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## Senate Leaders' Belief in Small Business Runs Deep

*The Senate Small Business and Entrepreneurship Committee is one of the major supporters of America's small businesses in Congress and one of Advocacy's key stakeholders. Advocacy frequently testifies before this committee as it is a leading proponent of small business policy change. In recent interviews with The Small Business Advocate, the committee leaders discussed their personal stake in small business and the most pressing issues they see on the horizon.*

### Chairman John F. Kerry (Massachusetts)

*1. What is it about small business and small business issues that made you want to join the Small Business and Entrepreneurship Committee?*

I've always believed that one of the fundamentals of creating jobs and wealth in our country comes from our small businesses, which employ more than half of all Americans. As a former small business owner, I felt that I had first-hand knowledge of the challenges

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### Ranking Member Christopher S. "Kit" Bond (Missouri)

*1. What is it about small business and small business issues that made you want to join the Small Business and Entrepreneurship Committee?*

Small businesses are, without question, the foundation of the economy. It is no exaggeration to say that our country's future will be determined, in part, by the small businesses in operation today. They employ half of the private-sector work force and create two-thirds of

*Continued on page 5*



The Office of Advocacy's study on contract bundling was released on Oct. 2. Reporters spoke with (from left) Paul Murphy of Eagle Eye Publishers, Tom Sullivan, chief counsel for advocacy; and Mike Tucker, president of George W. Allen Co., a small business that has been harmed by contract bundling. (See page 2.)

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## News Update

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### Federal Contract Bundling Reached 10-Year High in FY 2001

A new report commissioned by the Office of Advocacy finds the number and size of bundled contracts issued by federal agencies has reached a 10-year high, to the detriment of small business. Small businesses received only 16.7 percent of bundled federal contract dollars in fiscal year 2001, and 20 percent of all federal prime contract dollars.

The report, *The Impact of Contract Bundling on Small Business*, written by Eagle Eye Publishers, indicates that the increase in bundled contracts is largely driven by the addition of dissimilar tasks to existing contracts. The study found that a primary source of these contracts is the Department of Defense.

"A linchpin of President Bush's small business plan is to ensure that small businesses have full and open competition for government contracts," said Thomas M. Sullivan, Chief Counsel for Advocacy. "This report shows that the long-term rise in contract bundling by federal agencies has inhibited the ability of small and new contractors to bid for, and win, federal contracts."

The President's small business plan, announced in March, seeks to improve small business access to government contracts by avoiding unnecessary contract bundling, streamlining the contract appeals process, and ensuring that contracts are open to all businesses.

Here are some of the report's findings:

- In FY 2001, both the number of bundled contracts and the amount of bundled contract dollars were the highest in 10 years. The annual bundled contract count of 28,916 is up 19 percent since 1992 for a total of \$109 billion worth of contracted goods and services.

- For every increase in 100 bundled contracts, there is a decrease of 60 contracts to small business. For every additional \$100 awarded on bundled contracts, there is a decrease of \$12 in contracts to small business. At \$109 billion in FY 2001, bundled contracts cost small business \$13 billion annually.

- The 1999 Small Business Reauthorization Act narrowly defines bundling and fails to take into account "accretive bundling." Accretive bundling has become the more widely practiced form of bundling and has risen significantly since the mid-1990s.

- High spending by the Department of Defense focuses attention on its bundling practices, which resulted in 55 percent of contract dollars being bundled between FY 1992 and FY 2001.

- Federal government procurement totaled almost \$235 billion in FY 2001.

- Federal agencies are required by law to develop an annual percentage of expenditure goals for small business. Currently, the overall federal small business goal is 23 percent.

### For More Information

*The Impact of Contract Bundling on Small Business*, by Eagle Eye Publishers, is available at [www.sba.gov/advo](http://www.sba.gov/advo). Paper and microfiche copies are available for purchase from the National Technical Information Service at (800) 553-6847 or through the NTIS website at [www.ntis.gov](http://www.ntis.gov). The order number is PB2003-100132; Research Summary 221.

### The Small Business Advocate

Editor Rebecca Krafft

Managing Editor Rob Kleinsteuber

**Contributing Editors** Jim Henderson, Susan Howe, Michael Hull, John McDowell, Charles Ou, Radwan Saade, Michael See, Kathryn J. Tobias

**Photographer** Rob Kleinsteuber

**Production Assistant** Darlene Moyer-Mahmoud

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## Message from the Chief Counsel

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### Women's Business Summit Shows Policymakers a Thing or Two

by Thomas M. Sullivan, Chief Counsel for Advocacy

In September, I had the opportunity to travel to St. Louis, Mo., to participate in the Women's Small Business Summit 2002 chaired by Senator Kit Bond. This exciting event brought an overflow crowd of Missouri's women business owners together with federal policymakers from Washington, D.C.

As with every interaction I have with small business owners, this was an opportunity to learn from small business. One of my great rewards and responsibilities as chief counsel is to ensure that the Office of Advocacy is addressing issues of top priority to small businesses across the nation. My trip to St. Louis confirmed our office's current priorities. Small business owners want access to capital, fair and open competition in the federal procurement marketplace, affordable health care, and regulatory relief to unleash entrepreneurship and allow small business to flourish.

On the morning of the summit, I began the day at a breakfast hosted by *St. Louis Small Business Monthly*. More than 30 of St. Louis's small business leaders came to share their ideas and concerns. SBA Deputy Administrator Melanie Sabelhaus and the head of SBA's Office of Women's Business Ownership, Wilma Goldstein, joined me in listening to the candid comments of St. Louis entrepreneurs. Access to capital was the number one concern. This clearly is a priority for the Small Business Administration and its program offices, and an area that Deputy Administrator Sabelhaus is championing within the SBA.

Business owners also stressed the importance of educating bankers and policymakers on the prevalence and significance of

home-based businesses to the economy. All too often, people mistakenly perceive that home-based businesses are temporary or transi-

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**Small business owners want access to capital, fair and open competition in the federal marketplace, affordable health care, and regulatory relief.**

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tional situations rather than the preferred business arrangement of a capable entrepreneur, as so many in fact are. Advocacy's research and outreach can help direct attention to these issues.

Following the breakfast, I joined over 400 participants, mainly women business owners, to discuss pressing issues of concern to the nation's 6.2 million privately held, women-owned firms. Senator Bond opened the summit with a rousing speech on the economic power and contribution of women-owned firms in Missouri and across the nation. Women business owners are an economic force for Washington policymakers to reckon with. Policy priorities championed by Senator Bond include access to affordable health benefits through association health plans, permanent relief from the estate or "death" tax, access to investment capital, and reducing the incidence of federal contract bundling.

SBA Deputy Administrator Sabelhaus delivered the summit's opening address. She shared her experiences as a former business owner and demonstrated the perspective and "can do" attitude that a woman entrepreneur brings to the SBA. Other speakers included U.S.

Secretary of Labor Elaine L. Chao, who echoed the importance of association health plans, and IRS Commissioner Charles Rossotti, who was commended by participants for making the IRS more receptive to small business concerns.

Later in the day, Angela Styles, administrator of the Office of Federal Procurement Policy in the White House Office of Management and Budget, acknowledged that President Bush's call for full and open competition in federal procurement had been a wake-up call, ending business as usual within the White House and the procurement arena. The adverse impact of contract bundling on small business has long been a focus of the Office of Advocacy's research and advocacy.

Participants left the summit energized with new information and a fistful of business cards to help move their businesses forward and advance the concerns of small business. After an action-packed day in St. Louis, I now know firsthand why Missouri is the "Show Me" state.

#### Easier Access to Electronic Resources

Access all four Advocacy electronic Listservs from a single address. The email notices you receive supply a hotlink to the new material, so your in-box won't fill up with large documents.

From this single webpage, <http://web.sba.gov/list>, choose

- Advocacy's news releases,
- Advocacy's monthly newsletter *The Small Business Advocate*,
- Advocacy's small business research and statistics, and
- Advocacy's regulatory actions.

**Senator Kerry, from page 1**



Chairman John Kerry (Massachusetts)

our small businesses face as they try to grow and expand and could apply the lessons I learned from owning my own small shop in Boston's Quincy Market.

*2. How is small business important to the life of your state?*

From the Route 128 corridor and its high-tech community that rivals Silicon Valley as the tech capital of America to the bustling tourist shops on Cape Cod and Martha's Vineyard and the small businesses in and around Boston, the

Massachusetts economy is driven by the hard work and ingenuity of our diverse small business community. Not only do these businesses employ a majority of our state's workers and drive our economy, they are invaluable partners in building strong communities and expanding wealth and opportunity.

*3. What are the most important issues facing small business owners and their employees in your state?*

Without a doubt, access to capital is the largest factor holding our small business owners back and the number one reason keeping more people from opening their own business. We on the Small Business Committee have tried to make capital more readily available through government guaranteed loans. However, recent cuts to the Small Business Administration's budget have restricted our small business "loan account"—cutting by half the number of Americans who will receive loans in the coming year.

This policy severely limits our state and national economy by slowing expansion of existing businesses and deterring many from starting their own businesses. That is why I fought for an increase to

the Cornerstone Loan Program at the SBA and increased the proposed amount by \$93 million. With this increase, I expect more small businesses to undertake improvements or hire more workers, which will in turn help our economy recover from the current economic slump.

*4. From your experience on the committee, what have you learned about American small business that you wish your Senate colleagues knew as well?*

I wish there was far greater focus on the barriers that still keep more minorities and women from owning and operating their own small businesses. Despite repeated attempts to ensure equal opportunity, barriers still exist. It has been among my main objectives as chairman of the Small Business Committee to publicize these problems and work with my colleagues to remove these obstacles. I have fought to increase access to federal contracts for minorities and women in the business world, as well as increasing the amount of federal loan guarantees that allow new, diverse businesses to grow and expand.

## Regional Roundup

### Region 8 Advocate Appointed

James R. Henderson, who has served in the U.S. Small Business Administration as the lead economic advisor in the District Office in

Fresno, Calif., is the new advocate for Region 8, covering Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. He will be the direct link between small business owners, state and local government agencies, state legislators, small business associations, and the Office of Advocacy.

As the economic development specialist in the Fresno District Office, Jim was responsible for all levels of loan training as well as serving as the public information officer. In addition, he served with SBA as public affairs specialist in South Florida and was responsible for producing the *South Florida*

*Small Business Resource Guide*, which later was adopted by SBA



Region 8 Advocate Jim Henderson

### Region 8 Contact Information

Jim Henderson  
Regional Advocate  
U.S. Small Business  
Administration  
721 19th Street, Suite 400  
Denver, CO 80201  
Ph: (303) 844-0503  
Fax: (303) 844-0506  
[james.henderson@sba.gov](mailto:james.henderson@sba.gov)



Ranking Member "Kit" Bond (Missouri)

all new jobs. Small businesses constantly lead the way with innovative and creative approaches to solving our nation's problems and account for the vast majority of new product ideas and technological innovations.

*2. How is small business important to the life of your state?*

It is the bedrock of the economies sustaining cities and towns across Missouri—from Joplin to Hannibal. It sustains families and provides the primary

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District Offices as the primary marketing tool to reach small business. Jim also served as regional advocate from 1986 to 1993. A former small businessman, Jim helped establish the Rocky Mountain Home-Based Business Association.

## Region 9: Arizona Council Reviews Regs

One consistent theme among the western states in Region 9 is the strong support of states' rights. One example of this is Arizona's answer to the Regulatory Flexibility Act, the Governor's

*Continued on page 8*

source of new jobs. The inherent value of the small business sector cannot be overestimated. The fact is that without small business, the economy would falter.

I am reminded of that fact every time I go back home. Small business owners routinely approach me to ask important questions about issues and legislation that affect them. What's more, they make their needs and opinions known in no uncertain terms. In that sense, Missouri's small business people epitomize the spirit of the rugged and determined individuals who first settled the state.

*3. What are the most important issues facing small business owners and their employees in Missouri?*

• **Passing association health plans (AHPs).** AHPs will enable small firms and entrepreneurs to provide employees *Fortune* 500-type health benefits. Small businesses desperately need health insurance that is competitively priced and of comparable quality to the plans big businesses routinely offer their employees. AHPs offer the best means to do that.

• **Combating contract bundling.** This is a process by which federal agencies take multiple small contracts and roll them into one big contract that small businesses cannot perform. While bundling saves administrative costs in the short term, it denies small contractors an opportunity even to bid on lucrative government contracts that could sustain them or even spark growth and expansion. The Committee has just passed a bill, the Small Business Federal Contractor Safeguard Act (S.2466), that will help with this problem. I will be working to get it passed by the full Senate as soon as we can prevail on Senate leadership to bring it up.

• **Breaking down barriers that hinder women-owned small businesses.** Women-owned businesses make up the fastest-growing segment of the small business econo-

my, but any woman starting a business has to persevere, sometimes against great odds, to attain her goal of successful entrepreneurship. Congress needs to recognize that fact and make a difference for this group. To help focus attention on this priority, I sponsored the second National Women's Small Business Summit in St. Louis on Sept. 9, 2002.

• **Passage of the Agency Accountability Act (S.841).** This bill, which I introduced, will force federal agencies to do a better job of handling their obligations to small businesses. It will require agencies to publish a summary of the economic analysis supporting their decisions and to make their full economic analysis available to the public so interested parties can evaluate the agency's effort to gauge the likely impact of proposed regulations.

*4. From your experience on the committee, what have you learned about American small business that you wish your Senate colleagues knew as well?*

America's small businesses have always provided a deep wellspring of innovation and ingenuity. They have the unique ability to respond quickly and precisely to emerging economic needs and conditions. In short, small business is the bulwark of our economy. Moreover, it is the small business sector that provides the primary training ground for young people who are just getting started on the career ladder.

Although most members of Congress talk about this fact, too few truly realize that the federal government has a duty to promote policies that nurture growth of the small business sector. Providing the nurture demands that lawmakers take into account the unique needs of small business by ensuring fair, even-handed policy and regulatory oversight. That is no easy job with a federal bureaucracy, which often seems dedicated to regulatory excess.

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## Economic News

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### New Study Estimates Small Business Share of Wealth

The Office of Advocacy has issued a new study, *Estimation of Small Business Wealth*, prepared by Joel Popkin and Company. This new report is a companion study to *Small Business Share of Economic Growth*, published in January 2002. Both reports provide additional support to document the important role small firms play in the U.S. economy.

The study is the first attempt at estimating the wealth of the small business sector. The research produced pioneering efforts at developing a methodology as well as a database. There were two main findings:

- Small business wealth accounted for 43 percent of total business wealth in the United States in 2000.
- The small business share of business wealth declined from around 56 percent in the early 1990s to 43 percent in the late 1990s. The decline was largely an effect of the stock market explosion of the late 1990s. Since most small business wealth is privately held, it was not subject to the surge in corporate wealth valuation that accompanied the stock market boom and was overshadowed by the multiplication of large business wealth.

#### Estimates of Small Business Wealth, Selected Years (Billions of Dollars, Percent)

Year	Total Business Wealth	Total Small Business Wealth	Small Business Share of Total Business Wealth (Percent)
1990	5,716	3,387	59.3
1992	7,381	4,168	56.5
1997	14,972	7,096	47.4
1998	17,285	7,259	42.0
1999	20,953	9,126	43.6
2000	19,434	8,327	42.8

Source: *Estimation of Small Business Wealth*, Joel Popkin and Company. Produced under contract to the U.S. Small Business Administration, Office of Advocacy, 2002.

#### For More Information

Advocacy's senior economist, Dr. Charles Ou, can be reached at (202) 205-6947, or by email at [charles.ou@sba.gov](mailto:charles.ou@sba.gov). Both reports are available on the Advocacy website at [www.sba.gov/advo](http://www.sba.gov/advo). Paper and microfiche copies are available for purchase from the National Technical Information Service at (800) 553-6847 or [www.ntis.gov](http://www.ntis.gov).

• *Estimation of Small Business Wealth*: Research Summary 217, PB2002-108706

• *Small Business Share of Economic Growth*: Research Summary 211, PB2002-102202.

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### Advocacy Roundtable Examines Small Business Share of Wealth

Small business's share of GDP has long been an issue of interest and contention. It's of interest because one often needs to be reminded that small businesses, as a group, generate a sizable share of national output. The topic is contentious too, because there are a number of critics that continually focus on a few large businesses as making up the economy and ignore the total mass of small businesses.

Small businesses' share of GDP has been affirmed by Joel Popkin

and Company in a report published by the Office of Advocacy in January 2002, *Small Business Share of Economic Growth*. This report confirms previous findings which have consistently shown that small businesses' contribution is significant—they produce over half of national output. A companion report, *Estimation of Small Business Wealth*, was released in September. The report represents the first-ever attempt to estimate small business's share of wealth.

Given the findings about share of economic growth contained in the earlier report, obtaining a measure of wealth by business size was the next logical step. The new report examines the feasibility of such wealth estimates.

On Sept. 12, 2002, the Office of Advocacy held an economic roundtable to explore this new research. Invited guests consisted of alums from the Office of Advocacy and staff members from the Bureau of

*Continued on page 7*

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## Regulatory Update

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### Corporate Reform Law Will Also Affect Small Public Companies

If you think Congress's recent corporate reform legislation only applies to the *Fortune* 500, you may be in for a surprise. Depending upon how the U.S. Securities and Exchange Commission (SEC) decides to implement the Sarbanes-Oxley Act of 2002 (Pub. L. 107-204), the SEC's final regulations could require the same sort of reporting and substantive actions from small businesses as they require from General Motors and IBM. The law requires public companies—those that have sold securities of any sort to the public—to file various financial reports with the SEC. At this moment, the various divisions of the SEC are in the process of drafting regulations to implement these requirements. These regs could have a direct impact on 2,500 small public companies and an indirect impact on thousands of firms that do business with these companies. The Office of Advocacy is concerned about public companies in their formative stages and looks forward to helping the SEC to consider the impacts of regulation upon small public companies.

In response to the Sarbanes-Oxley Act, the SEC recently acted to require the CEOs and CFOs of public companies to certify the accuracy of financial information,

disclosure controls and procedures, and internal controls in the reports the SEC currently requires. The Office of Advocacy formally commented on the rulemaking, noting that the action requires small public companies that do not employ permanent securities compliance staff to hire expensive consultants to ensure proper compliance with the SEC's demands. The SEC is required to issue a guide to help small public companies comply with the CEO certification rule, but it has not yet stated when the guide will be issued. Now is the time for small public companies to make their compliance concerns known at SEC, since timely, specific, and reasonable guidance from the SEC could reduce future compliance consulting costs and potential legal liability for mistakes.

The second set of regulations looming over small public compa-

nies is the public accounting oversight rules. The Sarbanes-Oxley Act requires public accountants to register and report to an oversight board and submit to annual inspections. The SEC is in the process of establishing this oversight board and its regulations. Furthermore, the law prohibits public accountants who provide audit services to public companies from providing any other services to those clients. The SEC is currently working hard on establishing just how the Sarbanes-Oxley Act's restrictions should be implemented.

As the SEC develops these rules, we encourage small public companies to contact the Office of Advocacy with your concerns and comments on these proposals and also to comment to the SEC as part of the formal rulemaking record.

#### For More Information

Please direct questions and comments to Michael R. See, assistant chief counsel for advocacy, at (202) 205-6533 or [michael.see@sba.gov](mailto:michael.see@sba.gov). Here are the urls of other relevant documents:

- [www.sba.gov/advo/laws/comments/sec02\\_0819.html](http://www.sba.gov/advo/laws/comments/sec02_0819.html)

The Office of Advocacy's letter on the CEO/CFO Certification Rule.

- <http://news.findlaw.com/hdocs/docs/gwbush/sarbanesoxley072302.pdf>

Sarbanes-Oxley Act of 2002 (text).

- [http://www.aicpa.org/info/sarbanes\\_oxley\\_summary.htm](http://www.aicpa.org/info/sarbanes_oxley_summary.htm)

Sarbanes-Oxley Act of 2002 (summary).

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#### Roundtable, from page 6

Economic Analysis, Bureau of the Census, the Federal Reserve Board, the National Federation of Independent Business, and the Center for Women's Business Research. Dr. Joel Popkin and Kathryn Kobe presented on behalf of Joel Popkin and Company. They discussed the methodologies underlying both reports and opened the floor to questions.

A lively and informative exchange followed. The limitations of comparing snapshots of the economy and making dynamic inferences were discussed, as was the possibility of improving data sources to reflect the intricacies of contracting. For example, when contracting companies use subcontractors, to whom should output be attributed? From whose accounts is compensation derived? The

Federal Reserve representative suggested some interesting methodological points in relation to data and index choice in order to validate the numbers in the Popkin report on wealth.

## **Region 9, from page 5**

Regulatory Review Council (GRRC). The GRRC was created in 1996 to combat over-regulation by state agencies as they affect small business. Since GRRC's creation, Arizona lawmakers have continually improved on it.

Under the GRRC process, all agency rules are sunsetted every five years and must be rewritten. The rewritten rules must be approved by GRRC, along with all new agency rules. The sunset provision forces agencies to update their regulations and stay on the cutting edge of technology. But that's not all. GRRC holds seminars for agency staff throughout the year to educate them on how to create economic impact statements and to take small business into account when writing new rules.

What happens if a rule receives final approval but ends up having unintended financial consequences to small business? The GRRC process includes a two-year appeals

window—if a small business can show it has suffered economic harm because of a rule, it can petition for another review by GRRC.

The potential benefits to small business are major: after a cycle or two of sunsetting, all of the state's

regulations will have been rewritten with small business in mind. For more information, please contact Michael Hull, Region 9 Advocate, at [michael.hull@sba.gov](mailto:michael.hull@sba.gov) or (602) 745-7237.

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## **Region 8: Colorado Secretary of State Makes Website Business-Friendly**

More and more of the business world is going 24/7. Business owners have questions that need answers—How do I register my trade name? File a trademark? File periodic reports electronically?

Via its website, the Business Division of the Colorado Secretary of State is one government entity that is winning awards for providing real-time convenience and savings to the business community.

Businesses can e-file periodic reports securely online with a pre-paid account or credit card at a substantial savings. For example, if a domestic entity files its report online the filing fee is \$10. If that

business decides instead to file a paper document that same report carries a \$25 filing fee.

Secretary of State Donetta Davidson said, "Using our e-filing capabilities can save business owners money. Electronic filing requires fewer full-time employees, which means it saves the state money. I can pass these savings on to our customers while at the same time enabling them to conduct their business at their convenience."

For more information visit: <http://www.sos.state.co.us/pubs/business/main.htm> or call the Colorado Secretary of State's Business Division at (303) 894-2200.

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