and I am confident this will be a productive session.

The full Committee Vice Ranking Member will be Dean Phillips. Kweisi Mfume will be the Ranking Member of the Subcommittee on Oversight, Investigations, and Regulations. Greg Landsman will

be the Ranking Member of the Subcommittee on Economic Growth, Tax, and Capital Access. Morgan McGarvey will be the Ranking Member of the Subcommittee on Innovation, Entrepreneurship, and Workforce Development. Marie Gluesenkamp Perez will be the Ranking Member of the Subcommittee on Rural Development, Energy, and Supply Chains. Hilary Scholten will be the Ranking Member of the Subcommittee on Contracting and Infrastructure.

Chairman WILLIAMS. All right, thank you very much. And I move that the list of Subcommittee Chairs and Ranking Members and as set forth in the rosters be approved.

All those in favor, say aye.

All those opposed, say no.

In the opinion of the Chair, the ayes have it, and the Chairs and Ranking Members are appointed. Without objection, the motion to reconsider is laid on the table.

I would like to now proceed to the Committee rules package. Pursuant to clause 2A of House Rule XI, the first order of business is adoption of the Committee's Rules of Procedure for the 118th Congress. A copy of the proposed rules has been distributed to each of you in advance.

Now, the rules package is nearly the same as last Congress, with a few minor changes. For instance, the name and jurisdiction of some of the Subcommittees have been modified to better address the problems facing small business in today's economy. We clarified the procedure for deposition and subpoenas to align with the House rules. We added language to remove remote proceedings to align with the House rules and to ensure that we are here in person, working hard for the American people. And I think these changes will allow us to propel this Committee forward to the benefit of small businesses nationwide.

So I now recognize Ranking Member Velázquez for her remarks on the rules,

Ms. VELAZQUEZ. Thank you, Mr. Chairman. Our Committee's rules are not only a vital institutional requirement, but they also set clear parameters for how we operate. More importantly, they contain protections, ensuring that all points of view are considered. It is important for Members on both sides of the aisle to note that, with a few exceptions, these rules are very similar to those of previous Congresses.

With that said, I will be remiss if I didn't mention my concern over the new rule to grant the Chairman of the Committee unilateral subpoena authority. While I recognize this change is in line with House rules, our Committee has always required either a majority vote of the Committee or an agreement between the Chair and Ranking Member before the Committee issues a subpoena. Under the new rules, the Chairman has unilateral authority to issue a subpoena with no debate. Subpoenas should be a measure of last resort to prevent bringing important work to aid small businesses to a halt.

I expressed these concerns to the Chairman, and we reached an agreement to require 24-hour notification to the minority before issuing a subpoena. Mr. Chairman, I appreciate your understanding and respect for honoring the minority's rights and, most

importantly, of this Committee's bipartisanship and bipartisan history.

Throughout my tenure on the Committee, we have conducted bipartisan oversight to hold the SBA to the highest standards, no matter if we were analyzing regular SBA programs or the COVID response programs. I look forward to our continued efforts in this area, and it is my hope that we will work together if a subpoena is to be issued. A Committee that is run openly and fairly is a Committee that works and can best achieve its objective.

I yield back, Mr. Chairman.

Chairman WILLIAMS. Thank you, Ms. Velázquez. And without objection, the draft Committee rules are considered as read and open for amendment at any point. Does any Member who wish to be recognized to offer amendments to the proposed Committee rules?

Okay. If not, I move the proposed rules be adopted as the rules of the Committee on Small Business for the 118th Congress.

All those in favor, say aye.

All those opposed, say no.

In the opinion of the Chair, the ayes have it, and the proposed rules are adopted. Now, without objection, the motion to reconsider is laid on the table. Pursuant to House rules, the rules adopted by the Committee on Small Business for 118th Congress will be published in the Congressional Record and made available to Members and the public on the Committee's website.

Now, the next order of business before the Committee is the adoption of our Authorization Oversight Plan for the 118th Congress. House rule X, clause 2D, directs each standing Committee to no later than March 1 of the first session of a Congress in a meeting that is open to the public adopt its Authorization and Oversight Plan for that Congress. As required by the rules our plan includes descriptions of each program or agency that is intended to be authorized in the current Congress or the next Congress, and description of oversight to support reauthorization in the current Congress. In addition, the plan includes recommendations for removing any such programs or agencies from mandatory to discretionary funding. The Committee may consider reforms and improvements to various SBA programs as noted throughout this Authorization and Oversight Plan. The Committee's Authorization and Oversight Plan for the 118th Congress was compiled with input from the Ranking Minority Member and has been made available in advance to all Members.

So, now I have recognized myself for 5 minutes to discuss the plan for this Congress.

As a lifelong small business owner, I know firsthand how often the smallest changes in Washington, D.C., can have a disastrous impact on small businesses across America. Over the last 2 years, overburdensome regulations have harmed small businesses. As Chairman, I intend to focus this Committee's attention on resources, conducting rigorous oversight of costly regulatory burdens that are harming small businesses. Members of this Committee will be fierce advocates for free market principles and pro growth policies.

We will work to highlight the American Dream and the many success stories of small business owners around the country with entrepreneurs and innovators from all corners of this country. We will hear from small business owners across the nation who are on the front lines of innovation and job creation, and we will investigate ways the Small Business Administration could improve the landscape for small business.

We will investigate agencies' rulemaking process and work to ensure that the interests of small businesses are properly considered. We will work to remove excessive and burdensome regulations to make it easier for small businesses not only to form, but to stay in business and to grow. And we will amplify the voice of small business in Washington, D.C. I know my colleagues on both sides of the aisle are eager to get to work on behalf of main street America.

With that, I yield to Distinguished Ranking Member Velázquez for 5 minutes for any remarks she may wish to make on the Oversight and Authorization Plan.

Ms. VELAZQUEZ. Thank you, Chairman Williams. The Oversight Plan sets forth a policy framework for our work this Congress. Like in previous years, the plan calls for the robust oversight of the SBA and other federal small business initiatives, a long tradition that this Committee takes seriously. To that end, this Committee has forged a bipartisan consensus opposing the creation of unauthorized pilot programs. Diverting scarce taxpayers' dollars away from proven programs can open the door to fraud, waste, and abuse, something we are all working to minimize.

On the other hand, this Committee has steadfastly supported statutorily authorized programs, including the Entrepreneurial Development Programs that offer free or low-cost counseling and training to small businesses. Lending programs help small businesses access affordable capital and contracting programs that help small businesses compete in the federal marketplace.

In the past two Congresses, we held numerous hearings with GAO and the Office of the Inspector General and made it clear that safeguarding taxpayers' dollars was our top priority. In fact, our oversight efforts increased last Congress, primarily in an effort to work with the IG and DOJ to hold bad actors accountable for fraud in COVID programs. In that vein, we enacted two bills that gave the DOJ and other investigative agencies additional time to prosecute fraud in the PPP and COVID EIDL programs. These laws were the product of the robust bipartisan oversight conducted by our Committee.

Additionally, regulatory burden is an important issue for small businesses, and we must continue our work in this area. We need to understand how we can make the regulatory process friendlier to small businesses without undermining essential safeguards that many of these rules provide. I hope to work with my colleagues to review SBA rules, particularly the lending rules, to lift the 40-year moratorium on licensing new small business lending companies to participate in the 7A program. I have urged SBA to exercise caution in making substantial changes to this successful program and to take the time to review the issues and comments to the rule.

I am fully committed to working with the agency and the new majority to protect the integrity of all SBA programs and ensure they serve small business owners as efficiently and effectively as possible.

With that, I urge Members to approve this oversight plan and I get back.

Chairman WILLIAMS. Thank you, Ranking Member. And as noted, the proposed Authorization Oversight Plan has been distributed to Members in advance. Now, without objection, the plan is considered as read and open for amendment at any point. Does any Member wish to be recognized to discuss the draft Authorization and Oversight Plan?

Okay. Are there any amendments?

All right. If not, I move the Authorization and Oversight Plan of the Committee on Small Business for the 118th Congress be adopted.

All those in favor, say aye.

All those opposed, say no.

In the opinion of the Chair, the ayes have it, and the plan is adopted. Now, without objection, the motion to reconsider is laid on the table. As directed by House rule X the Authorization and Oversight Plan will be submitted simultaneously to the Committee on Oversight and Accountability and the Committee on House Administration, who will compile and report the plan submitted by the standing Committees to the House no later than April 1.

So, this concludes today's business meeting. And I just want to say, this will be a fun Committee. We are going to get a lot of things done, and we are really going to help small business and create jobs and see a lot of results.

So, without objection, Committee staff is authorized to make technical and conforming changes to reflect the action of the Committee in adopting the resolution embodying our rules. So, without objection, the Committee stands adjourned.

Ms. VELAZQUEZ. Thank you.

Chairman WILLIAMS. Thank you.

[Whereupon, 3:51 p.m., the Committee was adjourned.]

A P P E N D I X

Rules and Procedures

Committee on Small Business

United States House of Representatives

118th Congress, 2023-2024

1. GENERAL PROVISIONS

(A) Applicability of House Rules.

- (1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee on Small Business (“the Committee”) and its Subcommittees.
- (2) Each subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable.
- (3) Except where the term “the Committee” and “subcommittee” are specifically referred to, the following rules shall apply to the Committee and its subcommittees as well as the to their respective chairs, ranking minority members, and members.
- (4) Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the rules of the Committee to the extent applicable.

(B) Appointments by the Chair. Pursuant to the Rules of the House, the Chair shall designate a Member of the Committee Majority to serve as Vice Chair of the Committee. The Vice Chair shall preside at any meeting or hearing during the temporary absence of the Chair. The Chair also reserves the right to designate a Member of the Committee Majority to serve as the Chair at a hearing or meeting.

(C) Authority to Conduct Investigations. The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

2. MEETINGS IN GENERAL

(A) Regular Meetings. The regular meeting day of the Committee shall be the second Wednesday of every month when the House is in session. The Chair is authorized to dispense with a regular meeting or to change the date thereof when

circumstances warrant as determined by the sole discretion of the Chair.

- (B) **Additional Meetings.** Additional meetings may be called as deemed necessary by the Chair or at the request of the majority Members of the Committee pursuant to Rule XI, cl. 2(c) of the rules of the House. At least 3 calendar days' notice, pursuant to Rule XI, cl. 2(g)(3)(A), of such an additional meeting shall be given unless the Chair, with the concurrence of the Ranking Minority Member, determines that there is good cause to call the meeting on less notice or upon a vote by a majority of the Committee (a quorum being present). Announcements of the meeting shall be published promptly in the Daily Digest and made publicly available in electronic form.
- (C) **Business to be Considered.** The determination of the business to be considered at each meeting shall be made by the Chair subject to limitations set forth in House Rule XI, cl. 2(c).
- (D) **Meeting Materials.** The Chair shall provide to each Member of the Committee, to the extent practicable, at least 48 hours in advance of a meeting, a copy of the bill, resolution, report, or other item to be considered at the meeting, but no later than 24 hours before the meeting. Such material also shall be made available to the public at least 24 hours in advance in electronic form.
- (E) **Special and Emergency Meetings.** The rules for notice and meetings as set forth in Rule 5 of these Rules shall not apply to special and emergency meetings. Clause 2(c)(2) of Rule XI and clause 2(g)(3)(A) of Rule XI of the Rules of the House, as applicable, shall apply to such meetings.
- (F) **Open Meetings.** Each meeting of the Committee or its Subcommittees for the transaction of business, including the markup of legislation, shall be open to the public, including to radio, television, streaming, and still photography coverage, except as provided by House Rule XI, cl. 4. If the majority of Members of the Committee or Subcommittee present at the meeting determine by a recorded vote in open session that all or part of the remainder of the meeting on that day shall be closed to the public because the disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person or otherwise would violate any law or rule of the House; provided however, that no person other than Members of the Committee, and such congressional staff and such executive branch representatives they may authorize, shall be present in any meeting which has been closed to the public.
- (G) **Open Hearings.** Each hearing conducted by the Committee or its Subcommittees shall be open to the public, including radio, television, and still photography coverage. If the majority of Members of the Committee or Subcommittee present at the hearing determine by a recorded vote in open session that all or part of the remainder of the hearing on that day shall be closed to the public because the disclosure of matters to be considered would endanger national security, would

compromise sensitive law enforcement information, or would tend to defame, degrade, or incriminate any person or otherwise would violate any law or rule of the House; provided however, that the Committee or Subcommittee may by the same procedure also vote to close one subsequent day of hearings. Notwithstanding the requirements of the preceding sentence, a majority of those present (if the requisite number of Members are present under Committee Rules for the purpose of taking testimony) may vote: (i) to close the hearing for the sole purpose of discussing whether the testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate Rule XI, cl. 2(k)(5) of the House or (ii) to close the hearing, as provided clause 2(k)(5) of Rule XI of the House.

- (H) Participation in Subcommittee Hearings. The Chair and Ranking Minority Member are *ex officio* Members of all Subcommittees for any hearing conducted by a Subcommittee. Members of the Committee who wish to participate in a hearing of the Subcommittee to which they are not Members shall make such request to the Chair and the Ranking Minority Member of the Subcommittee at the commencement of the hearing. The Chair, after consultation with the Ranking Minority Member of the Subcommittee, shall grant such request.
- (I) Non-Participatory Attendance by Other Members of the House. No Member of the House may be excluded from non-participatory attendance at any hearing of the Committee or any Subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or Subcommittees, for purposes of a particular subject of investigation, to close its hearing to Members by the same procedures designated to close hearings to the public.
- (J) Procedure to Participate. Members of Congress who are not Members of the Committee but would like to participate in a hearing shall notify the Chair and the Ranking Minority Member and submit a formal request no later than 24 hours before the commencement of the meeting or hearing. Such Member may not vote on any matter; be counted for the purpose of establishing a quorum; participate in questioning a witness under the 5-Minute rule, unless permitted to do so by the Chair in consultation with the Ranking Minority Member; raise points of order; or offer amendments or motions.
- (K) Audio and Video Coverage. To the maximum extent practicable, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen and view the proceedings and shall maintain the recordings of such coverage in a manner easily accessible to the public. Operation and use of any Committee internet broadcast system shall be fair and nonpartisan, and in accordance with clauses 4 (b) and (f) of House Rule XI and all other applicable rules of the Committee and the House.

3. MEETING AND HEARING PROCEDURES IN GENERAL

(A) Notice and Information for Members and the Public

- (1) Public announcement of the date, place, and subject matter of any hearing to be conducted by the Committee shall be made no later than seven (7) calendar days before the commencement of the hearing. To the extent possible, the seven days shall be counted from 168 hours before the time of the Committee's hearing.
- (2) The Chair, with the concurrence of the Ranking Minority Member, or upon a vote by the majority of the Committee (a quorum being present), may authorize a hearing to commence on less than 7 days' notice.
- (3) A list of witnesses shall be made available as soon as practicable after the hearing is noticed to the public. A final witness list shall be issued by the Committee no later than 48 hours prior to the commencement of the hearing.
- (4) The Chair shall provide to all Members of the Committee, as soon as practicable after the announcement of the hearing, a memorandum explaining the subject matter of the hearing and any official reports from departments and agencies on the subject matter of the hearing. Such material shall be made available to all Members of the Committee no later than 48 hours before the commencement of the hearing, unless the Chair, after consultation with the Ranking Minority Member, determines that certain reports from departments or agencies should not be made available prior to the commencement of the hearing. Material provided by the Chair to all Members, whether provided prior to or at the hearing, shall be placed on the Committee website no later than 48 hours after the commencement of the hearing, unless such material contains sensitive or classified information, in which case such material shall be handled pursuant to Rule 16 of the Committee's Rules.

- (B) Questioning of Witnesses. Except when the Committee adopts a motion pursuant to subdivisions (B) and (C) of clause 2(j)(2) of Rule XI of the Rules of the House, Committee Members may question witnesses only when they have been recognized by the Chair for that purpose. Members shall have the opportunity, as set forth in Rule XI, cl. 2 (j) of the Rules of the House, to question each witness on the panel for a period not to exceed five minutes. For any hearing, the Chair of the Committee or Subcommittee may offer a motion to extend the questioning of a witness or witnesses by the Member identified in the motion for more than five minutes as set forth in Rule XI, cl. 2(j)(B). No Member may be recognized for a second period of interrogation, subject to the 5-minute rule, until each Member present, who wishes to be recognized, has been recognized at least once.

(C) Order of Questioning

- (1) Full Committee Hearings. The Chair of the Committee shall commence

questioning followed by the Ranking Minority Member. Thereafter, questioning shall alternate between the Majority and Minority Members. Before the gavel has been struck, or in the case of Members arriving simultaneously, the order of questioning shall be based on seniority among Members of his or her own party. After the gavel has been struck, Members first to arrive shall have priority over Members of his or her own party. Members of Congress who are not Members of the Committee, if allowed by the Chair, may be recognized for questioning of witnesses but only after all Committee Members have first been recognized.

- (2) Subcommittee Hearings. The Chair of the Subcommittee shall commence questioning followed by the Ranking Minority Member of the Subcommittee. If present, the Chair and Ranking Minority Member of the Committee shall then be recognized for questioning, respectively. Thereafter, questioning shall alternate between the Majority and Minority Members of the Subcommittee. Before the gavel has been struck, or in the case of Subcommittee Members arriving simultaneously, the order of questioning shall be based on seniority among Members of his or her own party. After the gavel has been struck, Subcommittee Members first to arrive shall have priority over Subcommittee Members of his or her own party. Members of the Full Committee who are not members of the Subcommittee and are granted permission to participate pursuant to committee rule 7(C), may be recognized for questioning only after all Subcommittee Members have first been recognized. The order of questioning for Members of the Full Committee who are not members of the Subcommittee shall be based on full committee seniority. Members of Congress who are not Members of the Subcommittee, if allowed by the Chair, may be recognized for questioning of witnesses but only after all Subcommittee Members and Full Committee Members have first been recognized.
- (D) Consideration of Ratio. In recognizing Members to question witnesses, the Chair may take into consideration the ratio of Majority and Minority Members present in such a manner as to not disadvantage the Members of either party.
- (E) Remote Participation. Except as provided by section 3(j) of H. Res. 5, 118th Congress and these regulations, witnesses shall testify before a committee in person. No remote testimony will be accepted from witnesses testifying in a government capacity. In the event the chair of a committee determines that testimony of a witness appearing in a non-governmental capacity is necessary and such a witness is only available to participate remotely due to extreme hardship or other exceptional circumstances, the chair may allow the witness to participate remotely, with written approval from the Majority Leader.
- (1) The official record of the committee proceeding shall include a letter from the chair detailing the necessity of allowing the witness to participate remotely, a description of why the witness could not participate in person, why such testimony was necessary for purposes of fulfilling Congress's Article I

responsibility, and a letter from the Majority Leader approving of such remote participation.

- (2) The witness must agree to remain on the platform until excused by the chair. The witness should conduct a pre-hearing technology test with staff designated by the chair, to ensure the witness will have sufficient internet connection during the hearing, and to minimize the possibility of any technical issues.
- (3) No witness appearing in a governmental capacity may participate remotely. No witness testifying before a committee in response to a subpoena is permitted to testify remotely, unless both the chair of the committee and the Majority Leader authorize such testimony in writing and printed in the Congressional Record.
- (4) Any text based or private messaging function in the software platform used to facilitate the participation of a remote witness must be disabled unless it is used to provide technical support to the witness, which may be excluded from the public video stream and will not be considered a committee record.
- (5) Only witnesses approved for remote participation may have participatory access on the software platform.
- (6) Committees may only utilize a software platform certified by the Chief Administrative Officer. The Chief Administrative Officer should inform committees, including the ranking minority members, each time a software platform is certified.
- (7) Witnesses participating remotely should appear before a nonpolitical, professional appropriate background that is minimally distracting to other members and witnesses, to the greatest extent possible. It remains within the full discretion of the chair to enforce rules of decorum for committee proceedings.
- (8) Any committee report of activities submitted pursuant to clause 1(d)(1) of rule XI should include a list of hearings conducted with remote participation.
- (9) A witness participating remotely in a committee proceeding shall be visible onscreen within the software platform until excused by the chair. The witness shall disclose to the chair and ranking member any additional individual(s) present off screen.
- (10) Witness counsel shall be allowed access on the remote proceeding software platform if they are not in the physical presence of the witness. It is recommended that counsel facilitate a separate secure line of communication with the witness. A witness may not be un-muted by any other individual and should be allowed to use such secure line of communication while testifying to confer with counsel.
- (11) A witness may not allow an individual not invited to testify to speak on the platform. The committee chair may only provide an exception when the other

individual is necessary to facilitate the witness's participation in the hearing (e.g. translators).

(12) A chair may not authorize remote participation for more than one witness at a committee hearing without the approval of the Majority Leader in writing and printed in the Congressional Record.

(F) Transcripts of proceedings. A stenographic record of all testimony shall be kept of public meetings and hearings and shall be made available on such conditions as the Chair may prescribe.

4. REFERRAL OF BILLS BY THE CHAIR

The Chair will retain consideration of all legislation referred to the Committee by the Speaker. No action will be required of a Subcommittee before legislation is considered for report by the Committee. Subcommittee chairs, pursuant to the rules set out herein, may hold hearings on any bill referred to the Committee.

5. SUBCOMMITTEES

(A) Generally. Each Subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee, and to the Rules of the House and the rules adopted herein, to the extent applicable. The Chair and Ranking Member of the Committee are *ex officio* Members of all Subcommittees for the purpose of any meeting conducted by a Subcommittee.

(B) The Committee shall be organized into the following five subcommittees:

(1) Subcommittee on Rural Development, Energy, and Supply Chains This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will address issues to enhance rural economic and business growth, increase America's energy independence, and ensure America's small businesses can compete effectively in a global marketplace. This Subcommittee will review supply chain disruptions impacts on small businesses and the importance of having products made in America.

- Oversight of the Small Business Administration's outreach and structure as it pertains to increasing assistance to rural businesses and entrepreneurs.
- Oversight of agricultural policies, including those related to the Farm bill to enhance small business interests.
- Oversight of trade policies and issues affecting small firms related to trade agreements.
- Oversight of energy issues.

- Oversight of international trade policy with particular emphasis on agencies that provide direct assistance to small businesses, such as: the Small Business Administration's (SBA) Office of International Trade, the Department of Commerce's United States Export Assistance Centers, the Department of Agriculture's Foreign Agricultural Service, and the Export-Import Bank.
- Oversight of infringement of intellectual property rights by foreign competition.
- Examine the implementation and effectiveness of government programs designed to assist rural and agricultural businesses impacted by the pandemic.
- Examine the impact of supply chain disruptions on small businesses.

(2) Subcommittee on Innovation, Entrepreneurship, and Workforce Development

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will address how innovation promotes economic growth and job creation by small businesses. In addition, the Subcommittee will examine small business job growth through the creation and adoption of advanced technologies. The Subcommittee will review the broad scope of workforce issues that affect the ability of small businesses to obtain and maintain qualified employees.

- Oversight of SBA entrepreneurial development programs.
- Oversight of all federal policies that affect the workforce including, but not limited to, the roles of the Department of Labor, the Occupational Safety and Health Administration, and the National Labor Relations Board.
- Analyze workforce issues, including but not limited to health care, retirement, and labor challenges facing small businesses.
- Examination of general technology issues, including cyber security issues confronting small businesses and intellectual property policy in the United States.
- Oversight of United States telecommunications policies including, but not limited to, the National Broadband Plan and allocation of electromagnetic spectrum.
- Oversight of the Small Business Innovation Research Program.
- Oversight of the Small Business Technology Transfer Program.
- Investigate the state of the nation's entrepreneurship, the challenges they face, and steps to strengthen entrepreneurship, including startups, solopreneurs, self-employed, and microbusinesses.
- Examine programs and efforts designed to assist both small employers and their workers throughout the Covid-19 pandemic.

(3) Subcommittee on Economic Growth, Tax, and Capital Access

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will evaluate the operation of the financial markets in the United States and their ability to provide needed capital to small businesses. In addition, the Subcommittee will review federal programs, especially those overseen by the SBA, aimed at assisting entrepreneurs in obtaining needed capital. Since the tax policy plays an integral role in access to capital, this Committee also will examine the impact of federal tax policies on small businesses.

- Oversight of capital access and financial markets including FinTech and digital asset companies.
- SBA financial assistance programs, including guaranteed loans, microloans, certified development company loans, and small business investment companies.
- Implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act
- Oversight of the Consumer Financial Protection Bureau.
- Oversight of the Department of Agriculture business and industry guaranteed loan program.
- Oversight of general tax policy affecting small businesses.
- Oversight of the Internal Revenue Service.
- The management of the SBA's COVID Relief programs and the agency's disaster loan program.
- Analyze efforts to address challenges for the unbanked and underbanked business community and steps to increase capital access
- Review the challenges and opportunities presented by Fintech companies as it relates to small business capitalization.
- Investigate the implementation and efficacy of programs related to supporting the business community and nonprofits throughout the Covid-19 pandemic, including but not limited to the Paycheck Protection Program, the Economic Injury Disaster Loan program, and other SBA programs.

(4) Subcommittee on Oversight, Investigations, and Regulations.

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will review the regulatory burdens imposed on small businesses by federal agencies and how those burdens may be alleviated. This Subcommittee will also probe the efficient operation of government programs that affect small businesses, including the SBA, and develop proposals to make them operate in a more efficient manner.

- Oversight of general issues affecting small businesses and federal agencies.
- Oversight of the management of the SBA.
- Oversight of the SBA Inspector General.

- Oversight of the SBA's Office of Advocacy.
- Implementation and effectiveness of the Regulatory Flexibility Act.
- Oversight of the Office of Information and Regulatory Affairs at the Office of Management and Budget.
- Use of the Congressional Review Act.
- Transparency of the federal rulemaking process as required by the Administrative Procedure and Data Quality Acts.
- Evaluating the Paperwork Reduction Act.
- Investigate all programs relating to the Covid-19 pandemic, SBA's anti-fraud framework, and their impact on the business and nonprofit community and their employees.

(5) Subcommittee on Contracting and Infrastructure

This Subcommittee (which will consist of six (6) Republican Members and five (5) Democratic Members) will assess the federal procurement system, including those programs designed specifically to enhance participation by small businesses in providing goods and services to the federal government. The Subcommittee will review the broad scope of opportunities available to small businesses for rebuilding and modernizing the nations' infrastructure.

- Oversight of government-wide procurement practices and programs affecting small businesses.
- Oversight of federal procurement policies that inhibit or expand participation by small businesses in the federal contracting marketplace.
- Oversight of all contracting programs established by the Small Business Act or those relying on or modeled after programs in the Small Business Act
- Review technical assistance provided to federal contractors and prospective contractors through SBA personnel, Offices of Small and Disadvantaged Business Utilization, and Procurement Technical Assistance Centers.
- Review the SBA Surety Bond guarantee program.
- General oversight of programs available to small businesses in modernizing and strengthening the nation's infrastructure.
- Address steps the federal government has taken or can take to strengthen the supply chain and create more federal procurement opportunities for small business concerns.
- Analyze implementation of the infrastructure law to ensure the participation of small businesses and review steps needed to strengthen their competitiveness in infrastructure projects.

(C) Powers and Duties of Subcommittees. Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on any matters referred to it. Prior to the scheduling of any meeting or hearing of a Subcommittee, the Chair of the Subcommittee shall obtain the approval of the Chair of the Committee.

- (D) Hearing Time and Date. No hearing or meeting of a Subcommittee shall take place at the same time as the meeting or hearing of the Full Committee or another Subcommittee, *provided however*, that the Subcommittee Chairs may hold field hearings that conflict with those held by other Subcommittees of the Committee.

6. WITNESSES

- (A) Number of Witnesses. For any hearing conducted by the Committee or Subcommittee there shall be no more than four non-governmental witnesses of which the Ranking Minority Member of the Committee or Subcommittee (as appropriate) is entitled to select one witness for the hearing.
- (B) Witnesses Selected by the Minority. Witnesses selected by the Ranking Minority Member of the Committee or Subcommittee shall be invited to testify by the Chair of the Committee or Subcommittee (as appropriate). Rule 6(A) shall apply with equal force to witnesses selected by the Ranking Minority Member of the Committee or Subcommittee.
- (C) Small Business Week Exception. The limitations set forth in the preceding paragraph shall not apply if the Committee holds a hearing to honor the work of the small business community in conjunction with the annual celebration of Small Business Week. Witness limitations for such a hearing shall be determined by the Chair in consultation with the Ranking Minority Member.
- (D) Statement of Witnesses.
- (1) Insofar as is practicable, each witness who is to appear before the Committee or Subcommittee shall file an electronic copy of the written testimony with the Committee and the Ranking Minority Member no later than 48 hours before the commencement of the hearing.
 - (2) Each witness shall limit his or her oral presentation to a five-minute summary of the written testimony, unless the Chair, in consultation with the Ranking Minority Member, extends this time period.
 - (3) Insofar as is practicable, each non-governmental witness shall provide to the Committee and the Ranking Minority Member, no later than 48 hours before the commencement of the hearing, a curriculum vitae or other statement describing their education, employment, professional affiliation, or other background information pertinent to their testimony.
- (E) Witness Disclosure. As required by Rule XI, cl. 2(g) of the Rules of the House, each non-governmental witness before the commencement of the hearing shall file with the Chair a disclosure form detailing any contracts or grants that the witness has with the federal government, as well as the amount and country of origin of any payment

or contract related to the subject of the hearing originating with a foreign government. Such information shall be posted on the Committee website within 24 hours after the witness appeared at the hearing.

- (F) Failure to Comply. The failure to provide the materials set forth by the deadlines set forth in these rules may be grounds for excluding both the oral and written testimony of the witness unless waived by the Chair of the Committee or Subcommittee.
- (G) Public Access to Witness Materials. The Committee will provide public access to printed materials, including the testimony of witnesses in electronic form on the Committee's website no later than 24 hours after the hearing is adjourned. Supplemental material provided after the hearing adjourns shall be placed on the Committee website no later than 24 hours after receipt of such material.

7. QUORUM

- (A) Generally. A majority of the members of the Committee or a subcommittee shall form a quorum for the Committee or subcommittee, respectively, except that two members, one Member from the Majority and one Member from the Minority, shall constitute a quorum for taking testimony and receiving evidence.
- (B) Quorum for a Hearing. For purposes of taking testimony or receiving evidence, a quorum shall be one Member from the Majority and one Member from the Minority. The Chair of the Committee or Subcommittee shall exercise reasonable comity by waiting for the Ranking Minority Member even if a quorum is present before striking the gavel to commence the hearing.
- (C) Field Hearings. For hearings held by the Committee or a Subcommittee in a location other than the Committee's hearing room or the assigned hearing room in Washington, DC, a quorum shall be deemed to be present if the Chair of the Committee or Subcommittee is present.

8. RECORD VOTES

- (A) When Provided. A record vote of the Committee shall be provided on any question before the Committee upon the request of any Member of the Committee. A record of the vote of each Member of the Committee on a matter before the Committee shall be available in electronic form within 48 hours of such record vote, and, with respect to any roll call vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those Members voting for and against.
- (B) Proxy Voting. No vote by any Member of the Committee with respect to any measure or matter may be cast by proxy.
- (C) Public Access to Record Votes. The Chair of the Committee shall, not later than 24

hours after consideration of a bill, resolution, report or other item, cause the text of the reported item and any amendment adopted thereto to be made publicly available in electronic form.

9. SUBPOENAS, OATHS, AND DEPOSITIONS

- (A) Issuance of Subpoena. A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of Rule XI of the House of Representatives with 24-hour notice and consultation with the Ranking Member.
 - (1) The Committee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting.
- (B) Oaths. The Chairman of the Committee, or any member of the Committee designated by the Chairman, may administer oaths to any witness.
- (C) Deposition Authority. Pursuant to section 3(k) of House Resolution 5 of the 118th Congress, the Chair upon consultation with the Ranking Minority Member may order the taking of depositions, including pursuant to subpoena, by a member or counsel of the Committee. Depositions taken by a member or counsel of the Committee shall be subject to regulations issued by the Committee on Rules and printed in the Congressional Record. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(k) of H. Res. 5, 118th Congress, and these regulations.

10. AMENDMENTS DURING MARKUP

- (A) Availability of Amendments. Any amendment offered to any pending legislation before the Committee must be made available in written form by any Member of the Committee. If such amendment is not available in written form when requested, the markup may be recessed subject to the call of the Chair to provide sufficient time for the provision of such written amendment. Such recess shall not prejudice the offering of such amendment.
- (B) Drafting and Filing of Amendments. For amendments to be accepted during markup, there is no requirement that the amendments be filed prior to commencement of the markup or prepared with the assistance of the Office of Legislative Counsel. Even though it is not necessary, Members seeking to amend legislation during markup should draft amendments with the assistance of the Office of Legislative Counsel and consult with the Chair or Ranking Minority Member's staff (as appropriate) in the preparation of such amendments.

11. POSTPONEMENT OF PROCEEDINGS

- (A) When Postponement is Permissible. The Chair, in consultation with the Ranking Minority Member, may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chair may resume postponed proceedings, but no later than 24 hours after such postponement, unless the House is not in session or there are conflicts with Member schedules that make it unlikely a quorum will be present to conduct business on the postponed proceeding. In such cases, the Chair will consult with Members to set a time as early as possible to resume proceedings but in no event later than the next meeting date as set forth in Rule 2 of these Rules.
- (B) Resumption of Proceedings. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

12. COMMITTEE RECORDS

- (A) The Committee shall maintain a complete record of all actions, which shall include a record of the votes on any question on which a recorded vote is demanded. The result of any vote by the Committee, or if applicable by a Subcommittee, including a voice vote shall be posted on the Committee's website within 24 hours after the vote has been taken. Such record shall include a description of the amendment, motion, order, or other proposition, the name of the Member voting for and against such amendment, motion, order, or other proposition, and the names of Members present but not voting. For any amendment, motion, order, or other proposition decided by voice vote, the record shall include a description and whether the voice vote was in favor or against.
- (B) Transcripts. The Committee shall maintain a complete record of all Committee and Subcommittee activity which, in the case of a meeting or hearing transcript, shall include a substantially verbatim account of the remarks actually made during the proceedings subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks.
- (C) Availability of Records. The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House. The Chair of the Committee shall notify the Ranking Member of the Committee of any decision, pursuant to Rule VII, cl. 3(b)(3) or cl. 4 (b), to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination of the written request of any Member of the Committee.
- (D) Publishing and Posting of Records. The Committee Rules shall be made publicly available in electronic form and published in the Congressional Record not later than 60 days after the Chair of the Committee is elected in each odd-numbered year.

13. COMMITTEE WEBSITE

The Chair shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about Committee's activities to Committee Members and other Members of the House. The Ranking Minority Member may maintain a similar website for the same purpose, including communicating information about the activities of the Minority to Committee Members and other Members of the House.

14. ACCESS TO CLASSIFIED OR SENSITIVE INFORMATION

- (A) Access to classified or sensitive information supplied to the Committee or Subcommittees and attendance at closed sessions of the Committee or a Subcommittee shall be limited to Members and necessary Committee staff and stenographic reporters who have appropriate security clearance when the Chair determines that such access or attendance is essential to the functioning of the Committee or one of its Subcommittees.
- (B) Procedures Governing Availability. The procedures to be followed in granting access to those hearings, records, data, charts, and files of the Committee which involve classified information or information deemed to be sensitive shall be as follows:
- (1) Only Members of the House of Representatives and specifically designated Committee staff of the Committee on Small Business may have access to such information.
 - (2) Members who desire to read materials that are in possession of the Committee shall notify the Clerk of the Committee in writing.
 - (3) The Clerk of the Committee will maintain an accurate access log, which identifies the circumstances surrounding access to the information, without revealing the material examined.
 - (4) If the material desired to be reviewed is material which the Committee or Subcommittee deems to be sensitive enough to require special handling, before receiving access to such information, individuals will be required to sign an access information sheet acknowledging such access and that the individual has read and understands the procedures under which access is being granted.
 - (5) Material provided for review under this rule shall not be removed from a specified room within the Committee offices.
 - (6) Individuals reviewing materials under this rule shall make certain that the materials are returned to the proper custodian.
 - (7) No reproductions or recordings may be made of any portion of such materials.

- (8) The contents of such information shall not be divulged to any person in any way, form, shape, or manner and shall not be discussed with any person who has not received the information in the manner authorized by the rules of the Committee.
- (9) When not being examined in the manner described herein, such information will be kept in secure safes or locked file cabinets within the Committee offices.
- (10) These procedures only address access to information the Committee or Subcommittee deems to be sensitive enough to require special treatment.
- (11) If a Member of the House of Representatives believes that certain sensitive information should not be restricted as to dissemination or use, the Member may petition the Committee or Subcommittee to so rule.
- (12) With respect to classified information and materials provided to the Committee by the Executive Branch or an independent agency as that term is defined in 44 U.S.C. § 3502, the classification of information and materials as determined by the Executive Branch or independent agency shall prevail unless affirmatively changed by the Committee or Subcommittee involved, after consultation with the Executive Branch or independent agency.
- (13) Other materials in the possession of the Committee are to be handled in accordance with House Rules.

15. OTHER PROCEDURES

The Chair of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee.

16. AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed by a majority vote of the Members, at a meeting specifically called for such purpose, but only if written notice of the proposed change or changes has been provided to each Member of the Committee at least 72 hours prior to the time of the meeting of the Committee to consider such change or changes.

17. COMMITTEE STAFF

- (A) Majority Staff. The employees of the Committee, except those assigned to the Minority as provided below, shall be appointed and assigned, and may be removed by the Chair of the Committee. The Chair shall fix their remuneration and they shall be under the general supervision and direction of the Chair.

- (B) Minority Staff. The employees of the Committee assigned to the Minority shall be appointed and assigned, and their remuneration determined, as the Ranking Minority Member of the Committee shall decide.
- (C) Subcommittee Staff. There shall be no separate staff assigned to Subcommittees. The Chair and Ranking Minority Member shall endeavor to ensure that sufficient Committee staff is made available in order that each Subcommittee may carry out the responsibilities set forth in Rule 3, *supra*.

18. BUDGET AND TRAVEL

- (A) Allocation of Budget. From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives in the 118th Congress, the Chair, after consultation with the Ranking Minority Member, shall designate one-third of the budget under the direction of the Ranking Minority Member for the purposes of Minority staff, travel expenses of Minority staff and Members, and Minority office expenses.
- (B) Authorization of Travel. The Chair may authorize travel in connection with activities or subject matters under the legislative or oversight jurisdiction of the Committee as set forth in Rule X of the Rules of the House. The Ranking Minority Member may authorize travel for any Minority Member or staff of the Minority in connection with activities or subject matters under the Committee's jurisdiction as set forth in Rule X of the Rules of the House. Before such travel, there shall be submitted to the Chair of the Committee in writing the following at least seven (7) calendar days prior specifying: a) the purpose of the travel; b) the dates during which the travel is to occur; c) the names of the states or countries to be visited and the length of time spent in each; and d) the names of Members and staff of the Committee participating in such travel.

**AUTHORIZATION AND OVERSIGHT PLAN
COMMITTEE ON SMALL BUSINESS
U.S. HOUSE OF REPRESENTATIVES
118TH CONGRESS**

Rule X, clause 2(d) of the Rules of the House requires each standing committee of the House to adopt and submit an authorization and oversight plan for this Congress to the Committee on Oversight and Accountability and the Committee on House Administration by March 1 of the first session of Congress.

The following is the authorization and oversight plan for the Committee on Small Business and its subcommittees for the 118th Congress. The Committee will conduct oversight and investigations pursuant to its legislative and oversight jurisdiction under Rule X, which permits the Committee to investigate any matter affecting small business.

Rule X, clause 2(d)(2) requires that committee oversight plans include a list of programs or agencies within each committee's jurisdiction with lapsed authorizations that received funding in the prior fiscal year, or a program or agency with a permanent authorization, which has not been subject to a comprehensive review by the committee in the prior three Congresses. The Committee has found no Small Business Administration Programs (SBA) that fit these parameters.

Rule X, clause 2(d)(2) also requires a description of the programs or agencies to be authorized in the current Congress or the next Congress, and any oversight to support the authorization of each such program or agency in the current Congress, and recommendations for changes to existing law for moving such programs or agencies from mandatory funding to discretionary appropriations, where appropriate. The Committee may consider reforms and improvements to various SBA programs as noted throughout this Authorization and Oversight Plan.

Oversight of Federal Capital Access Programs

The Committee will conduct hearings and investigations of SBA and other federal agencies that provide capital to American's entrepreneurs that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Effectiveness of the capital access programs to generate jobs in the fastest growing small businesses.
- Whether lenders are meeting their goals to lend small businesses and create jobs.
- Risk to the taxpayers of the capital access programs.
- Adequacy of SBA oversight of its lending partners to ensure that federal taxpayers are properly protected.
- Capabilities of the SBA information technology to manage the loan portfolio.
- Whether SBA rules, regulations, and guidance result in transparent and reasoned decision making with respect to capital access programs.

- Assessment of credit-scoring algorithms as a replacement for individual credit assessment by SBA and its lending partners.
- The exercise of discretion by SBA to create pilot programs and the risk they pose to the taxpayer and whether such authority should be curtailed or eliminated.
- Whether SBA disaster loan program and its oversight ensures that small businesses are able to revive and rebuild communities without unduly placing the federal taxpayer at risk.
- Review of the Paycheck Protection Program, the Economic Injury Disaster Loan program, and other COVID-19 related relief programs related to small business.
- Efficacy and duplication of federal capital access programs offered by the Department of Agriculture to small business in rural areas.
- Utilization by small businesses of export capital programs at the Export-Import Bank and the Overseas Private Investment Corporation.
- Continued examination of the Small Business Lending Fund and State Small Business Credit Initiative established by Pub. L. No. 111-240, the Small Business Jobs Act of 2010, in creating jobs and providing capital to small businesses.
- Impact of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. No. 111-203, on small business access to capital.
- Implementation of crowdfunding and other provisions of the Jumpstart Our Business Startups Act, Pub. L. No. 112-106.
- Review of proposed changes to capital access programs, to include lifting the moratorium on licensing new Small Business Lending Companies.
- Implementation of program clarifications made to encourage more cooperative and employee stock ownership plan lending through SBA programs established by the Main Street Employee Ownership Act of 2018, passed into law by the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232.

In performing oversight, the Committee will focus on risky aspects of financial assistance programs including, but not limited to, commercial real estate financing, premier certified lenders, participating security small business investment companies, small business lending companies, express lenders, and loan programs utilizing simplified lending applications.

Oversight of SBA and Other Federal Entrepreneurial Development Programs

The committee will conduct hearings and investigations into the SBA programs that providing training and advice to small businesses that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examining effectiveness of SBA entrepreneurial development programs, including programs for veterans, in creating jobs at startups and traditional firms.
- Determining whether certain programs should be eliminated as a result of their ineffectiveness or duplications of programs provided by other agencies or by the private sector.
- Suggesting methods for enhancing coordination among federal agencies in providing assistance to entrepreneurs, including, but not limited to, businesses located in rural areas and those seeking to provide goods and services in the federal procurement marketplace.

- Recommending improvements in assistance to small businesses in rural areas and low-income areas
- Review SBA's transition from EDMIS to Nexus, the new data collection system for Entrepreneurial Development programs.

Oversight of Federal Government Contracting Matters

The Committee will conduct hearings and investigations into the federal procurement system that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Whether fraud or other problems exist in the federal government contracting programs overseen by the SBA.
- Effectiveness of SBA contracting programs to increase participation by small business in federal procurement.
- Review SBA certification systems to ensure timely and accurate processing of applications and continue to monitor the migration of the veteran certification program from the Department of Veterans Affairs to the Small Business Administration.
- Effectiveness of federal agency protection against contract bundling and consolidation. The accuracy and utility of SBA size standards and federal procurement databases.
- Operation and effectiveness of federal agency assistance provided to small businesses interested in federal procurement, including that provided by the SBA, Offices of Small and Disadvantaged Business Utilization and Procurement Technical Assistance Centers.
- Development of federal acquisition policies and whether small businesses have sufficiently effective voice in development of such policies.
- Cost-effectiveness of outsourcing government work to private enterprise rather than expanding the government to provide the good or service internally.
- Implementation and efficacy of changes made in small business federal procurement programs arising from the enactment of the National Defense Authorization Acts.
- Examination of the Small Business Innovation Research Program as modified by the National Defense Authorization Act for FY2012, Pub. L. No. 112-81, including but not limited to, increased efforts at commercializing federally funded technology.
- Review the implementation of Small Business Innovation Research Program and Small Business Technology Transfer programs as extended by Pub. L. No. 117-183.

In performing oversight, the Committee will focus its efforts on uncovering abuse and misuse of the small business designation to obtain federal government contracts.

Oversight of SBA Management

The committee will conduct hearings and investigations into the management of the SBA that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The fulfillment of the mission of the SBA.
- Whether agency employees in the field are empowered to assist small business.

- Whether field offices are appropriately staffed.
- Duplication of offices and missions at SBA headquarters.
- Effectiveness of personnel management.
- Capabilities of SBA employees to provide proper assistance to small business owners.
- Agency personnel capabilities to properly manage loan defaults to maximize recovery of collateral.
- Whether SBA improperly utilizes statutory authority to create untested initiatives and the procedures by which the agency develops such programs.
- Policies and procedures to ensure fair and competitive contracting opportunities for small business.
- Monitor the agency's spending and efforts as it relates to the pandemic response and fully account for Covid-19-provided appropriations.
- Review the SBA's technology and data systems in an effort to modernize, strengthen, and improve interoperability between platforms.
- Assess the agency's efforts to secure their networks and data systems.

In carrying out this oversight the Committee will focus particularly on streamlining and reorganizing of the agency's operations to provide maximum assistance to small business owners. Offices that primarily provide assistance or advice to headquarters staff that do not promote the interests of small businesses or protect the federal government as a guarantor of loans will be recommended for cuts or elimination.

Oversight of Federal Regulatory and Paperwork Burdens

The Committee will conduct hearings and investigations into unnecessary, burdensome, and duplicative federal rules, reporting and recordkeeping requirements affecting small businesses that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Consumer Financial Protection Bureau.
- Consumer Product Safety Commission Department of Agriculture.
- Department of Commerce.
- Department of Energy, particularly the Office of Energy Efficiency and Renewable Energy.
- Department of Health and Human Services, particularly the Centers for Medicare and Medicaid Services and the Food and Drug Administration.
- Department of the Interior.
- Department of Homeland Security, particularly the Transportation Security Administration.
- Department of Labor, particularly the Occupational Safety and Health Administration and the Wage and Hour Division.
- Department of Transportation, particularly the Federal Aviation Administration and the Federal Motor Carrier Safety Administration.
- Department of the Treasury, particularly the Internal Revenue Service.

- Environmental Protection Agency, particularly the office of Environmental Justice and External Civil Rights.
- Federal Communications Commission.
- Federal Financial Institutions Examination Council and its constituent agencies.
- Office of Management and Budget, particularly the Office of Federal Procurement Policy.
- Securities and Exchange Commission.

The Committee will identify specific rules and regulations already issued or at the proposed rule stage to assess the impact on small business. In addition, the Committee will examine agency compliance with the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, and the Paperwork Reduction Act. The Committee will pay close attention to the effect that regulations have on startups. Oversight of the regulatory process also will, to the extent relevant, examine the work of the Office of Informational and Regulatory Affairs and the Office of Management and Budget. Special attention will be paid to the work performed by the Chief Counsel for Advocacy at the Small Business Administration to ensure that office is fulfilling its mission to advocate vigorously on behalf of America's small business owners in regulatory matters at federal agencies. Finally, this oversight will entail an examination of compliance by federal agencies with amendments to Executive Order 12866 and memoranda on regulatory flexibility and regulatory compliance issued on January 18, 2011, as well as Executive Order 13272.

Oversight of Federal Tax Policy

The Committee will conduct hearings and investigations into the federal tax code, its impact on small business, and Internal Revenue Services' (IRS) collection of taxes that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Identification of tax code provisions and proposed rules that hinder the ability of small businesses to create jobs and recommendations for modifying those provisions to boost small business job growth.
- Examination of the structure of the tax code in order to simplify compliance for small businesses.
- Assessment of the recordkeeping and reporting requirements associated with tax compliance and suggestions for reducing such burdens on small businesses.
- Evaluation of the estate tax provisions to determine whether they inhibit the ability of successive generations to maintain successful job creating enterprises.
- Efficiencies at the IRS that improve the interaction between the government and small business owners.
- Inefficiencies at the IRS that force small businesses to divert capital from job growth to tax compliance.

Oversight of Trade and Intellectual Property Policy

The Committee will conduct hearings and investigations into international trade and intellectual property policies of America and its trading partners that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Impact of free trade agreements to increase exports by American small businesses.
- Oversight of SBA's Office of International Trade and the agency's efforts to promote small business exports.
- Examination of the impact of illicit actions by foreign entities on small businesses and whether the federal government is doing enough to protect their interests.
- Whether the federal government is doing enough to protect the intellectual property rights of small businesses by foreign competitors.
- The impact of federal intellectual property policies, particularly patents and copyrights, to protect the innovation of American entrepreneurs.
- Efforts to increase exports by small businesses.
- Whether the United States Trade Representative takes position at the World Trade Organization that sufficient promote the interests of American small business.

The focus of oversight will emphasize the best mechanisms to promote and protect advanced technology innovations of small business.

Reductions in Programs and Spending

In addition to the programs and policies already cited, the committee will examine any and all offices and programs that fall within the Committee's legislative jurisdiction to find areas that could lead to reduction in the federal deficit. Some programs and offices may include:

- Express Loan Program overseen by SBA.
- Emerging Leaders initiative started by SBA.
- Clusters Program initiated by SBA.
- Innovation and Impact Fund Pilot Programs operated by the SBA.
- SBA Office of Policy.
- SBA Regional Administrators.
- Office of Advocacy Regional Advocates.
- SBA Deputy District Directors.
- SBA Office of International Trade.
- SBA's Cybersecurity for Small Business Pilot Program

In particular, the Committee will assess whether a reorganization of offices to more critical functions at the SBA will provide a more effective agency at helping small businesses to generate growth.

Programmatic Duplication

The Committee notes that §18 of the Small Business Act prohibits duplication of any effort by the Small Business Administration if a program is already offered by another federal agency unless the Small Business Administration expressly authorizes the duplication. The Committee will continue to monitor the Small Business Administration for programs that duplicate the efforts of other federal agencies.

