# POSITION DESCRIPTION

# chief counsel for advocacy, small business Administration

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| **OVERVIEW** |
| Senate Committee | Small Business and Entrepreneurship |
| Agency Mission | To aid, counsel, assist and protect the interests of small business concerns; to preserve free competitive enterprise; and to maintain and strengthen the overall economy of our nation |
| Position Overview | The chief counsel for advocacy is responsible for advancing the views, concerns and interests of small business before the White House, Congress, federal agencies, federal courts and state policymakers.[[1]](#endnote-1) |
| Compensation | Level IV $155,500 (5 U.S.C. § 5315)[[2]](#endnote-2) |
| Position Reports to | There is a limited legal separation from the administrator of the Small Business Administration (SBA) and an even greater practical separation. Every chief counsel has argued that the office is independent, though the president may dismiss the chief counsel.[[3]](#endnote-3) |
| **RESPONSIBILITIES** |
| Management Scope | In fiscal 2015, the SBA had $258 million in budget outlays and 2,935 employees.[[4]](#endnote-4) The chief counsel for advocacy oversees about 50 employees.[[5]](#endnote-5) In addition to the Washington, D.C. staff, 10 regional advocates around the country support the chief counsel's efforts.[[6]](#endnote-6) |
| Primary Responsibilities | * Oversees the Office of Advocacy, which:
	+ Examines the role of small business in the American economy and the contribution that small business can make
	+ Assesses the effectiveness of existing federal subsidy and assistance programs for small business, and the desirability of reducing the emphasis on such existing programs and increasing the emphasis on general assistance programs designed to benefit all small businesses
	+ Measures the direct costs and other effects of government regulation on small businesses and makes legislative and nonlegislative proposals for eliminating excessive or unnecessary regulations of small businesses
	+ Determines the impact of the tax structure on small businesses and makes legislative and other proposals for altering the tax structure to enable all small businesses to realize their potential for contributing to the improvement of the nation’s economic well-being
	+ Studies the ability of financial markets and institutions to meet small business credit needs, and determines the impact of government demands for credit on small businesses
	+ Determines financial resource availability and recommends methods for delivering financial assistance to minority enterprises
	+ Evaluates the efforts of federal agencies, business and industry to assist minority enterprises
	+ Makes other recommendations as appropriate to assist with developing and strengthening minority and other small business enterprises
	+ Recommends specific measures for creating an environment in which all businesses will have the opportunity to contribute to the economy effectively and expand to their full potential, and ascertains the common reasons, if any, for small business successes and failures
	+ Determines the desirability of developing a set of rational, objective criteria to be used to define small business, and develops such criteria, if appropriate
	+ Evaluates the efforts of each U.S. department and agency, and of private industry, to assist small businesses owned and controlled by veterans; provides statistical information on these businesses’ use of such programs; and makes appropriate recommendations to the SBA administrator and Congress in order to promote the establishment and growth of those small businesses (15 U.S.C. § 634b)
	+ Serves as a contact point to receive complaints, criticisms and suggestions concerning the policies and activities of the administration and any federal agency that affects small businesses
	+ Counsels small businesses on how to resolve questions and problems concerning the relationship of the small business to the federal government
	+ Develops proposals for changes in the policies and activities of any federal agency that will better fulfill the purposes of this chapter, and communicates them to the appropriate federal agencies
	+ Represents the views and interests of small businesses before other federal agencies whose policies and activities may affect small business
	+ Enlists the cooperation and assistance of public and private agencies, businesses and other organizations in disseminating information about the programs and services the federal government provides that will benefit small businesses, and information on how small businesses can participate in or make use of such programs and services (15 U.S.C. § 634c)
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| Strategic Goals and Priorities | [Depends on the policy priorities of the administration] |
| **REQUIREMENTS AND COMPETENCIES** |
| Requirements | * Appointed from civilian life (15 U.S.C. § 634a)
* Extensive management experience for an organization that has people located throughout the country
* Understanding of the regulatory process and the technical issues and impacts of regulations
* Attorney (helpful)[[7]](#endnote-7)
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| Competencies | * Strong communications skills
* Political savvy, given that SBA contains a diverse set of programs, many of which are political hot buttons[[8]](#endnote-8)
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| **PAST APPOINTEES** |
| Darryl DePriest (2015 to 2017): Senior Consultant; Hill+Knowlton Strategies; General Counsel, American Bar Association; Partner, Jenner & Block[[9]](#endnote-9) |
| Winslow Lorenzo Sargeant (2010 to 2015): Technology Practice Managing Director, Venture Investors; Program Manager, Small Business Innovation and Research and Small Business Technology Transfer Program, Directorate for Engineering, National Science Foundation; Co-Founder, Aanetcom[[10]](#endnote-10) |
| Thomas M. Sullivan (2002 to 2008): Executive Director, NFIB Legal Foundation, National Federation of Independent Business; Regulatory Counsel, National Federation of Independent Business[[11]](#endnote-11) |

1. https://www.linkedin.com/in/darryldepriest/ [↑](#endnote-ref-1)
2. The Consolidated Appropriations Act, 2017 (Public Law 115-31, May 5, 2017), contains a provision that continues the freeze on the payable pay rates for certain senior political officials at 2013 levels during calendar year 2017. [↑](#endnote-ref-2)
3. Romney Readiness Project position description [↑](#endnote-ref-3)
4. Leadership Directories: https://lo.bvdep.com/OrgDocument.asp?OrgId=-1&LDIBookId=19&LDIOrgId=155671&LDISecId=201&FromRecent=0&Save=1&Position=-1#O155671 [↑](#endnote-ref-4)
5. Romney Readiness Project position description [↑](#endnote-ref-5)
6. https://www.linkedin.com/in/darryldepriest/ [↑](#endnote-ref-6)
7. Romney Readiness Project position description [↑](#endnote-ref-7)
8. Romney Readiness Project position description [↑](#endnote-ref-8)
9. https://www.linkedin.com/in/darryldepriest/ [↑](#endnote-ref-9)
10. Leadership Directories: https://lo.bvdep.com/PeopleDocument.asp?PersonId=-1&LDIPeopleId=466035&Save=1 [↑](#endnote-ref-10)
11. Leadership Directories: https://lo.bvdep.com/PeopleDocument.asp?PersonId=-1&LDIPeopleId=465541&Save=1 [↑](#endnote-ref-11)