

## Putting Small Businesses at the Forefront of New Regulations



**Gene Marks**

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**Congressman  
Ben Cline**

6th Congressional District of Virginia

**Announcer:**

Welcome to Paychex THRIVE, a Business Podcast, where you'll hear timely insights to help you navigate marketplace dynamics and propel your business forward. Here's your host, Gene Marks.

**Gene Marks:**

Hey everybody and welcome back to Paychex THRIVE. My name is Gene Marks and I'm here with Congressman Ben Cline. Congressman Cline is a U.S. Representative for Virginia's sixth congressional district. Congressman Cline has been serving the district since 2019, he is a member of the Republican Party. And may I just say, thank you so much for joining.

**Congressman Ben Cline:**

Hey, great to be with you.

**Gene Marks:**

Yeah. I'm glad that you're here, we like to have people on both in government and in congress and people that impact small businesses. And as I said to you before we actually started recording, Congressman, this is a podcast and a video that's watched by business owners, employer-owned businesses as well. You have recently introduced legislation in the house that's called, I'm going to try and get this right, all right? The Small Business Regulatory Flexibility Improvement Act. Correct?

**Congressman Ben Cline:**

Right.

**Gene Marks:**

And I want to hear from you what this entails and why you introduced it and why you think it would benefit small businesses? So the floor is yours.

**Congressman Ben Cline:**

My district is full of small businesses and it stretches from Roanoke in the south to Front Royal in the north. And in between our cities, ranging in size from small towns and villages of 1,000 to 50,000, 60,000 strong cities. And the small businesses that I talk to, I visit on a regular basis, traveling up and down, touring factories, but also talking to services and healthcare industry folks. You name it, I've toured it. But to try and understand what their greatest challenges are in this environment. And it's a very dicey environment for small businesses, they've just come out of COVID, a lot of fragility in the markets, uncertainty moving forward.

**Congressman Ben Cline:**

And often it's the smallest thing that can really knock you off course when you're just trying to scrape by and get back on track. You've got supply chain issues, it's across the board. So when the federal government comes in and wants to promulgate a regulation, often that can be not just a small wind to knock you off your course, but a gale-force wind or a hurricane. And so anytime that we can put in the minds of these regulators that they need to be more considerate of not just business but small business because a lot of them are just operating with... The past couple years, a lot of my small business owners have been just reinvesting every cent of revenue and not getting a paycheck themselves.

**Gene Marks:**

So Congressman, the bill to say that it's requiring agencies to adequately analyze their proposed rules, whatever rules they're going to do, for their potential impact on small businesses. And I was wondering if you can be a little bit more specific. There must have been some case, some constituents, some local businesses that were impacted by this that drove you to write this legislation. And I'm wondering if you can be like, "Yeah, here's a situation where this would apply." Does that make sense?

**Congressman Ben Cline:**

Absolutely. And I've got some small businesses owned in my hometown of Lexington by some former high school classmates selling outdoor gear for example. And it really comes down to OSHA, EPA style regulations that are coming down the pike. A lot of them are related to environmental regulations and the current administration is weaving environmental regulations into just about everything and into just about every aspect of the economy. And so a lot of small businesses that haven't had to really adjust to these regulations are starting to be notified that they're going to be required to be in compliance with certain requirements.

**Congressman Ben Cline:**

So, I've been included on some chats, if you will, where there's a lot of confusion and they're not feeling like they're being helped through the process, they're really just being dictated to and told when the deadlines are and told they better comply or they're going to be in trouble and the fines are going to be exorbitant. So I'm trying to help these small businesses and this legislation would really take the place of me helping them in 434 other U.S. House districts so that every small business across the country can get the same kind of assistance that I'm providing my small businesses here in my district.

**Gene Marks:**

Do you know what this reminds me of? It reminds me of the kid or the teenager that's baking cookies and selling it out of their home and then there's a SWAT team of government officials that come and shuts them down because they're... So it seems like legislation that can help those types of entrepreneurs as well in addition to other small businesses. Two parts of this question. So first of all, where does this legislation stand? I mean, it seems like a no-brainer and something that I'm assuming is going to move forward at some point, but I'd love to hear what you think the prospects of it becoming law. And then assuming it does become law, where would a business owner go? Say they do have that problem, where would they go for help to say, "Hey, this has not been addressed."

**Congressman Ben Cline:**

So there are two laws already on the books that are designed to get where we want to go, but they're vague and the definitions aren't updated. The Regulatory Flexibility Act of 1980, 1980 was a long time ago. And the Small Business Regulatory Enforcement Fairness Act of 1996, also a long time ago, pre-internet pretty much. And so adjusting the regulatory framework to meet the needs of these small businesses is what it's all about. Not just looking back at current regulations, but moving forward, it would require agencies to bring in small businesses at the beginning of the process. And so help them to be part of promulgating regulations from the very beginning so that they're not overlooked and then you have to come back in after the fact to try and fit a square peg in a round hole.

**Congressman Ben Cline:**

So the bill has been introduced, it is currently in the small business committee. The chair of that committee is Congresswoman Nydia Velazquez and I've spoken with her about some of my legislative initiatives and this is at the top of my list of priorities. So it's my hope that if there is a rush to the doors at the end of this congress and there's a lame duck session, that non-controversial legislation like this can be moved and the Senate will do the same thing.

**Congressman Ben Cline:**

In spite of all of the partisan politics that goes on, there's an undercurrent of cooperation around non-controversial legislation. I've enacted bills related to small business bankruptcies and veteran-owned businesses, veteran finances. So these types of conversations are happening all the time and you just have to be able to compartmentalize. You see them and work with them on something one day and then they go off onto cable news and say something incendiary that gets you upset the next day. So hopefully we can come to an agreement on this important legislation and we can see it passed before the session ends in December and then we have to start all over again, introduce it again in January. But that's okay, if that's what happens, it won't slow us down very much.

**Gene Marks:**

I find legislation like this, you're absolutely right, to be more fast track. It's funny with all the partisanship that there is in Washington and all the stuff that we see in the media, small businesses is pretty much a bipartisan thing. And of all the different committees that I've seen in both the Senate and the House, the small business committee in the house and the Senate's small businesses and entrepreneurs, the people there work together pretty well and have a good relationship, it's just one of those areas that most people have common ground. So, that's great to hear. And I am optimistic that we will see both pieces of those legislations move forward and become law.

**Gene Marks:**

Okay. Before I let you go, let's talk a little bit about Virginia and small businesses. I was cruising through your Twitter account, which is a lot of fun, and seeing the activities that you're up to. You visited just recently a place called Winchester Metals. I can't think of any better example of a typical B2B, small business, it's exactly like my clients. I'm a CPA, so I have a lot of clients that are like that. So I'm curious to see what did you see when you visited those guys? What issues were they having? And again, as their Congressman, what will you be doing for them once you're reelected in November?

**Congressman Ben Cline:**

Well, it was a great visit to one of the small businesses in the district that does custom metal work, but also does sheet metal prep for building infrastructures and other local construction initiatives around the Winchester area. And so getting to meet the employees, about 30 employees, and their biggest challenge is finding workers. Right now, the Shenandoah Valley is blessed to have low unemployment, but it is a challenge for employers in the district across the board. It doesn't matter what industry you're in, whether you're small or large, you're having trouble recruiting and retaining employees. And I think that's the case around a lot of the country.

**Congressman Ben Cline:**

But this business has innovated, they have several patents on some stoves that they manufacture and sell. So, if you're tailgating at a football game, a way to hitch up a certain type of charcoal burning stove to your tailgate, bring it in on your truck and unhook it. And it's a great little project they've innovated and are making money and so more power to them. We just want to help them when it comes to getting through this latest economy, the inflation that's challenging them, the supply chain seems to be pretty strong for their industry, so they're not having those issues, but it's the workforce issue that's really burdening them right now

**Gene Marks:**

When it comes to workforce, and then I'll let you go, I'm not optimistic however these elections come out in November, Congressmen, that we're going to have such a mandate of either party, it seems like we're probably destined for another two years of a very tightly split congress. One area that I personally feel has some potential for bipartisanship movement and what has such a dramatic impact on business and that addresses the exact issue that you just brought up, is immigration reform. And because again, allowing immigrants some path, more immigrants to become naturalized, to become legal, would provide such a boost to a lot of businesses like the people at Winchester Metals, it would expand their ability to find workers for their business. I am curious as to your thoughts, these are just your personal thoughts, as to the potential for some type of a bipartisan immigration reform legislation that could happen in this next congress. Is that something you feel that could happen and what are your thoughts on that?

**Congressman Ben Cline:**

It is and I think I'm a hopeful representative, I always look on the positive side of things and those conversations are happening. But I think we have challenges on the legal and the illegal side. And the more that you can reform the legal immigration side, and I'm not talking necessarily about a path to citizenship, I'm more talking about just temporary worker visas. The process is so burdensome for people from another country wanting to come in and work that many oftentimes will resort to trying to come in illegally or overstay their visas and then they're in violation of the law. So, by reforming the legal system and making it work more efficiently and quicker for those people who want to come in and in a way that helps them contribute to their families and whether it's bring their family with them or keep them in their communities back home, reforming that system will actually help reduce the amount of illegal immigration that we have currently.

**Congressman Ben Cline:**

We have a broken border that we really do need to come together to address. We need to reform our asylum laws because a lot of these people coming across our southern border particularly are seeking a better life, escaping dire poverty and crime, neither of which is grounds for asylum. Really, you have to be facing religious, ethnic persecution, a war, some kind of crisis of that vein to really get your asylum claim approved. And if we allow them the opportunity to apply for asylum back in their community or to have a more efficient and effective visa system back in their community where they can come in and talk about ways to get a visa to come up to work, I think we'd go a long way towards solving the problems that you're talking about when it comes to our workforce.

**Gene Marks:**

Great answer. Congressman Ben Cline is a Republican representing in Virginia's sixth congressional districts since 2019 and a significant supporter of small businesses, not only in his area, but also around the country. Congressman, thanks so much for joining me and talking and I want to wish you best luck in the upcoming election.

**Congressman Ben Cline:**

Thanks so much. Have a great day.

**Gene Marks:**

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**Announcer:**

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