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United States Senate

COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP

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January 26, 2010

The Honorable Cass Sunstein
Administrator
Office of Information and Regulatory Affairs
725 17th Street, NW
Washington, DC 20503

Dear Administrator Sunstein:

As the Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I am writing to request the Office of Information and Regulatory Affairs (OIRA) accelerate its review of the Small Business Administration (SBA) regulation implementing a women's procurement program. It is my understanding that OIRA has been reviewing this rule for over 90 days, since it was submitted by the SBA on October 20, 2009. Given that time is of the essence, and implementation of this rule could help our nation's small businesses drive our economic recovery, I request that OIRA conclude its review no later than February 12, 2010.

As you may be aware, on December 21, 2000, Congress enacted a women's contracting program law (P.L. 106-554) to provide Federal procurement officers with the tools to set-aside contracts to women-owned small businesses. Unbelievably, a decade later, the necessary regulations to help women entrepreneurs enter the Federal contracting arena remain unimplemented. Women-owned small businesses cannot wait any longer, and as the fastest growing segment of our economy, these firms will play a critical role in helping our nation recover from the current recession.

I remain frustrated with the Administration's lack of urgency with regard to the women's contracting rule. The Federal government has consistently failed to meet its annual women's contracting goal of five percent of all prime federal procurement opportunities. A truly functioning and effective procurement program will assist in satisfying, if not exceeding, the government-wide goal. Women-owned small businesses need a viable procurement program that creates more opportunities and helps spur our nation's economy. If ever there was a time to secure new avenues to generate revenue and provide growth for small businesses, that time is now. The previous Administration missed a prime opportunity by dragging its feet on this issue. There have been a host of bureaucratic actions; namely three Congressional reports, numerous

Congressional hearings, two proposed rules, one highly deficient final rule, and now another proposed rule, but no final results.

SBA Administrator Mills has stated, "I have made implementation of the Women-Owned Small Business Program one of my highest priorities," and, as promised, submitted the regulations to OIRA. I understand the extensive review necessary in the regulatory process, but I would also hope that, after countless failed attempts, the Executive Departments could complete review of this critical rule in less than 90 days. The Administration is missing a valuable opportunity to boost our nation's economy by promoting women-owned small businesses, and it is my hope that you will act swiftly in promulgating this critical regulation to once and for all put a women's contracting program into place. With 90 days having elapsed since OIRA received these proposed regulations, I urge you to conclude the inter-agency review process no later than February 12, 2010.

Thank you for working with us to ensure the swift and effective implementation of the women's procurement program. Should you have any questions or require additional information, please do not hesitate to contact Adam Reece (202-224-7884) on my staff.

Sincerely,



OLYMPIA J. SNOWE
Ranking Member