



Strategy and Legislative Update January 2022



Welcome to the January 2022 edition of the **NVSBC Strategy and Legislative Update**, the award-winning source of **Federal Insights for Veteran Small Business GovCons**. This publication is distributed to all NVSBC Members mid-month to provide updates on NVSBC legislative initiatives on behalf of Veteran small businesses. In each monthly edition we provide a detailed review of the current legislative actions, our insights on the potential impacts of this legislation on Veteran small businesses serving as federal contractors, and our federal advocacy activities.

Overview of NVSBC Legislative Priorities - 2022

NVSBC serves as the leading advocate for the 50,000+ Veteran owned small businesses serving as federal contractors. Working together with the highly regarded advisory firm Van Scoyoc Associates, we develop and implement a focused engagement plan with both congress and federal agencies on behalf of our members and Veteran owned small businesses throughout the nation. Here is a summary of our priorities:

Priority #1: CVE Verification Across All Federal Agencies. Monitor the transition of the CVE verification program from VA to SBA as directed by the FY 2020 National Defense Authorization Act (NDAA) to ensure full compliance and maintain high service levels.

Priority #2: Parity of Veteran Small Business Set-Asides. Advocate for an increase of the government-wide set-aside contracting award goal for Service-Disable Veteran Owned Small Businesses (SDVOSB) firms from the current 3% level to 5% or above to match Women Owned Small Business levels. Additionally ensure that Veteran owned small businesses benefit from any future set aside program increases.

Priority #3: Addressing the Challenges of Category Management. Engage Congress and the lead agencies that are advancing Category Management as a federal acquisition policy (GSA, OMB, DoD) to mitigate and reverse its devastating impact on small businesses (i.e., the resulting 40% reduction in federal small business primes).

Priority #4: Addressing the Challenges of Unfunded Mandates. Relieve the burden of unfunded mandates (i.e., CMMC, vaccinations, etc.) through requirement guideline exemptions and/or SBA support programs.

Priority #5: Veterans First. Monitor VA adherence to Vets First acquisition policies for SD/VOSB acquisition awards. Leverage VA best practices to advocate for a DoD Vets First Program.

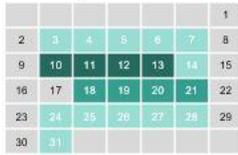
Priority #6: Access to New Contracting Opportunities. Promote, advance and advocate for new and expanded Veteran small business opportunities at all federal agencies.

Legislative Update

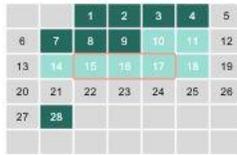
2022 Congressional Calendar

Both chambers in session
 House only in session
 Senate only in session
 House committee work

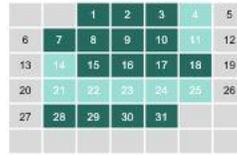
January



February



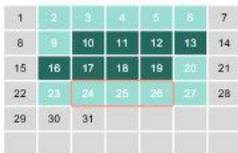
March



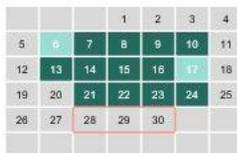
April



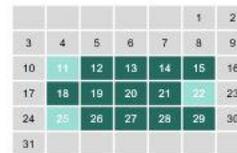
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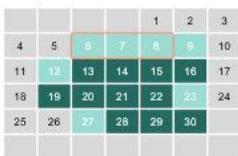
July



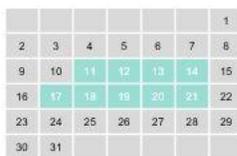
August



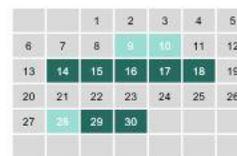
September



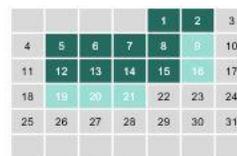
October



November



December



Important Dates in 2022

- **Jan. 10:** Second session of the 117th Congress begins
- **Feb. 18:** Continuing Resolution extending FY21 Government funding expires
- **March 1:** State of the Union Address
- **March 1:** First state primaries begin
- **May 1:** Student loan deferral extension expires
- **Sept. 30:** End of FY22
- **Nov. 8:** Midterm Elections

2022 Congressional Priorities

Voting Rights

- This week is dominated by the Senate’s battle over voting rights legislation and the filibuster.
- The “Freedom to Vote: John R. Lewis Act” would overhaul how US elections are run and reform other areas of national politics like campaign finance and the gerrymandering of congressional districts. It would also make Election Day a federal holiday in midterm and presidential years.

Next Steps /Impact

- Despite a big push by President Joe Biden, Senate Majority Leader Chuck Schumer, and progressive groups, Democrats are not going to be able to overcome a GOP filibuster to pass a Voting Rights bill. Sens. Joe Manchin (D-W.Va.) and Kyrsten Sinema (D-Ariz.) are also firmly against getting rid of the filibuster and significant filibuster reforms.

FY22 Appropriations & FY23 Presidential Budget Update

- The Four Corners – top lawmakers from both parties on the Senate and House Appropriations committees – met last week to begin hashing out the outlines of FY22 funding package. There is bipartisan interest in completing work on the FY22 appropriations bills and not rely on a full year CR.
- It is not clear if an FY22 omnibus package can come together by the Feb. 18 deadline or if another short-term CR will be needed.
- President Biden is not expected to unveil his FY23 budget request until March or April.

Next Steps/Impact

- Under a CR, the U.S. Government continues spending at the previous Fiscal Year levels and no new programs are allowed to start. Any existing contracts that industry has with the Federal Government will continue to carry on at previous Fiscal Year levels. Federal Program Offices tend to be conservative with spending under a CR since it is not always clear when the final appropriations measures will be completed.
- The delayed FY23 budget request will delay the FY23 appropriations and authorization process on Capitol Hill.

Build Back Better Act (BBBA) Outlook

- Much of February will be dominated by an effort to revive some scaled-back version of BBBA before the State of the Union Address on March 1.
- Democrats must still appease holdout Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ), gain a final ruling from the Senate parliamentarian, establish a compromise on state and local tax deductions, and more.

Next Steps /Impact

- Senate Majority Leader Chuck Schumer (D-NY) insisted that negotiations on the bill will continue until a version of the plan is passed
- Democrats must determine a path forward for the bill, including whether to break up the wide-reaching legislation.
- Sen. Manchin has previously hinted that he may still be willing to negotiate the bill into passage, while some Republican senators have hinted at potential support for smaller stand-alone bills.

Competition with China

- There is bipartisan support for boosting competition with China in science and technology for market and defense reasons, notably through the Senate-passed US Innovation and Competition Act (USICA)
- Democratic congressional leaders announced a bicameral plan to negotiate USICA in conference in the hopes of delivering a final bill to President Biden.

Next Steps/Impact

- The House is preparing to move forward on the USICA bill that would authorize money to bolster US research and development as well as aid for the domestic semiconductor industry.
- There is no timing yet on a vote, but the House and Senate are working out a way to go to conference.

Vaccine Mandates

On Thursday, January 13, the Supreme Court issued two rulings related to cases they heard for oral arguments last week. The Biden Administration proposed a number of actions requiring certain industries to require vaccines for their workers. One is the Occupational Safety and Health Administration’s (OSHA) Emergency Temporary Standard (ETS) requiring employers with more than 100 employees to require their workers to be vaccinated or submit to weekly COVID tests and masking. The second is the Department of Health and Human Services (HHS) vaccine mandate for workers at hospitals and other health facilities that receive federal funding. After various federal courts suspended and affirmed the rules in various court jurisdictions, it was expected that only the Supreme Court could resolve these controversial matters.

In Thursday’s ruling, the Supreme Court struck down OSHA’s ETS through a stay. In its 6-3 decision, the Court states “although Congress has indisputably given OSHA the power to regulate occupational dangers, it has not given that agency the power to regulate public health more broadly.” The high court did state in its ruling that OSHA has the authority to regulate COVID-19 vaccinations industries with “crowded and cramped environments.” The case is remanded back to the Sixth District Court of Appeals, which must now hear the case on its merits. But the Supreme Court notified the Sixth Circuit they expect the business groups opposed to the OSHA ETS would win on the merits, a strong signal to the Sixth Circuit to rule against OSHA.

The Supreme Court did affirm the HHS rule related to vaccination of certain health workers. In that ruling, the Court states “Congress has authorized the Secretary to impose conditions on the receipt of Medicaid and Medicare funds that ‘the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services.’” The ruling recognizes that the vaccine requirement is not intended to protect the individual worker, but also the patients with which they work.

With the OSHA ETS ruling identifying a number of ways in which the Supreme Court believes OSHA can require workers to be vaccinated, the White House is exploring other avenues to achieve maximum vaccination rates. Among those options are a permanent rule (which would be subject to a lengthy regulatory process) or narrower application of the ETS on specific industries. Furthermore, the White House is pushing the nation’s largest employers to impose their own vaccine requirement.



NVSBC Outreach & Planning Sessions Lead by VSA

During January, VSA held additional strategic planning sessions with NVSBC leaders and the Board of Directors to discuss Calendar Year 2022 and Fiscal Year 2023 legislative priorities.

SAVE THE DATE! PLAN TO ATTEND VETS22 and LAUNCH YOUR FUTURE!



MAY 17-20
ORLANDO, FL
★ ★ ★
REGISTRATION
OPENS SOON
CLICK HERE
FOR MORE INFO

VETS22 is the Nation's Leading VSO-Sponsored Training, Networking, and Advocacy Conference for Small Businesses Serving as Government Contractors.

- Registration opens in January
- For **Sponsorship & Exhibitor Opportunities** contact scott.semples@nvsbc.org TODAY!

NVSBC is the Lifeline for the Veteran Small Business Community

Facing the challenges of the COVID crisis and new funding initiatives, and the opportunities to support one another as Veterans always do, **NOW** is the time to **ACT**.

NVSBC needs **YOUR HELP** and **YOUR INVOLVEMENT!** Please **REACH OUT** to your fellow veteran business owners. Let them know that **HELP IS OUT THERE**. Let them know what we are doing to help them.

ASK THEM TO JOIN NVSBC today to be part of this great expansion!