



U.S. Small Business
Administration

MEMORANDUM

TO: Susan Minson
Acting SBA Desk Officer
Office of Management and Budget

FROM: Lori Gillen *Lori Gillen*
Acting Director
Office of the HUBZone Program

SUBJECT: Request for Emergency Clearance

DATE: October 9, 2019

This is to request emergency clearance of an information collection. This information collection is mandated by section 1701(e) of the National Defense Authorization Act for Fiscal Year 2018, Pub. L. 115-91 (2018 NDAA), which authorizes State Governors to petition the SBA Administrator to designate specific covered areas as qualified HUBZone areas. Pursuant to section 1701(j) of the 2018 NDAA, this authority is to become effective on January 1, 2020. Emergency clearance will allow SBA to implement the authority in accordance with this statutory deadline and begin accepting petitions for Governor-designated covered areas without delay. Accordingly, SBA requests that OMB approve the information collection immediately.

SBA helps Americans start, build, and grow businesses. This collection is essential to the Agency's mission because if SBA designates an area as a Governor-designated covered area, based on the information provided by the State Governor, additional small businesses may become eligible for certification as HUBZone small business concerns, which in turn will provide them with more contracting opportunities. These additional contracting opportunities create incentives for individuals to start small businesses and allow existing small businesses to grow.

Emergency clearance is necessary because use of normal clearance procedures will delay the collection of these statutorily mandated petitions. In addition, use of normal clearance procedures is likely to cause the statutory deadline to begin receiving petitions (January 1, 2020) to be missed. Delaying SBA's ability to accept these petitions would have a negative impact on small businesses because SBA would not be able to designate additional HUBZones under this authority, which would prevent some small businesses from being certified as HUBZone small business concerns and could cause others to lose their status as certified HUBZone small business concerns.



SBA has taken all practicable steps to consult with interested agencies and members of the public to minimize the burden of this information collection. SBA intends to make available on its website a list of the areas within each State that meet the statutory definition of “covered area” according to the most recent Bureau of the Census data. This will minimize the burden on State governments by eliminating the need to gather this data and do the necessary analysis to determine which areas may meet the definition of “covered area.”

Finally, pursuant to 5 C.F.R. § 1320.13(d), SBA also requests a waiver from the requirement to publish a 60-day notice in the Federal Register requesting comments on this information collection. SBA will publish the required notice as part of the standard submission process before the emergency approval expires.

If you have any questions, please contact me at lori.gillen@sba.gov.

