



October 30, 2008

The Honorable Sandy Baruah
Acting Administrator
U.S. Small Business Administration
409 Third Street, SW
Washington, DC 20416

Dear Acting Administrator Baruah:

I am writing on behalf of the National Women's Business Council. As you are aware, the legislative mandate of the Council is to advise the President, Congress, and the SBA Administrator on issues of importance to women entrepreneurs. In June, I became the Council's Chair and am pleased to lead such an outstanding group of women business owners.

Last January, we sent a letter to Administrator Preston regarding the proposed rule 13CFR Parts 121, 125, 127, and 134 on women-owned business federal contract assistance procedures. In the letter, the Council recommended discarding and rewriting the proposed rule in order to incorporate the interests of key stakeholders in the women's entrepreneurial community.

According to the SBA's final rule submitted in September, 98% of comments the agency received requested withdrawal of the proposed rule and/or stated opposition to some portion of the proposed rule. However, the agency fails to address why it disregarded the majority of these comments (59%) which gave substantive reasons for this opposition. In addition, the concerns of the women's business community regarding the requirement of determining previous agency-level discrimination before implementing these procedures, in particular, went unanswered in this final rule.

Relating to the new proposed rule, the Council does not believe that it has enough time or expertise to respond appropriately to the question of which data set, the Central Contractor Registration (CCR) or the Census Bureau's Survey of Business Owners (SBO), will provide the soundest basis to identify industries in which women-owned business are underrepresented in Federal procurement. Furthermore, any expansion of the industries eligible for participation in this program will be irrelevant given the abovementioned discrimination clause.

On behalf of the National Women's Business Council, thank you for the opportunity to comment. The Council continues to offer our assistance in developing and implementing programs to encourage greater participation by women business owners in federal contracting. Specifically, we continue to encourage women business owners to enter the federal marketplace by registering their companies in the Central Contractor Registration (CCR).

Sincerely,

Carole Jean Jordan
NWBC Chair