

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: U.S. Small Business Administration (SBA).
ACTION: Semiannual Regulatory Agenda.

SUMMARY: This Semiannual Regulatory Agenda (Agenda) is a summary of current and projected rulemakings and completed actions of the Small Business Administration (SBA). This summary information is intended to enable the public to be more aware of, and effectively participate in, SBA’s regulatory activities. Accordingly, SBA invites the public to submit comments on any aspect of this Agenda.

FOR FURTHER INFORMATION CONTACT:

General

Please direct general comments or inquiries to Lindsey K. McCready, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416; (202) 401–2996; lindsey.mccready@sba.gov.

Specific

Please direct specific comments and inquiries on individual regulatory activities identified in this Agenda to the individual listed in the summary of the regulation as the point of contact for that regulation.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) requires SBA to publish in the **Federal**

Register a semiannual regulatory flexibility agenda describing those Agency rules that are likely to have a significant economic impact on a substantial number of small entities (5 U.S.C. 602). The summary information published in the **Federal Register** is limited to those rules. Additional information regarding all of the rulemakings SBA expects to consider in the next 12 months is included in the Federal Government’s unified Regulatory Agenda, which will be available online at www.reginfo.gov in a format that offers users enhanced ability to obtain information about SBA’s rules.

Isabella Casillas Guzman,
Administrator.

SMALL BUSINESS ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
228	Affiliation in Small Business Procurement Programs	3245–AH97
229	Regulatory Reform Initiative: Streamlining and Modernizing the Surety Bond Guarantee Program	3245–AI06
230	Export Working Capital Program	3245–AI07
231	Disaster Assistance Loan Program Changes to Unsecured Loan Amounts	3245–AI08
232	Small Business Size Standards: Monetary-Based Industry Size Standards	3245–AI12
233	Small Business Size Standards: Employee-Based Industry Size Standards	3245–AI13

SMALL BUSINESS ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
234	504 Loan Program Debt Refinancing With and Without Expansion Updates	3245–AI15

SMALL BUSINESS ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
235	Small Business Size Standards: Adjustment of Alternative Size Standard for SBA’s 7(a) and CDC/504 Loan Programs for Inflation; and Surety Bond Limits: Adjustments for Inflation.	3245–AG16
236	Small Business Timber Set-Aside Program	3245–AG69

SMALL BUSINESS ADMINISTRATION (SBA)

Proposed Rule Stage

228. Affiliation in Small Business Procurement Programs [3245–AH97]

Legal Authority: 15 U.S.C. 632(a)
Abstract: Following revisions to the requirements in SBA’s 8(a) Business Development and Service-Disabled Veteran-Owned Small Business programs, SBA is issuing conforming revisions to its affiliation rules that govern all of the small-business procurement programs. These revisions will ensure consistent requirements for ownership and control across SBA’s procurement programs.
Timetable:

Action	Date	FR Cite
NPRM	09/00/24	

Regulatory Flexibility Analysis Required: Yes.
Agency Contact: Sam Le, Director of Policy, Planning, and Liaison, Small Business Administration, 409 3rd Street SW, Washington, DC 20416, *Phone:* 202 619–1789, *Email:* sam.le@sba.gov.
RIN: 3245–AH97

229. Regulatory Reform Initiative: Streamlining and Modernizing the Surety Bond Guarantee Program [3245–AI06]

Legal Authority: 15 U.S.C. 694(b)
Abstract: The Office of Surety Guarantees (OSG) will publish a Notice

of Proposed Rulemaking (NPRM) to receive comments from the public and surety industry regarding streamlining and modernizing the Surety Bond Guarantee Program. This proposed rule will reduce the file retainage and form submission burden of participating surety companies, correct conflicting provisions, as well as revise the obsolete preferred surety admissions requirements and the Quarterly Contract Completion Report.
Timetable:

Action	Date	FR Cite
NPRM	08/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jermaine Perry, Director, Office of Surety Guarantees, Small Business Administration, 409 3rd Street SW, Washington, DC 20416, Phone: 202 401-8275, Email: jermaine.perry@sba.gov.
RIN: 3245-AI06

230. Export Working Capital Program [3245-AI07]

Legal Authority: 15 U.S.C. 636(a)
Abstract: SBA will publish a notice of proposed rulemaking to enhance the Export Working Capital Program (EWCP). The revisions concern (1) increasing the maximum maturity on an EWCP loan from 3-years to 5-years; (2) changing the regulations to allow EWCP loan proceeds to be used to finance export transactions or support companies who engage in export transactions by providing working capital against their accounts receivable and inventory; (3) allowing use of proceeds for asset-based working capital secured by inventory and accounts receivable; (4) including a de minimis amount of domestic accounts receivable (not to exceed 30%) for EWCP loans used as an asset based line of credit; (5) allow Applicants to submit projections to support the need for facilities supporting pre-shipment working capital; (6) revise the unique requirements for the EWCP to align with industry standards for asset based lending.

Timetable:

Action	Date	FR Cite
NPRM	09/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Daniel Pische, National Director of Trade Finance, Office of International Trade, Small Business Administration, 409 Third Street SW, Washington, DC 20416, Phone: 202 321-5666, Email: daniel.pische@sba.gov.
RIN: 3245-AI07

231. Disaster Assistance Loan Program Changes to Unsecured Loan Amounts [3245-AI08]

Legal Authority: 15 U.S.C. 636(b)
Abstract: SBA will publish a notice of proposed rulemaking in order to receive comments from the public regarding the proposal to increase the unsecured loan amounts for disaster survivors.

Timetable:

Action	Date	FR Cite
NPRM	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alejandro Contreras, Acting Director, Office of Financial Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416, Phone: 202 205-6674, Email: alejandro.contreras@sba.gov.
RIN: 3245-AI08

232. • Small Business Size Standards: Monetary-Based Industry Size Standards [3245-AI12]

Legal Authority: 15 U.S.C. 632(a)
Abstract: The Small Business Jobs Act of 2010 (Jobs Act) requires SBA to conduct every five years a detailed review of all size standards and to make appropriate adjustments to reflect market conditions. As part of the third 5-year review of size standards under the Jobs Act, in this proposed rule, SBA will evaluate all industries with monetary-based size standards and make necessary adjustments to their size standards. This is one of the two of proposed rules that SBA will issue. SBA will apply its revised Size Standards Methodology, which is available on its website at <http://www.sba.gov/size>, to this proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	08/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416, Phone: 202 205-7189, Fax: 202 205-6390, Email: khem.sharma@sba.gov.
RIN: 3245-AI12

233. • Small Business Size Standards: Employee-Based Industry Size Standards [3245-AI13]

Legal Authority: 15 U.S.C. 632(a)
Abstract: The Small Business Jobs Act of 2010 (Jobs Act) requires SBA to conduct every five years a detailed review of all size standards and to make appropriate adjustments to reflect market conditions. As part of the third 5-year review of size standards under the Jobs Act, in this proposed rule, SBA will evaluate all industries with employee-based size standards and make necessary adjustments to their size standards. This is one of the two of proposed rules that SBA will issue. SBA will apply its revised Size Standards Methodology, which is available on its website at <http://www.sba.gov/size>, to this proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	08/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416, Phone: 202 205-7189, Fax: 202 205-6390, Email: khem.sharma@sba.gov.
RIN: 3245-AI13

SMALL BUSINESS ADMINISTRATION (SBA)

Final Rule Stage

234. • 504 Loan Program Debt Refinancing With and Without Expansion Updates [3245-AI15]

Legal Authority: 15 U.S.C. 695 *et seq.*
Abstract: SBA proposes to update the 504 loan program to broaden eligibility and increase access to capital for small business borrowers. This will include debt refinancing with and without expansion as well as economic development objectives.

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda Reilly, Chief, 504 Loan Program, Small Business Administration, 409 Third Street SW, Washington, DC 20416, Phone: 202 604-5032, Email: linda.reilly@sba.gov.
RIN: 3245-AI15

SMALL BUSINESS ADMINISTRATION (SBA)

Completed Actions

235. Small Business Size Standards: Adjustment of Alternative Size Standard for SBA's 7(a) and CDC/504 Loan Programs for Inflation; and Surety Bond Limits: Adjustments for Inflation [3245-AG16]

Legal Authority: Pub. L. 111-240, sec. 1116

Abstract: SBA proposes amending its size eligibility criteria for Business Loans, certified development company (CDC) loans under title V of the Small Business Investment Act (504) and economic injury disaster loans (EIDL). For the SBA 7(a) Business Loan Program

and the 504 program, the amendments will provide an alternative size standard for loan applicants that do not meet the small business size standards for their industries. The Small Business Jobs Act of 2010 (Jobs Act) established alternative size standards that apply to both of these programs until SBA’s Administrator establishes other alternative size standards. For the disaster loan program, the amendments will provide an alternative size standard for loan applicants that do not meet the Small Business Size Standard for their industries. SBA loan program alternative size standards do not affect other Federal Government programs, including Federal procurement.

Completed:

Action	Date	FR Cite
Final Rule	02/15/24	89 FR 11703

Regulatory Flexibility Analysis
Required: Yes.

Agency Contact: Khem Raj Sharma,
Phone: 202 205–7189, Fax: 202 205–
6390, Email: khem.sharma@sba.gov.
RIN: 3245–AG16

236. Small Business Timber Set-Aside
Program [3245–AG69]

Legal Authority: 15 U.S.C. 631; 15 U.S.C. 644(a)
Abstract: The U.S. Small Business Administration (SBA or Agency) is amending its Small Business Timber Set-Aside Program (the Program) regulations. The Small Business Timber Set-Aside Program is rooted in the Small Business Act, which tasked SBA with ensuring that small businesses receive a fair proportion of the total sales of government property. Accordingly, the Program requires Timber sales to be set aside for small business when small business participation falls below a certain amount. SBA considered comments received during the Advance Notice of Proposed Rulemaking and Notice of

Proposed Rulemaking processes, including on issues such as, but not limited to, whether the saw timber volume purchased through stewardship timber contracts should be included in calculations, and whether the appraisal point used in set-aside sales should be the nearest small business mill. In addition, SBA is considering data from the timber industry to help evaluate the current program and economic impact of potential changes.

Completed:

Action	Date	FR Cite
Withdrawn	01/01/24	

Regulatory Flexibility Analysis
Required: Yes.
Agency Contact: Sam Le, Phone: 202
619–1789, Email: sam.le@sba.gov.
RIN: 3245–AG69