

**H.R. 6454, The “Small Business Advocacy Improvements Act of 2022”
Ranking Member Blaine Luetkemeyer (R-MO) and Representative Troy Carter (D-LA)
Background**

Background

Established in 1976, the Office of Advocacy (Advocacy) of the U.S. Small Business Administration (SBA) is the independent voice for small businesses within the federal government. Advocacy is also charged with overseeing the Regulatory Flexibility Act (RFA)¹ and is a source of small business statistics and research.² Advocacy’s creation was premised on the belief that small businesses need representation in the legislative, regulatory, and administrative processes of government that affect them and that good policy requires good information.³ Advocacy works to advance the views and concerns of small businesses before Congress, the White House, federal agencies, federal courts, and state policymakers.⁴

Every year, Advocacy reports to Congress and the Administration on agency compliance with the RFA and releases more than 20 research publications annually.⁵ Over the years, Advocacy’s responsibilities have expanded through the enactment of the Small Business Regulatory Enforcement Fairness Act of 1996⁶ and Trade Facilitation and Trade Enforcement Act of 2015.⁷

Since 2012, Advocacy has participated in a number of international regulatory cooperation and international trade initiatives that have impacted small businesses. Their ability to conduct outreach to small business sectors and examine the potential economic effects of agreements on small businesses can help level the playing field for small businesses, and in turn, open vast new markets for smaller firms.

Legislation

H.R. 6454, the “Small Business Advocacy Improvements Act of 2022”, was introduced by Ranking Member Blaine Luetkemeyer (R-MO) and Representative Troy Carter (D-LA). The bill makes clear that Advocacy has the authority to examine international economic data, and represent small business interests in international discussions, particularly in trade negotiations.

¹ Pub. L. No. 96-354.

² About, The Small Business Administration Office of Advocacy, <https://advocacy.sba.gov/about/>.

³ Small Business Administration Office of Advocacy, *Background Paper Office of Advocacy 2017-2020*, 20, (2021) <https://cdn.advocacy.sba.gov/wp-content/uploads/2021/02/09101916/Background-Paper-Office-of-Advocacy-2017-2020-web.pdf>. [hereinafter “Advocacy Backgrounder”]

⁴ About, The Small Business Administration Office of Advocacy, <https://advocacy.sba.gov/about/>.

⁵ *Id.*

⁶ Pub. L. No. 104-121.

⁷ Pub. L. No. 114-125.

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Section-by-Section

Section 1. Short Title.

This Act may be cited as the “Small Business Advocacy Improvements Act of 2022”.

Section 2. Amendment to Primary Functions and Duties of the Office of Advocacy of the Small Business Administration.

Subsection (a) — Primary Functions.

This subsection makes technical amendments to Section 202 of Public Law 94-305 (15 U.S.C. § 634b) and adds a requirement that the Office of Advocacy examine the role of American small businesses in the international economy.

Subsection (b) — Duties.

This subsection amends Section 203(a) of Public Law 94-305 (15 U.S.C. § 634c) to require the Office of Advocacy to represent the views and interests of American small businesses to foreign governments and international entities on any regulatory and trade initiatives.