

Resolution No. 1

Date: 6/9/2012

City: Washington, DC

NAHB Resolution

Title: Recognition of Benefit of Advocacy for Small Business Interests  
Sponsor: Federal Government Affairs Committee  
Submitted by: Bob Camp

WHEREAS, the National Association of Home Builders (NAHB), serves a membership with a heavy concentration of members defined as small businesses;

WHEREAS, various federal and state legislative and regulatory bodies as well as Presidents have enacted legislation and regulations and issued Executive Order(s) supporting increased review of the cost-benefit impacts of new laws and regulations on small businesses;

WHEREAS, the Small Business Administration maintains an Office of Advocacy that serves as one of the lead advocates from within the Administration on behalf of small business and is required to be consulted with by other agencies when new regulations are being considered;

WHEREAS, increased transparency and greater oversight by various oversight Committees can lead to greater scrutiny in the issuance of new laws and regulations which could be of benefit to NAHB;

WHEREAS, under Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), the Chief Counsel for Advocacy at the Small Business Administration, the Administrator of the Office of Information and Regulatory Affairs, along with key personnel from federal agencies, are required to meet with representatives of directly regulated small entities to seek advice and recommendations on regulatory alternatives to minimize the burden on small entities;

WHEREAS, agencies are required to consider alternatives that would reduce the economic burden on small businesses; and

WHEREAS, agencies often seek paths to avoid complying with these requirements, such as when the Environment Protection Agency and the Army Corps of Engineers proceeded with a strategy to issue a Guidance, instead of a Regulation, during its consideration of expanding the definition of navigable waters subject to the provisions of the Clean Water Act, and thereby avoiding the need to conduct a full scale regulatory analysis, including a cost-benefit analysis and small business regulatory impact analysis,

NOW, THEREFORE, BE IT RESOLVED that NAHB be proactive with the administration and the courts to reinforce existing legal requirements on federal agencies to consider the impacts of regulations on small business, as well as the need for Congress to weigh the costs and benefits of new laws; and

BE IT FURTHER RESOLVED that NAHB support efforts to reduce administrative burdens and their associated costs on small businesses.

Board of Directors Action:	Approved
Executive Board Action:	Recommends Approval
Resolutions Committee Action:	Recommends Approval
Custom Home Builders Committee Action:	Recommends Approval
Legal Action Committee Action:	Recommends Approval
Construction Safety & Health Committee Action:	Recommends Approval
Single Family Small Volume Builders Committee Action:	Recommends Approval
Federal Government Affairs Committee Action:	Recommends Approval
Environmental Issues Committee Action:	Recommends Approval