

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6515

April 28, 2023

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

Dear President Biden,

I write today to follow up on the vacancy for Chief Counsel for Advocacy at the Small Business Administration's (SBA) Office of Advocacy (Advocacy). On February 16, 2023, we wrote urging you to nominate a Chief Counsel for this critical oversight role and to date, the Committee has not received a response, nor have you selected a nominee for the position.

As stated in our previous letter, the position of Chief Counsel for Advocacy has been vacant for far too long and filling the position should be a top priority of the Biden Administration. As you are aware, this position has not been filled since the departure of Darryl L. DePriest in January 2017.¹ Advocacy is the independent voice for small business within the federal government. Advocacy serves as the federal watchdog of the Regulatory Flexibility Act (RFA) and ensures agencies are complying with the statute. Advocacy also conducts important small business statistical research that helps policy makers to better understand the issues confronting small business owners.

While Advocacy has done commendable work in the past, the position of Chief Counsel is too important to leave vacant. In many cases, the Office of Advocacy is the only government entity considering the impacts regulations may have on small business owners. The owners of America's smallest businesses face significant challenges in understanding and complying with ever changing federal regulations. Many of these small businesses do not have the resources to hire a dedicated staff to ensure compliance with these regulations. The Chief Counsel of Advocacy is uniquely positioned to inform agencies of these challenges.

¹ CONG. RESEARCH SERV., R43625, SBA OFFICE OF ADVOCACY: OVERVIEW, HISTORY, AND CURRENT ISSUES, 16 (Mar. 30, 2022).

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I look forward to working with your Administration to streamlining and tailoring regulations to the needs of America's small business owners in the 118th Congress. Fulfilling your duty and nominating a Chief Counsel for Advocacy as soon as possible will go a long way towards achieving that goal.

Sincerely,

A handwritten signature in black ink that reads "Roger Williams". The signature is written in a cursive style with a large, stylized "S" at the end.

Roger Williams
Chairman
House Committee on Small Business